

3. *Requests* States with legislation permitting importation of minerals and other products from Southern Rhodesia to repeal it immediately;

4. *Calls upon* States to enact and enforce immediately legislation providing for the imposition of severe penalties on persons natural or juridical that evade or commit breach of sanctions by:

(a) Importing any goods from Southern Rhodesia;

(b) Exporting any goods to Southern Rhodesia;

(c) Providing any facilities for transport of goods to and from Southern Rhodesia;

(d) Conducting or facilitating any transaction or trade that may enable Southern Rhodesia to obtain from or send to any country any goods or services;

(e) Continuing to deal with clients in South Africa, Angola, Mozambique, Guinea (Bissau) and Namibia after it has become known that the clients are re-exporting the goods or components thereof to Southern Rhodesia, or that goods received from such clients are of Southern Rhodesian origin;

5. *Requests* States, in the event of their trading with South Africa and Portugal, to provide that purchase contracts with those countries should clearly stipulate, in a manner legally enforceable, the prohibition of dealing in goods of South Rhodesian origin; likewise, sales contracts with these countries should include a prohibition of resale or re-export of goods to Southern Rhodesia;

6. *Calls upon* States to pass legislation forbidding insurance companies under their jurisdiction from covering air flights into and out of Southern Rhodesia and individuals or air cargo carried on them;

7. *Calls upon* States to undertake appropriate legislative measures to ensure that all valid marine insurance contracts contain specific provisions that no goods of Southern Rhodesian origin or destined to Southern Rhodesia shall be covered by such contracts;

8. *Calls upon* States to inform the Committee established in pursuance of resolution 253 (1968) on their present sources of supply and quantities of chrome, asbestos, nickel, pig iron, tobacco, meat and sugar, together with the quantities of these goods they obtained from Southern Rhodesia before the application of sanctions.

The second draft resolution S/10928 received 11 votes in favour, 2 against, and 2 abstentions and failed of adoption, owing to the negative votes of two permanent members.¹⁷⁷

The representative of the United States, speaking in explanation of vote, stated that the second draft resolution (S/10928) included several proposals on which his delegation and others had expressed strong reservations in the Committee discussions. His delegation considered it unrealistic to call for broader sanctions until all members of the United Nations had demonstrated their willingness to take more seriously the sanctions already in force. In these circumstances his delegation did not believe that the draft resolution would enhance the ability of the United Nations to act effectively. The adoption of a resolution which was clearly unenforceable would seriously damage the reputation of the United Nations and further erode public confidence in its ability to act in a meaningful way. These considerations were the only reason for his Government's decision to vote against the draft resolution.¹⁷⁸

THE SITUATION IN THE MIDDLE EAST

Decision of 28 February 1972 (1644th meeting): resolution 313 (1972)

¹⁷⁷ 1716th meeting, para. 48.

¹⁷⁸ *Ibid.*, paras. 86-87.

By letter¹⁷⁹ dated 25 February 1972 addressed to the President of the Security Council, the representative of Lebanon complained about a large-scale air and ground attack by Israel against Lebanon on the morning of the same day and requested an urgent meeting of the Security Council in view of the extreme gravity of the situation endangering the peace and security of Lebanon.

By letter¹⁸⁰ dated 25 February 1972 addressed to the President of the Security Council, the representative of Israel, after referring to his previous letter dated 24 February,¹⁸¹ complained about a further attack by terrorists from Lebanese territory against an Israeli Border Police patrol as a result of which one Israeli was killed and eight wounded. He stated that in face of this and other attacks Israel was compelled to take action in self-defence against encampments of the terrorists on 25 February. In view of the gravity of the continuing armed attacks against Israel he requested an urgent meeting of the Security Council.

At its 1643rd meeting on 26 February 1972, the Council included the complaints by Lebanon and Israel in the agenda listing each separately under the item "The Situation in the Middle East". Following the adoption of the agenda, the representatives of Lebanon and Israel,¹⁸² and subsequently those of the Syrian Arab Republic and of Saudi Arabia¹⁸³ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1643rd and 1644th meetings, held on 26 and 27 February 1972.

At the 1463rd meeting the representative of Lebanon* charged that on 25 February a battalion of the Israeli armed forces, composed of 60 tanks and armoured cars and supported by air force and infantry units, had entered Lebanese territory and attacked several Lebanese villages. The Israeli air force also bombarded other villages causing death and destruction. On the same day, Israel had delivered a warning to Lebanon through the Mixed Armistice Commission that the Israeli action was in response to terrorist activities from Lebanese soil against Israel and that Israel would continue its incursions into Lebanon if the terrorist activities did not cease. The representative of Lebanon also reported that Israeli aggression was continuing. Recalling previous resolutions of the Security Council condemning Israel's attacks against Lebanon, he deplored Israel's defiance of the authority of the Security Council and its course of aggression threatening the territorial integrity and the peace of Lebanon. He rejected Israel's attempt to hold the Lebanese responsible for the resistance by Palestinians against the illegal Israeli occupation. If Israel had not paralysed the Mixed Armistice Commission, reliable information on the origin of the incidents in Israeli held territories would be available. No border control, even if exercised with utmost care as in the Lebanese case, could be flawless, as experience all over the world demonstrated.

¹⁷⁹ S/10546, *OR*, 27th yr., *Suppl. for Jan.-March 1972*, p. 53.

¹⁸⁰ S/10550, *ibid.*, p. 57.

¹⁸¹ S/10543, *ibid.*, p. 51.

¹⁸² 1643rd meeting, para. 2.

¹⁸³ *Ibid.*, paras. 76-77.

In view of Israel's aggression in violation of Article 2 (4) of the Charter of the United Nations, the representative of Lebanon urged the Council to take measures which would prevent Israel from resorting to further acts of aggression, to determine that these acts constituted a breach of the peace and a threat to the peace and to impose on Israel the appropriate sanctions provided for in Chapter VII of the Charter.¹⁸⁴

The representative of Israel* declared that the Government of Lebanon was solely responsible for the creation of the situation in its border areas. For a long time and contrary to explicit obligations under international law, the Charter of the United Nations and the cease-fire established by the Security Council in 1967, the Government of Lebanon had permitted terrorist organizations to establish bases on its territory from which to carry out armed attacks against Israeli civilians and members of the armed forces and against Israeli property. The Lebanese Government had even entered into a written agreement with the terrorist organization providing for full co-operation between the Government and the terrorists. Israel held that every Government was bound by international law to refrain from attacks against another country and also obliged to prevent anybody from using its territory for such attacks or threats. Israel which had brought to the attention of the Council a large number of such attacks by terrorists had merely fulfilled its duty to protect its citizens from external attacks. The representative of Israel deplored that the Council had done nothing to impress on Lebanon its obligation to prevent attacks from its territory against Israel and requested that Lebanon be condemned for violating the cease-fire by its actions and by its omissions and be ordered to put an end to all terrorist activities from its territory against Israel.¹⁸⁵

At the same meeting, the representative of the USSR stated that the full-scale Israeli act of aggression constituted a particularly serious threat not only to peace and security in the Near East but to international peace as a whole. This violation of international law, of the Charter of the United Nations and of the decisions of the Security Council could not be masked as self-defence by Israel which tried to suppress the legitimate struggle of the Arabs for the liberation of their lands. The representative of the USSR called for the Council to condemn Israeli aggression, to implement its previous decisions by applying the provisions of Chapter VII of the Charter and to consider the question of expelling Israel from the United Nations for its aggression and violation of the Charter. He also urged the members of the Council and primarily its permanent members to renew the consultations in support of Ambassador Jarring's mission in the Middle East.¹⁸⁶

The representative of France expressed the view that the Government of Lebanon did everything to control the activities of the *fedayeen* and could not be held accountable for events on Israeli territory. He reported that his Government had communicated to Israel that it could not agree with any reprisals against any State, in particular against a peace-loving State like Lebanon which should be given assistance by the Council, whereas Israel should

immediately withdraw its troops from Lebanese territory.¹⁸⁷

The representative of Yugoslavia referred to the quasi-unanimous opinion of the international community that peace in the Middle East must be based on the territorial integrity and sovereignty of all States without recourse to force and asked for effective measures to prevent attacks like the Israeli ones and make them impossible in the future.¹⁸⁸

The representative of Japan recalled the proposal made by the Secretary-General in 1969 to station United Nations Observers on both sides of the Israel-Lebanon border to observe and maintain the Security Council cease-fire. The adoption of this proposal could have prevented the recurrence of border incidents.¹⁸⁹

The representative of the United Kingdom while deploring the acts of terrorism by *fedayeen* against Israel, denied that the Israeli measures against Lebanon were justifiable.¹⁹⁰

The representative of Italy reiterated his Government's support for the preservation of the integrity, political balance and welfare of Lebanon and stated that the Israeli reprisal exceeded by far the initial act of violence that allegedly prompted it, and violated the principles of the Charter, in particular the commitment of all Member States not to resort to the use of force to settle their disputes.¹⁹¹

The representative of Belgium appealed for respect for the territorial integrity and sovereignty of all States in the Middle East and urged Governments not to have recourse to force. He requested specifically that Israel refrain from any attack within the Lebanese territory, that Lebanon prevent the misuse by the Palestinian fighters of the hospitality offered to them for raids on Israeli territory and that the international control organ established under the Armistice Agreement of 1949 function without delay with the participation of Israel.¹⁹²

The representative of China asked for Israel's condemnation by the Security Council and for Israel's immediate withdrawal from Lebanese territory.¹⁹³

The representative of the USSR, in reference to the statement by the representative of Japan, pointed out that the proposal by the Secretary-General was made without the knowledge and agreement of the Security Council and that in accordance with the practice and the provisions of the Charter such a proposal should have been made only on the decision of the Council. He also suggested that the Council pass a brief resolution condemning Israeli aggression and calling for an immediate withdrawal from the Lebanese territory and warned against adjournment *sine die* because such a postponement under the pretext of consultations would prolong the aggressor's presence on Lebanese soil.¹⁹⁴

¹⁸⁷ *Ibid.*, paras. 115-121.

¹⁸⁸ *Ibid.*, paras. 123-130.

¹⁸⁹ *Ibid.*, paras. 131-132.

¹⁹⁰ *Ibid.*, paras. 134-135.

¹⁹¹ *Ibid.*, paras. 136-143.

¹⁹² *Ibid.*, paras. 161-167.

¹⁹³ *Ibid.*, para. 188.

¹⁹⁴ *Ibid.*, paras. 192-194.

¹⁸⁴ 1643rd meeting, paras. 5-29.

¹⁸⁵ *Ibid.*, paras. 32-51.

¹⁸⁶ *Ibid.*, paras. 52-75. Also 1644th meeting (PV), pp. 43-45.

Recalling the Preamble and Article 2 (3) and (4) of the Charter, the representative of Somalia urged the Council to call upon Israel to respect the sovereignty and territorial integrity of Lebanon and immediately to desist from its incursions into Lebanese territory.¹⁹⁵

The representative of Japan replying to the statement of the representative of the USSR stated that he had simply asked for the Secretary-General to make his views known if the Council were to raise the question of observers in future proceedings.¹⁹⁶

At the end of the 1643rd meeting, the President (Sudan) proposed to adjourn the meeting since the members of the Council seemed generally inclined to continue consideration of the issue at a later stage. The Council decided without objection to adjourn the meeting.¹⁹⁷

At the 1644th meeting on 27 February 1972, the representative of Lebanon* explained that due to continued aggression by the Israeli air force his Government had urgently requested that the Council be convened again. He reiterated his call for measures under the pertinent Articles of the Charter against Israel.¹⁹⁸

The representative of Argentina stated that Israel's claim that it acted in self-defence, recognized as legitimate by international law and in Article 51 of the Charter, was not valid because its reprisals against Lebanon were far in excess of what could be considered permissible self-defence in terms of need and proportionality.¹⁹⁹

The representative of Guinea also rejected Israel's assertion that its reprisal was an act of self-defence and urged the Council to demand an immediate withdrawal of Israeli troops from Lebanon and to impose relevant sanctions under the Charter.²⁰⁰

At the same meeting the representative of Italy introduced a draft resolution sponsored by Belgium, France, Italy and the United Kingdom, which read as follows:

The Security Council,

Deploring all actions which have resulted in the loss of innocent lives,

Demands that Israel immediately desist and refrain from any ground and air military action against Lebanon and forthwith withdraw all its military forces from Lebanese territory.

He appealed to the other members of the Council to refrain from proposing amendments and to proceed to vote on the draft resolution in order to permit speedy action in the rapidly deteriorating situation.²⁰¹

The representative of the United States expressed deep regret that Israel had prolonged its attacks on Lebanese territory and reiterated his Government's full support for the territorial integrity and political independence of Lebanon. He welcomed the draft resolution, but proposed to amend the preambular paragraph by adding "on both

sides". This change would express the humanitarian concern felt by the Council members.²⁰²

The representatives of the United Kingdom and France appealed to the representative of the United States not to insist on the amendment in order to permit the speedy and unanimous adoption of the draft resolution.²⁰³ In accordance with the wishes of the co-sponsors the representative of the United States agreed not to press his amendment.²⁰⁴

The representative of China opposed the preambular paragraph and proposed that it be replaced by the phrase "Condemning Israel's aggression against Lebanon". If this change were unacceptable to the sponsors, the preamble should be deleted.²⁰⁵

The representative of Somalia proposed to amend the preambular paragraph by speaking of "innocent *civilian* lives" and to include in the preamble a call to all Member States to refrain from the threat or use of force against the territorial integrity or political independence of any State. He added that the imposition of sanctions under Chapter VII should not be ruled out if Israel continued to violate the territory of neighbouring States.²⁰⁶

The representative of Yugoslavia suggested that the preambular paragraph be deleted.²⁰⁷

In view of the various amendments and suggestions the representative of France asked that the Council recess for ten minutes to allow the sponsors of the draft to consult briefly.²⁰⁸

Following the recess, the President speaking as representative of Sudan declared that the draft resolution fell far short of what was required and that more decisive and drastic action should be taken.²⁰⁹

Speaking on behalf of the sponsors, the representative of Italy announced that it would be difficult for them to delete the preambular paragraph, but that they agreed to having the two paragraphs put to separate votes.²¹⁰

At the same meeting, on 28 February 1972, the preambular paragraph of the draft resolution was voted upon and received 8 votes in favour to 4 against, with 3 abstentions, and was not adopted, having failed to receive the required majority of votes. The remainder of the draft resolution was unanimously adopted.²¹¹ It read as follows:

The Security Council,

Demands that Israel immediately desist and refrain from any ground and air military action against Lebanon and forthwith withdraw all its military forces from Lebanese territory.

²⁰² *Ibid.*, paras. 126-129.

²⁰³ *Ibid.*, United Kingdom, paras. 130-131; France, paras. 133-135.

²⁰⁴ *Ibid.*, para. 137.

²⁰⁵ *Ibid.*, paras. 147-152.

²⁰⁶ *Ibid.*, paras. 159-173.

²⁰⁷ *Ibid.*, paras. 179-181.

²⁰⁸ *Ibid.*, paras. 182-183.

²⁰⁹ *Ibid.*, paras. 206-212.

²¹⁰ *Ibid.*, paras. 214-217.

²¹¹ *Ibid.*, paras. 231-232. S/10552, as modified, adopted as resolution 313 (1972).

¹⁹⁵ 1643rd meeting, paras. 196-200.

¹⁹⁶ *Ibid.*, para. 207.

¹⁹⁷ *Ibid.*, para. 209.

¹⁹⁸ 1644th meeting, paras. 6-18.

¹⁹⁹ *Ibid.*, paras. 19-34.

²⁰⁰ *Ibid.*, paras. 35-50.

²⁰¹ *Ibid.*, paras. 109-114.

Decision of 19 April 1972:

Consensus of the members of the Security Council

A consensus of the members of the Security Council was issued on 19 April 1972 which read as follows:²¹²

The President of the Security Council has held consultations with the members of the Council following the request of the Permanent Representative of Lebanon that the Security Council take necessary action to station additional United Nations observers in the Israel-Lebanon sector, as conveyed to the President of the Security Council and contained in annex 1 of his memorandum of 31 March 1972 to the Secretary-General, and in paragraph 1 of the annexed memorandum dated 4 April 1972 from the Secretary-General to the President of the Security Council. The President also informed and consulted the Secretary-General. Exceptionally, a formal meeting of the Security Council was not considered necessary in this instance.

In the course of these consultations, the members of the Security Council reached without objection a consensus on the action to be taken in response to the request of the Lebanese Government and invited the Secretary-General to proceed in the manner outlined in his above-mentioned memorandum. They further invited the Secretary-General to consult with the Lebanese authorities on the implementation of these arrangements.

They also invited the Secretary-General to report periodically to the Security Council and in doing so to give his views on the need for the continuance of the above measures and on their scale.

Decision of 26 June 1972 (1650th meeting): resolution 316 (1972)

By letter²¹³ dated 23 June 1972 addressed to the President of the Security Council, the representative of Lebanon complained about Israel's persistent aggression against Lebanon that had culminated in a large-scale air and ground attack on 21, 22, and 23 June, and requested an urgent meeting of the Security Council in view of the extreme gravity of the situation.

By letter²¹⁴ dated 23 June 1972 addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Security Council to consider the continued armed attacks, shelling, sabotage, incursions, acts of air piracy and other acts of terror and violence perpetrated from Lebanese territory against Israel.

At its 1648th meeting on 23 June 1972, the Council included the letters by Lebanon and Israel in the agenda listing each separately under the item "The situation in the Middle East". Following the adoption of the agenda, the representatives of Lebanon and Israel,²¹⁵ and at the 1649th meeting those of the Syrian Arab Republic, Egypt, Kuwait and Jordan²¹⁶ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1648th to 1650th meetings from 23 to 26 June 1972.

At the 1648th meeting, the representative of Lebanon* said that on 21 June an Israeli patrol had entered Lebanese territory and destroyed Lebanese vehicles and that at the same time a Syrian military delegation who paid a

traditional exchange visit to the Lebanese army, had been ambushed by an Israeli military armoured unit, while the delegation escorted by a Lebanese officer and five military policemen had been travelling in civilian cars about 400 metres inside Lebanese territory. Four Lebanese military policemen had been killed; the fifth was injured and died of his wounds in Israel. Five Syrian officers and the Lebanese officer had been kidnapped, one Syrian officer had been wounded and another had managed to escape.

After describing in detail further Israeli attacks he rejected Israel's charge that the Syrian officers had been captured while they were engaged in hostile acts against Israel and that infiltration or shelling of Israel had taken place from Lebanese territory.

The increase of the number of armistice observers on the Lebanon-Israel border had pleased the Government of Lebanon, but Israel's intransigence and defiance made their effective functioning difficult and had again led to Israel's acts of aggression against Lebanon. The representative reiterated his appeal to the Security Council to take decisive action under Chapter VII of the Charter and asked specifically for the very strong condemnation of Israel for its repeated acts of aggression and for the Council's insistence on the immediate return of the kidnapped Syrian and Lebanese officers to Lebanon.²¹⁷

At the same meeting, the representative of Israel* said that on 20 June Arab terror organizations based in Lebanon had opened bazooka fire on an Israeli civilian bus and wounded two elderly passengers. Similar attacks occurred on the next two days. The Israeli air force and artillery reacted in self-defence and struck against the bases from which the terrorists operate. On 21 June, an Israeli patrol encountered a military convoy approximately 100 metres from the border; the convoy opened fire on the patrol, and in the ensuing clash five Syrian officers, one Lebanese officer, a soldier and four gendarmes were taken prisoner. As long as Lebanon repudiated its obligation to ensure that its territory was not used for aggression against its neighbour, Israel had no alternative but to act in self-defence. As an example for Lebanon's role he cited the Lod airport massacre on 30 May which had been committed by terrorists who had been trained for that criminal mission in a terrorist camp near Beirut. He deplored the inability of the Security Council to stop Arab armed attacks against Israel or even to condemn these attacks from neighbouring Arab States.²¹⁸

At the 1650th meeting on 26 June 1972, the Council decided to add, as subitem (b) of the first item on its agenda ("The situation in the Middle East"), the "Letter dated 26 June 1972 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council"²¹⁹ in which the representative requested that the Syrian Arab Republic be considered an integral party to the Lebanese complaint.

²¹² S/10611 (Consensus of the members of the Security Council), *OR*, 27th yr., *Suppl. for April-June 1972*, pp. 32-33; see also S/10612, *ibid.*, p. 33, and S/10617, *ibid.*, p. 36.

²¹³ S/10715, *OR*, 27th yr., *Suppl. for April-June 1972*, p. 137.

²¹⁴ S/10716, *ibid.*, p. 137.

²¹⁵ 1648th meeting, paras. 1-3.

²¹⁶ 1649th meeting, paras. 2-3.

²¹⁷ 1648th meeting, paras. 8-42.

²¹⁸ *Ibid.*, paras. 45-87.

²¹⁹ 1650th meeting, para. 1. S/10720, *OR*, 27th yr., *Suppl. for April-June 1972*, pp. 140-141.

²²⁰ S/10722, subsequently adopted without change as resolution 316 (1972).

At the same meeting, the representative of France introduced a draft resolution sponsored by Belgium, France and the United Kingdom²²⁰ and urged its unanimous adoption.²²¹

The representative of the United States submitted a draft resolution²²² under which the Security Council would, *inter alia*, condemn acts of violence in the area; call for an immediate cessation of all such acts, and call on all Governments concerned to repatriate all armed forces prisoners held in custody.²²³

Several representatives²²⁴ stated that they would prefer a stronger condemnation of the Israeli act of aggression, but that they were prepared to vote in favour of the rather weak three-Power draft resolution.

At the same meeting, the draft resolution sponsored by Belgium, France and the United Kingdom was adopted by 13 votes to none with 2 abstentions.²²⁵ It read as follows:

The Security Council,

Having considered the agenda contained in document S/Agenda/1650/Rev.1,

Having noted the contents of the letters of the Permanent Representative of Lebanon, the Permanent Representative of Israel and the Permanent Representative of the Syrian Arab Republic,

Recalling the consensus of the members of the Security Council of 19 April 1972,

Having noted the supplementary information provided by the Chief of Staff of the United Nations Truce Supervision Organization contained in documents S/7930/Add.1584 to Add.1640, of 26 April to 21 June 1972, and particularly documents S/7930/Add.1641 to Add.1648, of 21 to 24 June 1972,

Having heard the statements of the representatives of Lebanon and of Israel,

Deploing the tragic loss of life resulting from all acts of violence and retaliation,

Gravely concerned at Israel's failure to comply with Security Council resolutions 262 (1968) of 31 December 1968, 270 (1969) of 26 August 1969, 280 (1970) of 19 May 1970, 285 (1970) of 5 September 1970 and 313 (1972) of 28 February 1972 calling on Israel to desist forthwith from any violation of the sovereignty and territorial integrity of Lebanon,

1. *Calls upon* Israel to strictly abide by the aforementioned resolutions and to refrain from all military acts against Lebanon;

2. *Condemns*, while profoundly deploring all acts of violence, the repeated attacks of Israeli forces on Lebanese territory and population in violation of the principles of the Charter of the United Nations and Israel's obligations thereunder;

3. *Expresses* the strong desire that appropriate steps will lead, as an immediate consequence, to the release in the shortest possible time of all Syrian and Lebanese military and security personnel abducted by Israeli armed forces on 21 June 1972 on Lebanese territory;

4. *Declares* that if the above-mentioned steps do not result in the release of the abducted personnel or if Israel fails to comply with the present resolution, the Council will reconvene at the earliest to consider further action.

The draft resolution submitted by the United States was not put to the vote in view of the adoption of the three-Power draft resolution.²²⁶

After the vote the representative of the United States stated that his delegation was obliged to abstain because it considered the draft resolution as unbalanced and therefore unacceptable.²²⁷

The representative of Belgium said that the natural right of self-defence enshrined in Article 51 of the Charter was limited to the single case of armed aggression and that the incidents which provoked Israel's reprisals could not be described as an act of aggression on the part of Lebanon.²²⁸

Decision of 21 July 1972 (1653rd meeting): resolution 317 (1972).

By two separate letters²²⁹ dated 5 July addressed to the President of the Security Council, the representatives of the Syrian Arab Republic and of Lebanon requested a meeting of the Security Council in view of Israel's refusal to abide by Security Council resolution 316 (1972).

By letter²³⁰ dated 17 July addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to consider the mutual release of all prisoners of war, in accordance with the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949.

At the 1651st meeting on 18 July an extended procedural debate took place concerning the provisional agenda which included the two letters by Syria and Lebanon as well as the letter by Israel.²³¹ The motion by Somalia to delete item (3) (the letter by Israel) from the provisional agenda was voted upon and received 8 votes in favour to none against with seven abstentions and was not adopted falling short of the required majority of votes.²³² After further discussion the Council, at the recommendation of the President, decided to consider the Lebanese and Syrian requests first and to schedule a later Council meeting to consider the Israeli request.²³³ Following the adoption of the revised agenda, the representatives of Syria, Lebanon, Israel, Afghanistan, Islamic Republic of Mauritania and Morocco²³⁴ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1651st to 1653rd meetings from 18 to 21 July 1972.

At the 1651st meeting, the President read a message from the Secretary-General in which he reported on the effort to implement resolution 316 (1972): at the request of the representatives of Lebanon and Syria he had

²²⁶ *Ibid.*, para. 83.

²²⁷ *Ibid.*, paras. 85-87.

²²⁸ *Ibid.*, para. 93.

²²⁹ S/10730 and S/10731, *OR*, 27th yr., *Suppl. for July-Sept.* 1972, pp. 57-58.

²³⁰ S/10739, *ibid.*, p. 72.

²³¹ 1651st meeting, paras. 2-139. For details see chapter II of this Supplement, pp. 22-24.

²³² *Ibid.*, para. 53.

²³³ *Ibid.*, paras. 125-139.

²³⁴ *Ibid.*, paras 140-141.

²²¹ 1650th meeting, paras. 15-17.

²²² S/10723, *OR*, 27th yr., *Suppl. for April-June 1972*, p. 141.

²²³ 1650th meeting, para. 44.

²²⁴ *Ibid.*, Sudan: paras. 49-53; Somalia: paras. 54-57; China: paras. 58-63; USSR: paras. 64-80.

²²⁵ *Ibid.*, para. 82. Adopted as resolution 316 (1972).

exercised his good offices for the return of the Lebanese and Syrian officers; at the moment a generally acceptable solution was not yet in sight and he continued to pursue his efforts with all parties concerned in this matter.²³⁵ The President added that his own efforts had been equally unavailing.²³⁶

At the same meeting, the representative of Lebanon* sharply criticized Israel's lawlessness and persistent defiance of Security Council resolutions. He rejected Israel's attempts to link the release of the abducted Lebanese and Syrian personnel to a general exchange of prisoners of war. Since Israel's acts of aggression violated the principles of the Charter and threatened international peace and security, Lebanon advocated the application of sanctions against Israel to enforce the rule of law. He proposed two alternatives to the Council for consideration: the Council could condemn Israel for its failure to release the abducted personnel, reaffirm resolution 316 (1972), call upon Israel to release the abducted personnel unconditionally and immediately and empower the President of the Council and the Secretary-General to take appropriate measures to that effect; or the Council would in addition dispatch a military or civilian commission or delegation representing the Council to Israel to impress upon the Israeli government the importance of the call by the Council for the immediate and unconditional release of the abducted personnel.²³⁷

The representative of the Syrian Arab Republic* denounced the abduction as a flagrant violation of the law of the sovereignty of nations and rejected Israel's claim that the abducted officers were prisoners of war, a claim that had already been rejected by the Council. Israel could not apply the provisions of one of the four Geneva Conventions and disregard the other three. The Council should condemn Israel for its non-compliance with the Council decision and call upon it to release the abducted personnel unconditionally. Failing this, sanctions should be applied against Israel. Moreover, Article 6 of the Charter should be applied against Israel who had been admitted to membership in the United Nations under the condition that it should abide by the decisions and resolutions of the United Nations.²³⁸

The representative of the USSR said that Israel's aggressive policy represented a serious threat to the cause of universal peace and proved its unwillingness to fulfil one of the most important obligations of the Charter of the United Nations, contained in Article 25: to accept and carry out the decisions of the Security Council. The Security Council should condemn Israel's failure to implement resolution 316 and consider further action to ensure its implementation.²³⁹

At the 1652nd meeting on 20 July 1972, the representative of Somalia introduced a draft resolution sponsored by Guinea, Somalia, Sudan and Yugoslavia²⁴⁰ and urged that the Council act quickly and without further debate since

the draft resolution did not constitute a departure from resolution 316 (1972).²⁴¹

The representatives of Panama and Belgium requested that the Council be adjourned because they had not been able to get from their Governments instructions on how to vote on the draft resolution. The representative of Belgium added that he would be obliged to submit a formal motion for adjournment on the basis of rule 33 (3) of the Council's provisional rules of procedure, if the Council could not accede to his request.²⁴²

The sponsors of the draft resolution agreed to the requests and the Council was adjourned.²⁴³

At the 1653rd meeting on 21 July 1972, the representative of Panama announced that on specific instructions from his Foreign Ministry he would vote in favour of the draft resolution.²⁴⁴

The representative of India announced that his Government would co-sponsor the draft resolution.²⁴⁵

At the same meeting, the draft resolution sponsored by Guinea, India, Somalia, Sudan and Yugoslavia was adopted by 14 to none with 1 abstention.²⁴⁶ It read as follows:

The Security Council,

Having considered the agenda adopted by the Security Council at its 1651st meeting held on 18 July 1972,

Having noted the contents of the letters of the Permanent Representative of the Syrian Arab Republic and the Chargé d'affaires *ad interim* of Lebanon,

Having heard the statements of the representatives of Lebanon and of the Syrian Arab Republic,

Having noted with appreciation the efforts made by the President of the Security Council and by the Secretary-General following the adoption of resolution 316 (1972) of 26 June 1972,

1. *Reaffirms* resolution 316 (1972) adopted by the Security Council on 26 June 1972;

2. *Deplores* the fact that despite these efforts, effect has not yet been given to the Security Council's strong desire that all Syrian and Lebanese military and security personnel abducted by Israeli armed forces from Lebanese territory on 21 June 1972 should be released in the shortest possible time;

3. *Calls upon* Israel for the return of the above-mentioned personnel without delay;

4. *Requests* the President of the Security Council and the Secretary-General to make renewed efforts to secure the implementation of the present resolution.

Decision of 10 September 1972 (1662nd meeting):

Rejection of draft resolution

By letter²⁴⁷ dated 9 September 1972 addressed to the President of the Security Council, the representative of the Syrian Arab Republic requested an urgent meeting of the Security Council to consider Israel's continuing attacks on

²³⁵ 1651st meeting, para. 142.

²³⁶ *Ibid.*, para. 143.

²³⁷ *Ibid.*, paras. 147-171.

²³⁸ *Ibid.*, paras. 176-195.

²³⁹ *Ibid.*, paras. 262-273.

²⁴⁰ S/10742, adopted without change as resolution 317 (1972).

²⁴¹ 1652nd meeting, paras. 5-13.

²⁴² *Ibid.*, Panama: para. 40; Belgium: paras. 42-44.

²⁴³ *Ibid.*, paras. 53-55.

²⁴⁴ 1653rd meeting, para. 5.

²⁴⁵ *Ibid.*, paras. 10-11.

²⁴⁶ *Ibid.*, para. 14. Adopted as resolution 317 (1972).

²⁴⁷ S/10782, *OR*, 27th yr., *Suppl. for July-Sept. 1972*, pp. 97-98.

Syrian territory, of which he had informed the Council in his letter of 8 September.²⁴⁸

By letter²⁴⁹ dated 10 September 1972 addressed to the President of the Security Council, the representative of Lebanon also requested a meeting of the Council in view of the gravity of the situation endangering the peace and security of Lebanon, and especially in view of the recent events reported in his letter of 8 September.²⁵⁰

At the 1661st meeting on 10 September 1972, the President stated that the meeting had been convened at the request of the Syrian Arab Republic, but that a few minutes before the meeting, the representative of Lebanon, in his letter dated 10 September, had also requested the meeting. Accordingly, he suggested to amend the provisional agenda and to add the letter of the representative of Lebanon. Since there was no objection, the provisional agenda was adopted in the amended form.²⁵¹ Following the adoption of the agenda, the representatives of Syria and Lebanon were invited, at their request, to participate, without the right to vote, in the discussion of the item.²⁵² The President reported to the Council that he had informed the representative of Israel in the afternoon of 9 September of the decision to convene the meeting of the Council and that the representative of Israel had replied in the evening of 9 September that he could not attend the meeting since 10 September was Jewish New Year.²⁵³ The Council considered the item at the 1661st and 1662nd meetings on 10 September 1972.

At the 1661st meeting, the representative of the Syrian Arab Republic* stated that on 8 and 9 September Israel had launched new aerial attacks against Syrian communities killing and wounding many civilians. The Vice-Premier of the Israeli Council of Ministers had described these operations as a first stage in a total offensive. In view of this clear-cut aggression by Israel he called upon the Security Council to compel Israel to halt immediately all military operations, to condemn it for this act of aggression and to take all appropriate measures to prevent a renewal of aggression.²⁵⁴

The representative of Lebanon* said that several Lebanese places had been attacked on 8 September by Israeli military aircraft causing death and injury among innocent civilians. None of these communities had served as commando bases, as alleged by Israel. He urged the Council to condemn Israel for this premeditated attack against Lebanon and to take measures to prevent any recurrence of such attacks.²⁵⁵

Recalling the tragic events during the Olympic Games in Munich the representative of the United States declared that the complaint by Syria could not be considered without connecting it to the events in Munich. The Syrian Government and other Governments in the area encouraged

rather than condemned the terrorism against Israel and therefore could not be absolved of responsibility for the cycle of violence and counter-violence in the Middle East. His Government would not support one-sided resolutions of the kind recently adopted by the Council. He suggested that the Council deplore the renewal of terrorist attacks and the loss of innocent lives on both sides as well as the outbreak of renewed violence in the Middle East, that it delcare encouragement of acts of terrorism unacceptable in civilized societies and inimical to the maintenance of the cease-fire in the Middle East. The Council should also condemn the terrorist attack of 5 September in Munich and urge States that were harbouring and supporting such terrorists to cease their support and to put an end to acts of terrorism.²⁵⁶

The representative of Somalia asked the Council to call for an immediate cessation of all military operations in the region and introduced to that effect a draft resolution,²⁵⁷ subsequently co-sponsored by Guinea and Yugoslavia,²⁵⁸ according to which the Council would call on the parties concerned to cease immediately all military operations and to exercise the greatest restraint in the interest of international peace and security.²⁵⁹

Another draft resolution²⁶⁰ was submitted by the representative of the United States, according to which the Council would (1) condemn the attack in Munich on 5 September by terrorists of the so-called Black September organization, and (2) call upon those States harbouring and supporting such terrorists to cease their encouragement and to take all necessary measures to bring about the immediate end of such senseless acts.²⁶¹

The representative of the USSR expressed surprise about the pretext under which the Israeli representatives had refused to attend the Council meeting, while the Government of Israel conducted armed aggression at the same time. In view of the urgency of the requests of Syria and Lebanon he suggested that the draft resolution introduced by Somalia should be voted upon immediately. The key to the solution of the conflict in the Middle East still was the withdrawal of Israeli troops from the occupied territories and the implementation of Council resolution 242 (1967). He sharply rejected any attempt to link the new acts of aggression by Israel with the distressing incident in Munich, for which Syria and Lebanon bore no responsibility.²⁶²

The representative of Belgium asked for a suspension of the meeting in order that the Council members could study the two draft resolutions in detail and contact their Governments for instructions on how to vote.²⁶³

The representative of Somalia replied that since his draft resolution was purely an act of humanity, it did not require any instructions and could be voted upon the same day.²⁶⁴

²⁴⁸ S/10781, *ibid.*, p. 97.

²⁴⁹ S/10783, *ibid.*, p. 98.

²⁵⁰ S/10780, *ibid.*, pp. 96-97.

²⁵¹ 1661st meeting, para. 2.

²⁵² *Ibid.*, paras. 3-4.

²⁵³ *Ibid.*, para. 5.

²⁵⁴ *Ibid.*, paras. 7-16.

²⁵⁵ *Ibid.*, paras. 19-24.

²⁵⁶ *Ibid.*, paras. 25-35.

²⁵⁷ S/10784, *OR*, 27th yr., *Suppl. for July-Sept. 1972*, p. 98.

²⁵⁸ 1661st meeting, para. 91 (announcement by Somalia).

²⁵⁹ *Ibid.*, paras. 37-39.

²⁶⁰ S/10785, *OR*, 27th yr., *Suppl. for July-Sept. 1972*, p. 98.

²⁶¹ 1661st meeting, para. 41.

²⁶² *Ibid.*, paras. 48-57.

²⁶³ *Ibid.*, para. 59.

²⁶⁴ *Ibid.*, paras. 60-62.

Following a procedural discussion,²⁶⁵ the President adjourned the meeting until later that afternoon.²⁶⁶

At the 1662nd meeting on 10 September, the representative of the United Kingdom introduced three amendments²⁶⁷ to the three-Power draft resolution. The amendments, sponsored by Belgium, France, Italy and the United Kingdom, provided for (1) the insertion of a second preambular paragraph in which the Council would deplore all acts of terrorism and violence and all breaches of the cease-fire in the Middle East, (2) the replacement, in the operative paragraph, of the words "the parties" by "all parties", and (3) the replacement, in the operative paragraph, of the words "cease immediately all military operations" by "take all measures for the immediate cessation and prevention of all military operations and terrorist activities."

The representative of the United Kingdom added that the meaning of these amendments would be clear and that the Council should condemn every resort to force against national or international law.²⁶⁸

The representative of Somalia declared that the amendments would alter the thrust of the draft resolution which was directed towards the regulation of the relationships within the membership of the United Nations and therefore urged an end of the military operations without condemning or condoning the acts of violence in the Middle East.²⁶⁹

The representatives of Yugoslavia²⁷⁰ and Guinea²⁷¹ as co-sponsors of the draft resolution also emphasized its interim quality and warned that the amendments introducing extraneous considerations would weaken the draft resolution and the chances for the cessation of all military operations.

Following statements by the representatives of India,²⁷² Panama,²⁷³ the USSR,²⁷⁴ Japan²⁷⁵ and the United States,²⁷⁶ the Council proceeded to the vote. According to a suggestion by the representative of India, the amendments (S/10786) submitted by the four European Members were voted on separately.²⁷⁷ The first paragraph of the amendments received 8 votes in favour, 4 against and 3 abstentions and was not adopted, having failed to obtain the required majority. The second paragraph received 9 votes in favour and 6 against and was not adopted owing to the negative vote of two permanent members of the Council. The third paragraph received 8 votes in favour and

7 against and was not adopted, having failed to obtain the required majority.²⁷⁸

The three-Power draft resolution received 13 votes in favour, 1 against, and 1 abstention and was not adopted owing to the negative vote of a permanent member of the Council.²⁷⁹

Following the vote, the representative of the United States stated that his delegation had decided to vote against the draft resolution because it could not consent to a double standard condemning the unwillingness of States to control their own military forces, but keeping silent on their unwillingness to control irregular forces of terror and murder in their territory.²⁸⁰

The representative of the USSR said that in conditions where Israel continued its aggression and undermined a peaceful settlement on the basis of United Nations decisions, the need arose to adopt additional measures against the aggressor under Chapter VII of the Charter and to impose appropriate sanctions.²⁸¹

The representative of Sudan deplored the use of the veto against a call for the ending of aggression and the sparing of human life, especially because the United Nations relied upon the permanent members of the Council to help in the maintenance of peace.²⁸²

Before adjourning the meeting, the President announced that he had been informed by the representative of the United States that he would not insist on a vote on his draft resolution at that meeting.²⁸³

Decision of 20 April 1973 (1710th meeting): resolution 331 (1973)

Decision of 21 April 1973 (1711th meeting): resolution 332 (1973)

By letter²⁸⁴ dated 12 April 1973 addressed to the President of the Security Council, the representative of Lebanon referred to his previous letter²⁸⁵ dated 11 April 1973, in which he had brought to the attention of the Council details regarding the Israeli act of aggression against Lebanon on the morning of 10 April, and requested, in view of the gravity of that act and the threat it posed to the peace and security in the Middle East, an urgent meeting of the Council.

At its 1705th meeting on 12 April 1973, the Council included the letter by Lebanon in the agenda. Following the adoption of the agenda, the representatives of Lebanon, Israel and Egypt,²⁸⁶ of Saudi Arabia,²⁸⁷ at the 1706th meeting those of Algeria and the Syrian Arab Republic,²⁸⁸

²⁶⁵ 1661st meeting, paras. 63-110.

²⁶⁶ *Ibid.*, para. 111.

²⁶⁷ S/10786, *OR*, 27th yr., *Suppl. for July-Sept. 1972*, pp. 98-99.

²⁶⁸ 1662nd meeting, paras. 5-9.

²⁶⁹ *Ibid.*, paras. 11-12.

²⁷⁰ *Ibid.*, paras. 13-16.

²⁷¹ *Ibid.*, para. 17.

²⁷² *Ibid.*, paras. 23-38.

²⁷³ *Ibid.*, paras. 40-47.

²⁷⁴ *Ibid.*, paras. 48-54.

²⁷⁵ *Ibid.*, paras. 56-63.

²⁷⁶ *Ibid.*, paras. 64-66.

²⁷⁷ *Ibid.*, paras. 69-70.

²⁷⁸ *Ibid.*, paras. 71-73.

²⁷⁹ *Ibid.*, para. 74.

²⁸⁰ *Ibid.*, paras. 76-80.

²⁸¹ *Ibid.*, paras. 129-131.

²⁸² *Ibid.*, paras. 165-166.

²⁸³ *Ibid.*, para. 213.

²⁸⁴ S/10913, *OR*, 28th yr., *Suppl. for April-June 1973*, pp. 22-23.

²⁸⁵ S/10911, *ibid.*, pp. 20-21.

²⁸⁶ 1705th meeting, paras. 1-6.

²⁸⁷ *Ibid.*, para. 72.

²⁸⁸ 1706th meeting, paras. 3-4.

at the 1708th meeting the representative of Tunisia,²⁸⁹ and at the 1710th meeting the representative of Jordan²⁹⁰ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1705th to 1711th meetings from 12 to 21 April 1973.

At the 1705th meeting, the representative of Lebanon* stated that as he had already described in his letter of 11 April, a squad of 35 Israeli terrorists in civilian clothes had landed on 10 April in the south of Beirut and driven in civilian Lebanese cars to various points in the city, where they attacked several buildings and killed three leading members of the Palestinian Liberation Organization. They also killed and wounded other people in the city and in a refugee camp in the vicinity of Beirut airport. The representative of Lebanon stressed again that his country continued to depend on the United Nations and in particular on the Security Council for its protection. The *raison d'être* for the United Nations was to protect the security of the small countries and the peaceful existence of their inhabitants. The repeated acts of aggression against Lebanon by Israel could not go unpunished. Therefore he called upon the Council to go beyond a mere condemnation of Israel aggression and to take action to put an end to it.²⁹¹

The representative of the United States categorically denied charges that his country had somehow helped carry out the aggression in Lebanon and was still harbouring several of those involved in its embassy, and described this "big lie" as a fabrication by those who were opposed to a peaceful settlement and wanted to incite new destruction and more deaths of innocent people.²⁹²

The representative of Israel* charged that Lebanon had convened the Security Council to ask for the continuation of terrorism and declared that his Government was duty-bound to protect the lives of its citizens and to put an end to assaults against them. This was the objective of its action in the night of 9-10 April against terrorist bases in the Beirut area. Israel would not acquiesce in the continued presence of terrorist groups on Lebanese soil. Lebanon could extricate itself from its predicament only by observing its international obligations and eliminating the terrorist groups and their activities from its territory. The Charter of the United Nations as well as the interests of international peace and security required that responsible Governments and the Security Council refused support to Lebanon as long as it remained a base for murderous terrorism.²⁹³

At the 1706th meeting on 13 April, the representative of Algeria* called Israeli defiance of international law and of the decisions of international organizations a serious threat to international order and deplored the failure of the international community to react to the Israeli measures taken with the aim of insuring its permanent presence in the territories acquired by force. The Israeli actions went far beyond the breach of international law and claimed futilely to furnish a reply to the inalterable aspirations of

the Palestinians. Israel's behaviour represented one of the gravest dangers to world equilibrium.²⁹⁴

The representative of the Syrian Arab Republic* argued that Israel, a State which trampled under foot the resolutions of the international community, should have no place in the Organization. Similarly, the Council could no longer postpone the adoption of appropriate measures to eliminate the consequences of Israeli aggression.²⁹⁵

The representative of the USSR pointed out that Israel had been among the States that refused to support General Assembly resolution 2936 (XXVII) on the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons. Israel's act of aggression violated not only the United Nations Charter but also the new rule of international law expressed in that resolution. He proposed that the Council should reaffirm the renunciation of the use or threat of force to settle disputes between States. His Government which was categorically opposed to international terrorism, condemned Israeli terrorist methods that had been raised to State policy. He reiterated his suggestion that the permanent members of the Council resume their consultations on the Near East in order to help the Special Representative of the Secretary-General. He called upon the other members of the Council not only to condemn Israel's latest acts of aggression but also to impose effective sanctions against Israel up to and including its expulsion from membership in the United Nations.²⁹⁶

The representative of Sudan stated that it was the duty of the United Nations to uphold the right of the Palestinian Arabs not as refugees but as a legitimate liberation movement. Israel's acts of aggression in Lebanon should be strongly condemned, and if Israel continued to promote terrorism, the Council should consider applying effective measures along the lines stipulated by the Charter.²⁹⁷

The representative of Yugoslavia also called for Israel's condemnation and declared that it was high time for the Council to review the whole Middle Eastern situation and to examine what should be done to arrive at the implementation of resolution 242 (1967) as well as other resolutions.²⁹⁸

At the 1707th meeting on 16 April, the representative of Egypt* stated that in the wake of Israel's most recent aggression in Lebanon the Council had to consider measures envisaged by the Charter, such as complete or partial interruption of economic relations, communications and severance of diplomatic relations. He called it unbelievable that Israel continued to receive increasing massive military and economic assistance from one Member State. A ban on military supplies and financial aid to Israel would be essential for the attainment of peace in the Middle East. He also announced his Government's intention to ask later in the meeting for a full review of the entire Middle East situation by the Council, including a request for the submission of the comprehensive report by the Special

²⁸⁹ 1708th meeting, para. 5.

²⁹⁰ 1710th meeting, paras. 3-4.

²⁹¹ 1705th meeting, paras. 10-36.

²⁹² *Ibid.*, paras. 38-44.

²⁹³ *Ibid.*, paras. 47-71.

²⁹⁴ 1706th meeting, paras. 6-30.

²⁹⁵ *Ibid.*, para. 43.

²⁹⁶ *Ibid.*, paras. 47-85.

²⁹⁷ *Ibid.*, paras. 126-127.

²⁹⁸ *Ibid.*, paras. 141-144.

Representative of the Secretary-General, Ambassador Jarring.²⁹⁹

On 19 April, France and the United Kingdom submitted a draft resolution³⁰⁰ which provided *inter alia* in operative paragraph 4 for a warning by the Council that if Israel were to repeat such attacks the Council would meet to consider what further and more effective measures could be taken to ensure against their repetition.

On the same day, Guinea, India, Indonesia and Yugoslavia submitted an amendment,³⁰¹ which provided for the addition of another paragraph at the end of the British-French draft resolution, whereby the Council would call on all States to refrain from providing any assistance which encouraged such military attacks or impeded the search for a peaceful settlement.

At the beginning of the 1710th meeting on 20 April, the President drew the attention of the members of the Council to the revision³⁰² of the original draft resolution submitted by France and the United Kingdom, to the amendment sponsored by Guinea, India, Indonesia and Yugoslavia, and to a draft resolution submitted by Egypt.³⁰³ He informed the Council that he had received a request from the Foreign Minister of Egypt that his draft resolution be considered and voted upon first, since the Minister had to depart from New York on the same day. Recalling rule 32 of the Provisional Rules of Procedure according to which principal motions and draft resolutions should have precedence in the order of their submission, he announced that as there were no objections, he would give priority to the Egyptian draft resolution.³⁰⁴

The representative of Egypt introduced the draft resolution asking for an in-depth review of the situation in the Middle East by the Council and in preparation of that examination for a comprehensive report by the Secretary-General on the efforts undertaken by the United Nations since 1967, and he inquired from the Secretary-General as to how long it would take to prepare such a report.³⁰⁵

The Secretary-General indicated that it should be possible to prepare the requested report in three to four weeks.³⁰⁶

The representative of Sudan moved formally, under rule 38 of the rules of procedure, that the Council approve by a unanimous vote the draft resolution introduced by Egypt.³⁰⁷ Subsequently, the President asked the Council whether it would approve the draft resolution without a vote. Since there were no objections, he declared that the draft resolution had been adopted.³⁰⁸ It read as follows:

²⁹⁹ 1707th meeting, paras. 19-24.

³⁰⁰ S/10916. *OR*, 28th yr., *Suppl. for April-June 1973*, p. 24.

³⁰¹ S/10917, *ibid.*, p. 24.

³⁰² S/10916/Rev.1, adopted without change as resolution 332 (1973).

³⁰³ S/10918, adopted without change as resolution 331 (1973).

³⁰⁴ 1710th meeting, paras. 5-8.

³⁰⁵ *Ibid.*, paras. 10-18.

³⁰⁶ *Ibid.*, para. 19.

³⁰⁷ *Ibid.*, para. 35.

³⁰⁸ *Ibid.*, para. 65. Adopted as resolution 331 (1973).

The Security Council,

Having heard the statement of the Foreign Minister of the Arab Republic of Egypt,

1. *Requests* the Secretary-General to submit to the Security Council as early as possible a comprehensive report giving full account of the efforts undertaken by the United Nations pertaining to the situation in the Middle East since June 1967;

2. *Decides* to meet, following the submission of the Secretary-General's report, to examine the situation in the Middle East;

3. *Requests* the Secretary-General to invite Mr. Gunnar Jarring, the Special Representative of the Secretary-General, to be available during the Council's meetings in order to render assistance to the Council in the course of its deliberations.

After the adoption of the Egyptian draft resolution, the representative of France introduced the revised draft resolution submitted by the United Kingdom and France, in which the word "deplores" in operative paragraph 1 had been replaced by the word "condemns" and operative paragraph 4 had been deleted. He indicated that the sponsors had no objection to having the amendment submitted by Guinea, India, Indonesia and Yugoslavia incorporated in the draft resolution as a new operative paragraph 4.³⁰⁹

Speaking on behalf of the four sponsors, the representative of Guinea announced that they were withdrawing the amendment to the British-French draft resolution because it referred to the original draft and not to the revised text. Then she proposed that the Council be adjourned under rule 33, paragraph 3 so that consultations could continue.³¹⁰

At the 1711th meeting on 21 April, the revised draft resolution sponsored by France and the United Kingdom was adopted by 11 votes to none, with 4 abstentions.³¹¹ It read as follows:

The Security Council,

Having considered the agenda contained in document S/Agenda/1705,

Having noted the contents of the letter of the Permanent Representative of Lebanon to the United Nations (S/10913),

Having heard the statements of the representatives of Lebanon and Israel,

Grieved at the tragic loss of civilian life,

Gravely concerned at the deteriorating situation resulting from the violation of Security Council resolutions,

Deeply deploring all recent acts of violence resulting from the violation of Security Council resolutions,

Recalling the General Armistice Agreement between Israel and Lebanon of 23 March 1949 and the cease-fire established pursuant to resolutions 233 (1967) of 6 June 1967 and 234 (1967) of 7 June 1967,

Recalling its resolutions 262 (1968) of 31 December 1968, 270 (1969) of 26 August 1969, 280 (1970) of 19 May 1970 and 316 (1972) of 26 June 1972,

1. *Expresses deep concern* over and condemns all acts of violence which endanger or take innocent human lives;

2. *Condemns* the repeated military attacks conducted by Israel against Lebanon and Israel's violation of Lebanon's territorial integrity and sovereignty in contravention of the Charter of the United Nations, of the Armistice Agreement between Israel and Lebanon and of the Council's cease-fire resolutions;

³⁰⁹ *Ibid.*, paras. 71-72.

³¹⁰ *Ibid.*, paras. 72-73.

³¹¹ 1711th meeting, following a brief suspension of the meeting. Adopted as resolution 332 (1973).

3. *Calls upon* Israel to desist forthwith from all military attacks on Lebanon.

EXAMINATION OF THE SITUATION
IN THE MIDDLE EAST

Decision of 14 June 1973 (1726th meeting):

Statement by the President

Decision of 26 July 1973 (1735th meeting):

Rejection of the eight-Power draft resolution

In accordance with resolution 331 (1973) the Council convened at the 1717th meeting on 6 June 1973, following the submission of the Secretary-General's report, to examine the situation in the Middle East. The Council included in its agenda resolution 331 (1973) and the Report of the Secretary-General under Security Council resolution 331 (1973) dated 18 May 1973.³¹² Following the adoption of the agenda, the representatives of Egypt, Israel, Jordan, the United Republic of Tanzania, Chad, the Syrian Arab Republic, Nigeria, Algeria,³¹³ at the 1718th meeting the representatives of Morocco, the United Arab Emirates,³¹⁴ Somalia,³¹⁵ at the 1719th meeting the representatives of Guyana and Mauritania,³¹⁶ at the 1720th meeting the representatives of Qatar, Kuwait³¹⁷ and Saudi Arabia,³¹⁸ at the 1721st meeting the representative of Lebanon,³¹⁹ at the 1722nd meeting the representatives of Iran³²⁰ and Bahrain,³²¹ and at the 1734th meeting the representative of Tunisia,³²² were invited, at their request, to participate, without vote, in the discussion of the item on the agenda. The Council considered the question at the 1717th to 1726th and 1733rd to 1735th meetings from 6 to 14 June and 20 to 26 July 1973.

At the beginning of the 1717th meeting the President (USSR) recalled that the Council in adopting resolution 331 (1973) had decided to meet to examine the situation in the Middle East. He added that pursuant to that resolution, the Secretary-General had submitted to the Council a detailed report on the efforts undertaken by the United Nations pertaining to the situation in the Middle East since 1967, and the Special Representative of the Secretary-General, Ambassador Gunnar Jarring, would take part in the meetings of the Council. He stressed how unacceptable it was that the situation in the Middle East continued to be an explosive threat to international peace and security.³²³

³¹² S/10929, *OR*, 28th yr., *Suppl. for April-June 1973*, pp. 37-53.

³¹³ 1717th meeting, paras. 2-4.

³¹⁴ 1718th meeting, opening statement by the President.

³¹⁵ *Ibid.*, following the intervention by the Syrian Arab Republic.

³¹⁶ 1719th meeting, opening statement by the President.

³¹⁷ 1720th meeting, para. 3.

³¹⁸ *Ibid.*, para. 51.

³¹⁹ 1721st meeting, opening statement by the President.

³²⁰ 1722nd meeting, opening statement by the President.

³²¹ *Ibid.*, following the intervention by Morocco.

³²² 1734th meeting, following the intervention by Egypt.

³²³ 1717th meeting, paras. 6-14.

The Secretary-General briefly introduced his report which he said described great efforts but little progress, and emphasized that the Council could not succeed in the quest for a peaceful settlement in the Middle East if the parties concerned did not wish to avail themselves of its efforts and its advantages as a forum of discussion and an instrument for peace.³²⁴

The representative of Egypt* said that his Government had requested this series of meetings of the Council after six years of effort and endurance had failed to put an end to Israeli occupation of Arab territory. He reviewed the development of the conflict since 1947 emphasizing the original boundaries within which the Jewish State had been recognized by the United Nations, and the systematic expulsion of the Palestinians from their land by the Israeli rulers who had violated the original frontiers and seized large parts of adjoining Arab territories, most recently in the war of June 1967. He then considered in great detail the development since 1967 contrasting Israel's initial willingness to withdraw from all occupied territories with its recent refusal stated in reply to the questions raised by the Special Representative that it would not withdraw to the pre-5 June boundaries. Egypt had accepted the Council resolution 242 (1967) and in response to the aide-mémoire of the Special Representative dated 8 February 1971 had declared its readiness to enter into a peace agreement with Israel if Israel also carried out its obligations under the Charter and as requested by the Special Representative. Israel, however, had insisted that the so-called Jarring initiative of 8 February 1971 was outside his terms of reference, although the representatives of the four permanent members supported Ambassador Jarring's aide-mémoire and expressed satisfaction with Egypt's response.

He charged that the Israeli Government still aimed at keeping the *status quo* in order to perpetuate the occupation until the surrender of the Arabs. While Israel insisted on negotiations without prior conditions, it effectively posed several preconditions: it would not return to the boundaries of 5 June 1967, and it would maintain the occupation during the negotiations. He called upon all members of the United Nations to reject these and other violations of valid international law and to refrain from giving Israel aid that might help it in its continued occupation.

He urged the Council to demand the immediate and unconditional withdrawal of the Israeli forces of occupation from all the territories they now occupied and to affirm the sanctity of international borders. It should also resolve that the rights and aspirations of the Palestinian nation be respected, including their right to live in peace within secure and recognized boundaries in their homeland of Palestine. In conclusion he reaffirmed Egypt's respect for the Charter of the United Nations and its acceptance of all United Nations resolutions concerning the problem of the Middle East and invited the President of the Council to ask the representative of Israel whether or not Israel accepted the principle of non-acquisition of territory by force. His Government envisaged a comprehensive settlement of the conflict and could never accept a partial or interim settlement as proposed by Israel.³²⁵

³²⁴ *Ibid.*, paras. 15-22.

³²⁵ *Ibid.*, paras. 24-76.

The representative of Israel* reaffirmed his Government's position that it did not wish to freeze the existing situation or to perpetuate the cease-fire lines but wished to replace them in peace with secure and agreed boundaries to be established through negotiation with each of its Arab neighbours. He reviewed the efforts and proposals to promote a peaceful settlement since 1967 and stressed that the Israeli suggestions for negotiations between the parties involved had always been rejected by the Arab Governments. With regard to the aide-mémoire of the Special Representative dated 8 February 1971 he stated that his Government had been asked not only to withdraw to the old line but to do so in a prior commitment, because the Arab Governments had tried thereby to change the whole tenet of resolution 242 (1967) which called for the establishment of secure and recognized boundaries through and as a consequence of, negotiations. His Government could not accept this unilateral abrogation of the stipulations of resolution 242 (1967) especially in view of the fact that Egypt had committed itself merely to a peace agreement with Israel without accepting the resolution *in toto*.

He added that Israel would not introduce or accept the involvement of third powers in the search for a peaceful settlement because these third forces would further complicate the situation without contributing to the solution of the conflict. Instead, Israel continued to advocate the dialogue between the parties, one method that had not yet been applied in all these years, and remained prepared to enter into free negotiations without pre-conditions from any party.³²⁶

The representative of Jordan* emphasized that the principle of the inadmissibility of the acquisition of territory by war, stated unequivocally in resolution 242 (:1967), allowed no ambiguity in how the provision for the withdrawal of Israeli armed forces from the occupied territories was to be understood. After a review of the years of occupation and of the vain efforts to implement the decisions of the United Nations and to solve the conflict he criticised Israel's use of the term "negotiation" which turned the goal of negotiation meaningless inasmuch as Israel made its own claims and territorial ambitions not negotiable and rejected *a priori* the two main Arab claims, the termination of Israeli occupation and respect for the inalienable rights of the Palestinian Arabs expelled from their homes. He concluded by stressing the principal importance of these objectives on which a lasting peace could be founded and by calling upon the Council to fully play its role as a party to this conflict.³²⁷

At the 1718th meeting on 7 June 1973, the representative of the United Republic of Tanzania* said that at its tenth ordinary session the Organization of African Unity Assembly of Heads of State and Government had designated certain Foreign Ministers including himself to make the feelings of Africa known to the Council regarding the situation in the Middle East which they viewed as a direct threat to their own security. The United Nations could not accept the Israeli position which had resulted in acts of State terrorism and whose endorsement would mean the endorsement of the acquisition of territories through the use

of force. The Organization of African Unity had suggested to its members to consider taking all measures, political and economic, against Israel if it did not heed the call of the international community for the withdrawal from the occupied territories. In flagrant violation of United Nations resolutions Israel continued to deny the Palestinian people their right to self-determination, to consolidate the fruits of conquest and to commit brutal acts of aggression against the State of Lebanon. He called upon the Council to decide on effective measures to eliminate the consequences of the war of 1967 and to establish conditions for a just and lasting peace, and he stressed the expectation that the Council would take all appropriate measures to enforce its decisions including certain measures under the Charter.³²⁸

The representative of Nigeria* demanded that if international peace and security were going to be based on the principles of the Charter of the United Nations, all parties to disputes brought before the organization should be willing to avail themselves of its legitimate efforts and institutions to resolve them. He urged Israel to pay more heed to the resolutions of the United Nations in order not to force the African countries to adopt measures that would not promote the Israeli cause for friendship and understanding in Africa. He concluded that the representatives of Africa, deeply conscious of Articles 2 and 25 of the Charter, were confident that the Council would be able to respond to the questions which the Foreign Minister of Egypt had raised in the name of justice and peace.³²⁹

The representative of Syria* declared that peace had escaped the Middle East so far because the Palestinian Arab peoples were deprived of their inalienable right to self-determination, a right that had been proclaimed in Article 1 of the Charter of the United Nations as one fundamental right. Israel was guilty of armed aggression against its Arab neighbours and of annexation of Arab territories in violation of United Nations resolutions, e.g. resolution 236 (1967). If the acquisition of territories by force were admissible, the United Nations would have lost its *raison d'être*, if not, the Security Council would have to adopt the necessary measures to redress the situation. The United Nations should put an end to Israeli aggression and bring about the Israeli withdrawal from the occupied territories and the free exercise by the Palestinians of their right to self-determination.³³⁰

At the 1719th meeting on 8 June 1973, the representative of Guyana* stated that the Arab-Israeli conflict could not be resolved without a solution of the central issue of the plight of the Palestinian Arabs and that the acquisition of territory by the threat or use of force in flagrant violation of international law could not be condoned. He referred in this connexion to the resolution on the Middle East adopted by the Conference of Foreign Ministers of Non-Aligned Countries held in Guyana, which spelled out these principal conditions for peace.³³¹

The representative of Egypt suggested that the Council could make Israel comply with international law. The Charter gave the Council the right to impose sanctions, but

³²⁸ 1718th meeting, intervention by the United Republic of Tanzania.

³²⁹ *Ibid.*, intervention by Nigeria.

³³⁰ *Ibid.*, intervention by Syria.

³³¹ 1719th meeting, intervention by Guyana.

³²⁶ 1717th meeting, paras. 79-114.

³²⁷ *Ibid.*, 117-139.

he would not even contemplate the possibility of the Council doing so until all States present in the Council had been persuaded to be more faithful to the Charter than to their own friendships and weaknesses. The only measure left was a resolution spelling out clearly that territories could not be acquired by force and that Israel should withdraw from the territories occupied in 1967.³³²

At the 1720th meeting on 11 June 1973, the representative of Kuwait* said that the Israeli rejection of the legitimate rights of the Palestinians constituted the major obstacle to peace. The respect for these rights and the strict adherence to the principle of non-acquisition of territory by force were the pillars for a durable peace in the region. Israel's theory of secure borders merely covered its policy of expansion and was illegal and contrary to the United Nations Charter. The continued occupation of Arab territories constituted an unprecedented challenge to the world's security and order. It was the urgent task of the Security Council to bring about the Israeli withdrawal and a just peace. To fail in this task would result in the ruin of the world organization.³³³

The representative of Algeria* also reaffirmed the basic demands for a peaceful settlement, i.e. the inadmissibility of acquisition of territories by war, the necessity to work for a just and lasting peace, the withdrawal of Israeli forces from the occupied territories, and the just settlement of the problem of the Palestinian people. The provisions of Chapters VI and VII of the Charter gave the Council the means of assuming its responsibilities correctly and of ensuring that all the members of the international community respected its authority and decisions.³³⁴

At the 1721st meeting on 11 June 1973, the representative of Sudan declared that the African States stood by resolution 242 (1967) which they did not consider ambiguous. They called for its implementation and urged the Council to set a time limit for the total withdrawal of Israeli armed forces from all occupied Arab lands. He read out certain paragraphs of the resolution adopted by the Organization of African Unity in Addis Ababa in which Israel's obstructive attitude which prevented the resumption of the Jarring Mission was deplored; in which Israel was invited to publicly declare its adherence to the principle of non-annexation of territories through the use of force, and in which Israel was asked to withdraw immediately from all the occupied Arab territories.³³⁵

At the same meeting, the representative of Egypt addressed three questions to the Secretary-General about the aide-mémoire of the Special Representative dated 8 February 1971: first, as the aide-mémoire dealt only with the Egyptian sector, did the Special Representative intend to issue other aide-mémoires for Jordan, about Palestinian refugees, and for Syria, if Syria should express its willingness to receive such an aide-mémoire? Second, could the Secretary-General confirm Ambassador Jarring's explanation that the absence of a reference to the Gaza Strip, which was entrusted to the administration of Egypt in accordance with the Egyptian-Israeli Armistice Agree-

ment of 1949, was without prejudice to the status of the strip as Arab territory from which Israel should withdraw? Third, could the Secretary-General also confirm that the Permanent Representative of the United States, in his capacity as the Chairman of the meeting of 24 June 1971 of the four-Power talks, did indeed inform the Secretary-General officially, if orally, that the representatives of the four permanent members of the Council welcomed and supported the initiative of the Special Representative in his aide-mémoire of 8 February and believed that in taking that initiative he was acting fully in accordance with the terms of his mandate under resolution 242 (1967)?³³⁶

The representative of the United Kingdom said that there had been useful bilateral exchanges between the United States and the Soviet Union and consultations between representatives of the four permanent members of the Council. These latter consultations, the so-called four-Power talks, were not formally set up by the United Nations and were therefore not covered in any detail in the Secretary-General's report. Though the talks did not succeed in finding a solution to the Middle East problem, and while the participants recognized that the terms of a settlement could not be dictated from outside, progress was made in particular on international guarantees. If it appeared that further consultations between permanent members of the Council would be useful, his delegation would be ready to take part in them. He suggested that in line with resolution 242 (1967) the primary objective of any action taken by the Council should be to provide renewed impetus to the mission of the Special Representative in such a way that it would generate its own momentum.³³⁷

At the 1722nd meeting on 12 June 1973, the representative of Guinea, in referring to the resolution adopted by the Organization of African Unity in Addis Ababa, stated that Africa was launching an appeal to the States Members of the United Nations to refrain from delivering weapons and other military equipment to Israel and to refrain from giving it moral support which would enable it to perpetuate the occupation of Arab territories. His delegation reaffirmed its unqualified support for the just Palestinian cause. He asked whether the Council would finally take the efficacious measures provided by the Charter to give effect to its decisions.³³⁸

The representative of Morocco* urged the United Nations to assume in the serious situation all its responsibilities by taking definite action to compel Israel to comply with the United Nations resolutions which entailed the Israeli withdrawal from all the occupied territories and respect for the inalienable rights of the Palestinian people. Resolution 242 (1967) which Israel misinterpreted, spoke first and foremost of the inadmissibility of the acquisition of territory by force and referred explicitly to Article 2 of the Charter.³³⁹

The representative of Yugoslavia reaffirmed the principles of non-acquisition of territory by force, of the total and unconditional Israeli withdrawal from the territories

³³² 1719th meeting, intervention by Egypt.

³³³ 1720th meeting, paras. 6-50.

³³⁴ *Ibid.*, paras. 53-90.

³³⁵ 1721st meeting, intervention by Sudan.

³³⁶ *Ibid.*, Egypt, first intervention.

³³⁷ *Ibid.*, intervention by the United Kingdom.

³³⁸ 1722nd meeting, intervention by Guinea.

³³⁹ *Ibid.*, intervention by Morocco.

occupied in 1967, of the right of all States in the Middle East to live in peace and free development within secure and recognized borders, of respect for the inalienable rights of the Palestinian people, and of the solution of the conflict by peaceful means. The great Powers or the permanent members of the Security Council could and should contribute to a peaceful solution, provided they proceeded from the position of implementing the basic decisions of the United Nations and secured the support of the international community for their action.³⁴⁰

At the 1723rd meeting on 12 June 1973, the President speaking as the representative of the Soviet Union said that the Middle East constituted the most dangerous hotbed of a military threat in the world. Israel's policy of aggression, expansionism, of violating the principle of the inadmissibility of the acquisition of territory by force and of defying the decisions of the United Nations in that respect was responsible for the continuation of the dangerous conflict in that region. Israel's actions were in flagrant violation of resolution 242 (1967) whose observance it hypocritically proclaimed. Israel would have to withdraw from the Arab territories in accordance with the fundamental norm enshrined in a number of important United Nations decisions of the inadmissibility of the acquisition of territory by force. Israel was sabotaging the initiative of the Special Representative, which the four permanent members of the Council had welcomed, and had announced to the world that it would not return to the frontier line which existed before 5 June 1967. Its demands for frontier modifications had expanded from minor modifications to insubstantial and by now substantial alterations.

He added that the Soviet Union was opposed to any attempts to bypass the Council and the United Nations and to supplant them by unilateral mediation and intervention of individual States. The Council charged with the responsibility for the maintenance of international peace had the right to impose its binding decisions on Israel, as the provisions of Chapter VII of the Charter indicated. The Soviet Union stood ready to support any constructive effort including the four-Power consultations and the mission of the Special Representative to attain a just and lasting peace in the Middle East.³⁴¹

The representative of Iran* also emphasized the principle of the inadmissibility of the acquisition of territory by force and the continued viability of resolution 242 (1967) for peace in the area. A sincere application of that resolution, including Israeli withdrawal from the occupied Arab lands, could and would lead to an equitable settlement, especially since both sides had again stated their willingness to enter into talks without preconditions.³⁴²

The representative of Israel recalled that following a resolution of the Council of 1948 the Arabs accepted direct negotiations with Israel which resulted in the Armistice Agreements of 1949, and suggested that if the Arab States desired genuine peace with Israel now, there could be no reason that would justify their refusal to enter negotiations with Israel without preconditions.³⁴³

³⁴⁰ 1722nd meeting, intervention by Yugoslavia.

³⁴¹ 1723rd meeting, first intervention by President as representative of the USSR.

³⁴² *Ibid.*, intervention by Iran.

³⁴³ *Ibid.*, Israel, first intervention.

Exercising the right of reply, the President speaking as the representative of the Soviet Union pointed out that the present situation was very different from that of 1948 when Israel did not occupy vast stretches of Arab territories, had not been condemned as aggressor by the United Nations and there existed no resolution 242 nor the machinery of mediation by the Special Representative. If Israel committed itself to the withdrawal of all its troops from the occupied Arab territories, the Council could adopt a resolution on talks that would be similar to that of 1948, but the representative of Israel would have to make a binding official statement to that effect.³⁴⁴

At the 1724th meeting on 13 June 1973, the representative of Saudi Arabia* called for the complete and unconditional withdrawal of Israeli forces from all the occupied territories and for the right of the Palestinian people to return to their homeland. If the Zionists refused to withdraw from the occupied territories, his Government shared Egypt's belief that there would be no other choice than to resort to action which would compel them to do so.³⁴⁵

The representative of Kenya recalled several Articles of the Charter and pertinent resolutions of the United Nations and stated that the situation in the Middle East constituted a threat to international peace and security. The opinion that resolution 242 (1967) formed the basis for a general revision of boundaries in the area was erroneous because it could never have been the intention of the Security Council to sanction the breach of the principle of the sanctity of existing boundaries.³⁴⁶

The representative of France stated that the continued occupation by Israel of large areas of Arab territory constituted a standing violation of the principles recognized by the community of nations, in particular the principle of inadmissibility of the acquisition of territory by force. The Arab States had an inalienable right to sovereignty and territorial integrity. The principles for a settlement were well known, including the principle to refrain from the threat or use of force and other norms of the Charter as well as those in resolution 242 (1967). The essential elements of that resolution were inseparable: there could be no withdrawal without commitments for peace, and there could be no commitments for peace without withdrawal. Israel's reply to the aide-mémoire of the Special Representative of 8 February 1971 constituted a prior condition which nothing could justify. The concept of secure and recognized boundaries was not contradictory to the principle of withdrawal from the occupied territories. It simply expressed the need to define all the frontiers and give them the status of internationally recognized boundaries. The Council should clearly reaffirm the validity of resolution 242 (1967) in its totality and decide to resume the efforts of the Secretary-General and his Special Representative to promote a peaceful settlement.³⁴⁷

The representative of the United Arab Emirates* recalled that right after the war of June 1967 Israel had supported a Latin American draft resolution in the General

³⁴⁴ *Ibid.*, second intervention by President as representative of the USSR.

³⁴⁵ 1724th meeting, intervention by Saudi Arabia.

³⁴⁶ *Ibid.*, intervention by Kenya.

³⁴⁷ *Ibid.*, intervention by France.

Assembly demanding the urgent withdrawal of Israeli forces from all occupied territories and had at that time favoured the transformation of the old armistice lines into permanent frontiers. The provisions of resolution 242 (1967) had to be understood against this background.³⁴⁸

Referring to a fundamental question raised by the Foreign Minister of Egypt, the representative of Lebanon* stated that the Charter and several resolutions and declarations adopted by the United Nations ruled out the acquisition of territory by force.³⁴⁹

At the same meeting, the representative of the United Arab Emirates, exercising the right of reply, added that the omission of the words "all" and "the" in operative paragraph 1 of resolution 242 (1967) had been explained by the sponsors as necessary to leave the possibility of agreed minor border modifications. If the Israeli Government agreed to this interpretation and was ready to withdraw from the occupied territories subject to such minor modifications, it should inform the Special Representative accordingly and indicate the minor modifications it requested. That would be indeed a far cry from the recently announced territorial claims that were totally unacceptable to the Arabs.³⁵⁰

At the 1725th meeting on 14 June 1973, the Secretary-General replied to the three questions addressed to him by the representative of Egypt: first, Ambassador Jarring had informed the representatives of Egypt and Israel of his intention to submit an aide-mémoire relating to Israel and Jordan, and if Syria were to accept resolution 242 (1967), to submit a memorandum relating to Syria. Second, since under the Egyptian-Israeli Armistice Agreement of 1949 Gaza which was not Egyptian territory, was put under Egyptian administration pending the conclusion of a peace settlement, it was not covered by the aide-mémoire, as explained by Ambassador Jarring at that time. Third, the Secretary-General was not present at nor associated with the four-Power meetings. He was briefed informally and for his own information by the representative of the permanent member who had presided over a particular meeting. A note on the oral report to his predecessor on the four-Power meeting on 24 June 1971 confirmed in a general sense what the Foreign Minister of Egypt had stated about that particular point.³⁵¹

Referring to three additional questions raised by the Foreign Minister of Egypt on 11 June 1973, the President (USSR) replied that the answers could be found in the appropriate provisions of the Charter of the United Nations and also in the decisions of the General Assembly and the Security Council and cited Articles 1, 2 and 55 as well as numerous resolutions and declarations to show the universal validity of the principles of the non-acquisition of territory by force, of the territorial integrity of States and of the self-determination of peoples.³⁵²

Speaking on a point of order, the representative of the United States stated that since there had been no consul-

tations on the three questions addressed to the Council, he assumed that the President had spoken in his individual capacity.³⁵³

The representative of Australia reaffirmed his Government's belief that resolution 242 (1967) provided the basis for a just and durable settlement and suggested that since both Egypt and Israel had declared their readiness to enter into talks without preconditions, it should be possible for them to approach such negotiations.³⁵⁴

The representative of Indonesia expressed his country's support for the struggle of the Palestinian people to secure their just and lawful rights, without which no settlement could be achieved in the Middle East. His country also supported the demands for the Israeli withdrawal from all the territories occupied since 1967. He asked whether the Council members assisted by the Secretary-General should not try to search for new constructive moves in closed session or through informal consultations rather than through debating the issue in open session. His Government looked especially to the permanent members and in particular to the two super-Powers for their contribution to the solution of the problem, since the Charter had accorded them a special position with the right of veto.³⁵⁵

The representative of Peru reaffirmed his Government's loyalty to the principles contained in resolution 242 (1967), i.e. the provisions of Article 2 of the Charter, and to the obligations devolving upon the parties which they should discharge in accordance with Articles 24 and 25 of the Charter. The Council could not sanction any acquisition of territory by force, and the Arab States should recognize the State of Israel, while Israel would withdraw from the occupied territories and participate in a solution of the problem of the Palestinian people.³⁵⁶

The representative of Austria referred to the principles enunciated by his Government already in October 1967 as still valid guidelines for the search for a settlement; these included the territorial integrity of all States of the area and the right to live in peace and security, the settlement of disputes by peaceful means and the duty to refrain from the threat or use of force, and the inadmissibility of the acquisition of territory by war or hostilities.³⁵⁷

At the 1726th meeting on 14 June 1973, the representative of the United States stated that resolution 242 (1967) remained the crucial element of the search for peace in the Middle East. The resolution had not addressed the question of who was responsible for the outbreak of the war nor had it called for unconditional Israeli withdrawal. The principles and provisions of the resolution which his Government endorsed as a whole included the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace, the withdrawal of Israeli armed forces from territories occupied and the termination

³⁴⁸ 1724th meeting, first intervention by the United Arab Emirates.

³⁴⁹ *Ibid.*, intervention by Lebanon.

³⁵⁰ *Ibid.*, second intervention by the United Arab Emirates.

³⁵¹ 1725th meeting, statement by the Secretary-General.

³⁵² *Ibid.*, second statement by President.

³⁵³ *Ibid.*, following second statement by the President. In reply (*ibid.*) the President (USSR) stated that he had confined himself to mentioning the provisions of the Charter and pertinent decisions of United Nations organs directly related to the problem touched upon by the representative of Egypt.

³⁵⁴ *Ibid.*, intervention by Australia.

³⁵⁵ *Ibid.*, intervention by Indonesia.

³⁵⁶ *Ibid.*, intervention by Peru.

³⁵⁷ *Ibid.*, intervention by Austria.

of all claims of belligerency and respect for the sovereignty, territorial integrity and political independence of every State within secure and recognized boundaries, guarantees for the freedom of navigation and for the territorial inviolability and independence of every State, and the necessity for a just settlement of the refugee problem, i.e. provisions for the legitimate aspirations of the Palestinians. His Government could not believe that a peace agreement would be possible without serious direct or indirect negotiations between the parties themselves. These negotiations would have to set the final borders on which the resolution was silent. His Government was prepared to facilitate and sustain any such process of negotiation until the purpose of the Council's action of 1967 was fulfilled.³⁵⁸

The representative of Panama recalled the Latin American draft resolution submitted during the Emergency Session of the General Assembly in June 1967, which the Arabs did not support, but for which Israel had voted, and which called for the total Israeli withdrawal. His Government still deemed resolution 242 (1967) to offer a sound basis for peace through negotiations and agreements. It also supported the principle of the inadmissibility of the annexation of territories by force and the guarantee of Israel's sovereignty and of its right to live in peace within secure and recognized boundaries.³⁵⁹

The representative of India stated that Israel's unwillingness to withdraw to the pre-5 June 1967 lines and to confirm the principle of the non-acquisition of territory by war was inconsistent with its claim that it had accepted resolution 242 (1967). The resolution did not contain the word "negotiations", and Ambassador Jarring's efforts had failed because of Israel's attitude. He suggested that in accordance with resolution 242 Israel should declare its adherence to the principle of the inadmissibility of territorial acquisitions through war and commit itself to withdraw from all Arab lands occupied since 1967. The Arabs should commit themselves to respect the sovereignty, territorial integrity, political independence and the right of every State to live in peace within secure and recognized boundaries. Both Israel and the Arab States would declare that they would respect the rights of the Palestinian people in every field. The Secretary-General or his Special Representative could publish the points on which both sides agreed in response to Ambassador Jarring's aide-mémoire of 8 February 1971. The representative of India deplored the failure of the four-Power consultations which the Council had entrusted to these permanent members, as a most dangerous trend severely impeding the ability of the Council to arrive at effective decisions.³⁶⁰

The representative of China said that there could be no true settlement of the Middle East question, as long as the lost territories of the Arab States were not recovered and the Palestinian people's right to national existence was not restored. He charged the two super-Powers with the responsibility for the "no war, no peace" situation in their contention for strategic points, oil resources, and spheres of influence in the region. He called again for the condemnation of the Israeli Zionists for their prolonged aggression, for their immediate withdrawal, for the restoration of the

right to national existence of the Palestinian people, and for the firm support by all Governments and peoples to the Palestinian and other Arab peoples.³⁶¹

The representative of Bahrain expressed the hope that the Council would bring Israel to declare its support for the principle of the non-acquisition of territory by force, to withdraw their troops from all occupied territories and to recognize the right of the people of Palestine to self-determination.³⁶²

At the same meeting, the representative of Egypt stated that the Council should already have passed to the submission and adoption of a resolution condemning the military occupation of Arab lands, and the usurpation of the rights of the Palestinian nation, and calling for the respect of established international boundaries, but that he understood that the Council needed more time to deliberate on the future course to be taken.³⁶³

At the end of the meeting, the President read the following statement:³⁶⁴

Some tentative suggestions have been made to me concerning the desirability of suspending for a reasonably short period the formal Security Council meetings dealing with the examination of the situation in the Middle East. Among delegations which have informed me that they think such a suspension might be appropriate are those of Austria, France and the United Kingdom.

The exchange of views on this matter with the members of the Security Council has revealed a common view that such a suspension would be useful. It can be used for further pondering on the results of the discussion of the question in the Security Council by both the members of the Council and the representatives of the States participating in the consideration of this question. In the light of the report of the Secretary-General on the efforts undertaken by his Special Representative and the statements made by all States participating in the present debate, the suspension could also be used for further unofficial consultations among the members of the Security Council as to the next steps of the Council.

There is a general understanding that the Security Council would resume its examination of the situation in the Middle East, for which purpose a meeting of the Council will be convened in the middle of July on a date to be determined following consultations among the members of the Council.

In accordance with the agreement of 14 June 1973, the Council resumed the examination of the situation in the Middle East at its 1733rd meeting on 20 July 1973.

The representative of Egypt recalled the obligation of members of the United Nations under Article 25 of the Charter to carry out the decisions of the Security Council and the fact that the Charter empowered the Council to take the measures necessary for the implementation of its resolutions, including the suspension of membership, expulsion, diplomatic and economic sanctions and coercive military action against the aggressor or law-breaker. In his view there were three options before the Council: first, it could take the necessary measures under the relevant Articles of the Charter to force Israel to withdraw from the occupied territories and to comply with the Council's decisions. This would be the proper course, but at least one permanent member would use its veto against such a decision. Second, the Council could remain inactive and

³⁵⁸ 1726th meeting, intervention by the United States.

³⁵⁹ *Ibid.*, intervention by Panama.

³⁶⁰ *Ibid.*, India, first intervention.

³⁶¹ *Ibid.*, intervention by China.

³⁶² *Ibid.*, intervention by Bahrain.

³⁶³ *Ibid.*, Egypt, first intervention.

³⁶⁴ *Ibid.*, President's concluding statement. See also *OR*, 28th yr., *Resolutions and Decisions of the Security Council 1973*, p. 9.

thereby undermine the entire United Nations system. Third, the Council could call for the application of the Charter principles, condemn Israel's policy of occupation and of violating the territorial integrity of the three Arab States, and invite States to refrain from giving Israel any aid in maintaining its policy of occupation and coercion.³⁶⁵

The representative of Israel stated that Egypt's demands were contrary not merely to resolution 242 (1967) but also to basic provisions of the Charter and he invoked Article 51 of the Charter in defence of Israel's actions against the Arab neighbours.³⁶⁶

The representative of the Soviet Union warned again that the Middle East Conflict remained explosive and created a threat to international peace and security and reminded the Council that during the discussion of this issue in June, thirty-one of the thirty-two participants had spoken against the acquisition of territory by force and in favour of territorial integrity of the States in the Middle East. They had also supported the strict observance of the principle approved at the twenty-seventh session of the General Assembly, namely the principle of the non-use of force in international relations. The Council had so far not followed the Assembly's recommendation that the Council adopt a corresponding resolution on taking effective measures to prevent the use of force in inter-State relations. The large majority of the members of the Council and of the United Nations regarded the following principles and provisions as the basis of a just peace settlement in the Middle East: the inadmissibility of the acquisition of territory by means of war, the non-use of force in international relations, respect for the territorial integrity and political independence of States in the area, the total and unconditional withdrawal of all Israeli troops from all occupied territories, respect for the legitimate rights of the Arab people of Palestine and the need for compliance with resolution 242 (1967).

He called upon the other permanent members of the Council to actively assist Ambassador Jarring and to agree to the resumption of the consultations of the permanent members. The settlement should be sought on the basis of resolution 242 (1967) and of the aide-mémoire of 8 February 1971 of the Special Representative. His delegation stood ready to co-operate with other delegations to prepare and adopt an effective resolution and measures to promote the establishment of peace in the Middle East.³⁶⁷

The representative of Egypt urged the Council to adopt the only resolution open to it under international law and the Charter and to order the immediate termination of the Israeli occupation.³⁶⁸

At the 1734th meeting on 25 July 1973, the President stated that as a result of consultations among members of the Council a draft resolution had been prepared and was sponsored by the delegations of Guinea, India, Indonesia, Panama, Peru, Sudan and Yugoslavia.³⁶⁹

³⁶⁵ 1733rd meeting, Egypt, first intervention.

³⁶⁶ *Ibid.*, Israel, first intervention.

³⁶⁷ *Ibid.*, intervention by the USSR.

³⁶⁸ *Ibid.*, Egypt, second intervention.

³⁶⁹ 1734th meeting, President's opening statement. For the text of the draft resolution S/10974 see *OR*, 28th yr., *Suppl. for July-Sept. 1973*, pp. 20-21.

The representative of India reported that the delegation of Kenya had joined the sponsors, and introduced the draft resolution, whereby the Council would emphasize its primary responsibility for the maintenance of international peace and security, emphasize further, that all Members of the United Nations were committed to respect the resolutions of the Security Council in accordance with the provisions of the Charter, reaffirm resolution 242 (1967), would be conscious that the rights of the Palestinians had to be safeguarded, would take note of the report of the Secretary-General which included an account of the objective and determined efforts of his Special Representative since 1967, and would (1) deeply regret that the Secretary-General was unable to report significant progress by him or by his Special Representative in carrying out the terms of resolution 242 (1967), and that nearly six years after its adoption a just and lasting peace in the Middle East had still not been achieved, (2) strongly deplore Israel's continuing occupation of the territories occupied as a result of the 1967 conflict, contrary to the principles of the Charter, (3) express serious concern at Israel's lack of co-operation with the Special Representative of the Secretary-General, (4) support the initiatives of the Special Representative of the Secretary-General taken in conformity with his mandate and contained in his aide-mémoire of 8 February 1971, (5) express its conviction that a just and peaceful solution of the problem of the Middle East could be achieved only on the basis of respect for national sovereignty, territorial integrity, the rights of all States in the area and for the rights and legitimate aspirations of the Palestinians, (6) declare that in the occupied territories no changes which might obstruct a peaceful and final settlement or which might adversely affect the political and other fundamental rights of all the inhabitants in these territories should be introduced or recognized, (7) request the Secretary-General and his Special Representative to resume and to pursue their efforts to promote a just and peaceful solution of the Middle East problem, (8) decide to afford the Secretary-General and his Special Representative all support and assistance for the discharge of their responsibilities, (9) call upon all parties concerned to extend full co-operation to the Secretary-General and his Special Representative, and (10) decide to remain seized of the problem and to meet again urgently whenever it became necessary.³⁷⁰

At the 1735th meeting on 26 July 1973, the representative of the USSR stated that his delegation as well as the co-sponsors of the draft resolution would like the Council to adopt a stronger draft resolution than the one proposed. The principle of the non-acquisition of territory by force should have been more clearly reflected, and a paragraph on the need for the immediate, unconditional and total withdrawal of all Israeli troops from all occupied Arab territories should have been included. In view of the position of the nonaligned members of the Council and of Egypt and Jordan, his delegation would support the draft resolution.³⁷¹

At the same meeting the eight-Power draft resolution received 13 votes in favour to 1 against and failed of

³⁷⁰ *Ibid.*, intervention by India.

³⁷¹ 1735th meeting, USSR, first intervention.

adoption owing to the negative vote of a permanent member; one member did not participate in the vote.³⁷²

Following the vote, the representative of the United States said that the draft resolution was highly partisan and unbalanced and that its adoption could only have added another obstacle to getting serious negotiations started between the parties. It would have fundamentally changed the principles contained in resolution 242 (1967), undermining the one agreed basis for the construction of a settlement. For that reason his Government felt compelled to vote against the draft resolution. His delegation had offered reasonable and carefully thought-out amendments, which, however, were not accepted by the sponsors. Operative paragraph 2 of the draft resolution deplored only Israel's continuing presence in the occupied territories, but failed to mention the other fundamental elements connected with the demand for withdrawal in resolution 242 (1967): peace between the parties, the right of all States in the area to live within secure and recognized boundaries and peace on the basis of agreement between the parties. An amendment designed to restore these principles of the central provision of resolution 242 had been rejected by the sponsors. Its acceptance could have brought the draft resolution into some measure of conformity with the essential provisions of resolution 242 (1967).³⁷³

The president speaking as the representative of the United Kingdom stated that the draft resolution had not weakened or changed the value of resolution 242 (1967). The phrase "the rights of the Palestinians" as used in the draft resolution referred essentially to the refugees and their rights under General Assembly resolution 194 (III) and its inclusion did not constitute a fresh prerequisite for a settlement or affect the provisions of resolution 242 (1967). Nevertheless, his Government believed that any just and lasting peace in the Middle East had to take account of the legitimate interests and aspirations of the Palestinians.³⁷⁴

Decision of 15 August 1973 (1740th meeting): resolution 337 (1973)

By letter³⁷⁵ dated 11 August 1973 addressed to the President of the Security Council, the representative of Lebanon complained about the invasion of Lebanese air space by the Israeli air force which intercepted a civilian plane and forced it to fly to Israel and land at a military base, and requested an urgent meeting of the Security Council to deal with this grave threat to Lebanon's sovereignty and international aviation.

At its 1736th meeting on 13 August 1973, the Council included the letter by Lebanon in the agenda. Following the adoption of the agenda, the representatives of Lebanon, Israel, Egypt, Iraq,³⁷⁶ and at the 1737th meeting the representative of Democratic Yemen³⁷⁷ were invited, at

their request, to participate without the right to vote in the discussion of the item on the agenda. The Council also agreed, at the 1737th meeting, to a request made by the representative of Sudan in a letter³⁷⁸ dated 13 August 1973 that it extend an invitation under rule 39 of the provisional rules of procedure to Mr. Talib El-Shebib, Permanent Observer of the League of Arab States to the United Nations.³⁷⁹ The Lebanese complaint was considered at the 1736th to 1740th meetings from 13 to 15 August 1973.

At the beginning of the 1736th meeting, the President also drew the attention of the members of the Council to a letter³⁸⁰ dated 11 August 1973 by the representative of Iraq addressed to the President in connexion with the item under consideration.³⁸¹

At the same meeting, the representative of Lebanon* stated that on the evening on 10 August Israeli air force units entered Lebanese air space and circled over Beirut and central and southern areas of Lebanon thereby endangering civilian aviation arriving at and departing from Beirut International Airport. A civilian airliner belonging to the Middle East Airlines and chartered by Iraqi Airways took off from Beirut to Baghdad, but was soon after its departure intercepted by two Israeli jet fighters and forced to follow them to Israeli territory and to land at an Israeli military air base under the threat of being shot down. Members of the Israeli armed forces in combat uniforms and with guns in their hands entered the plane and subjected its passengers and crew to military interrogation. After the plane had been detained for over two hours, it was permitted to take off and returned to Beirut airport.

The representative of Lebanon continued that Israel had engaged in an act of air piracy and State terrorism against international law, and he called for the condemnation of this latest act of aggression as well as for the consideration by the Council of the wide range of measures under the Charter of the United Nations to prevent Israel from endangering international peace and security in the future. In conclusion, he urged the Council to bring the resolution it might adopt to the attention of the International Civil Aviation Organization for its consideration.³⁸²

The representative of Iraq* declared that the abduction of the civilian airliner was a unique and shocking precedent that a Member State of the United Nations used piracy as an instrument of national policy and that this act confirmed the serious continued threat to international civil aviation by Israeli military actions. Israel posed now a permanent threat to international peace and security. In response to the persistent Zionist challenge the Council should adopt not merely verbal condemnations, but rather immediate steps for the application of disciplinary measures against this international outlaw.³⁸³

The representative of Egypt* also denounced the Israeli action as an act of State terrorism and as a threat to international peace and to the security of international civil

³⁷² 1735th meeting, following the intervention by Panama.

³⁷³ *Ibid.*, intervention by the United States.

³⁷⁴ *Ibid.*, intervention by the President as representative of the United Kingdom.

³⁷⁵ S/10983, *OR*, 28th yr., *Suppl. for July-Sept. 1973*, p. 25.

³⁷⁶ 1736th meeting, opening statement by the President.

³⁷⁷ 1737th meeting, opening statement by the President.

³⁷⁸ S/10986, *OR*, 28th yr., *Suppl. for July-Sept. 1973*, p. 26.

³⁷⁹ 1737th meeting, opening statement by the President.

³⁸⁰ S/10984, *OR*, 28th yr., *Suppl. for July-Sept. 1973*, p. 25.

³⁸¹ 1736th meeting, opening statement by the President.

³⁸² *Ibid.*, Lebanon, first intervention.

³⁸³ *Ibid.*, intervention by Iraq.

aviation, and asked the Council to decide to apply against Israel the sanctions stipulated in the Charter to prevent further crimes of aggression.³⁸⁴

The representative of Israel* stated that the Israeli air force jets had diverted the airplane because there had been reason to believe that several terrorist leaders, in particular George Habash, were on the flight. After the identity of the passengers had been checked, the aircraft, with all aboard, had been allowed to proceed to its destination. Measures by individual States against terrorism were even more urgent and indispensable as a result of the sabotage by Arab States of all international action against the terrorists. Israel could not forego its right of self-defence and the duty to protect its citizens nor could it forego military defence action against terrorism launched from the territory of Arab States. Israel still hoped that the international community would stamp out international terrorism and ensure the safety and security of international air travel.³⁸⁵

The representative of the USSR indicated that his delegation was prepared to support the Council in the preparation of effective measures, including sanctions against Israel which had systematically and deliberately violated the decisions of the United Nations and the basic purposes and principles of its Charter.³⁸⁶

At the 1738th meeting on 14 August 1973, the President speaking as the representative of the United States deplored the violation of Lebanese sovereignty, of the United Nations Charter and of the rule of law in international civil aviation by Israel and emphasized that the commitment to the rule of law in international affairs imposed certain restraints on the methods Governments could use to protect themselves against those who operated outside the law. The United States would join again in urging all States, all individuals and all political groups in the Middle East to refrain from actions which would imperil the lives of innocent people and the safety of international travel.³⁸⁷

At the 1739th meeting on 15 August, the representative of Peru stated that the Israeli action could not be termed an act of self-defence as defined in Article 51 of the Charter for reasons that flow from the text of the article, but also from the way in which the premeditated incident had taken place.³⁸⁸

At the 1740th meeting on 15 August 1973, the representative of the United Kingdom introduced a draft resolution³⁸⁹ co-sponsored by France. He stated that the co-sponsors sought to reflect the views of all members of the Council and thus to enable the Council to take a decision without delay and unanimously.³⁹⁰

Then the draft resolution was unanimously adopted.³⁹¹ It read as follows:

³⁸⁴ 1736th meeting, intervention by Egypt.

³⁸⁵ *Ibid.*, Israel, first intervention.

³⁸⁶ *Ibid.*, USSR, first intervention.

³⁸⁷ 1738th meeting, intervention by President as representative of the United States.

³⁸⁸ 1739th meeting, intervention by Peru.

³⁸⁹ S/10987, adopted without change as resolution 337 (1973).

³⁹⁰ 1740th meeting, intervention by the United Kingdom.

³⁹¹ *Ibid.*, following the intervention by the United Kingdom. Adopted as resolution 337 (1973).

The Security Council,

Having considered the agenda contained in document S/Agenda/1736,

Having noted the contents of the letter from the Permanent Representative of Lebanon addressed to the President of the Security Council (S/10983),

Having heard the statement of the representative of Lebanon concerning the violation of Lebanon's sovereignty and territorial integrity and the hijacking, by the Israeli air force, of a Lebanese civilian airliner on lease to Iraqi Airways,

Gravely concerned that such an act carried out by Israel, a Member of the United Nations, constitutes a serious interference with international civil aviation and a violation of the Charter of the United Nations,

Recognizing that such an act could jeopardize the lives and safety of passengers and crew and violates the provisions of international conventions safeguarding civil aviation,

Recalling its resolution 262 (1968) of 31 December 1968 and 286 (1970) of 9 September 1970,

1. *Condemns* the Government of Israel for violating Lebanon's sovereignty and territorial integrity and for the forcible diversion and seizure by the Israeli air force of a Lebanese airliner from Lebanon's air space;

2. *Considers* that these actions by Israel constitute a violation of the Lebanese-Israeli Armistice Agreement of 1949, the cease-fire resolutions of the Security Council of 1967, the provisions of the Charter of the United Nations, the international conventions on civil aviation and the principles of international law and morality;

3. *Calls* on the International Civil Aviation Organization to take due account of this resolution when considering adequate measures to safeguard international civil aviation against these actions;

4. *Calls* on Israel to desist from any and all acts that violate Lebanon's sovereignty and territorial integrity and endanger the safety of international civil aviation and solemnly warns Israel that, if such acts are repeated, the Council will consider taking adequate steps or measures to enforce its resolutions."

Decision of 22 October 1973 (1747th meeting): resolution 338 (1973)

Decision of 23 October 1973 (1748th meeting): resolution 339 (1973)

By letter³⁹² dated 7 October 1973 addressed to the President of the Security Council, the representative of the United States requested a meeting of the Security Council to consider the situation in the Middle East, in accordance with Article 24 of the Charter of the United Nations by which the Member States had conferred primary responsibility for the maintenance of international peace and security on the Security Council.

At its 1743rd meeting on 8 October 1973, the Council included the letter by the United States in the agenda. Following the adoption of the agenda, the representatives of Egypt, Israel and Syria,³⁹³ and at the 1745th meeting the representatives of Nigeria³⁹⁴ and Saudi Arabia³⁹⁵ were invited, at their request, to participate without the right to vote in the discussion of the item on the agenda, which was considered at the 1743rd to 1748th meetings from 8 to 23 October 1973.

At the beginning of the 1743rd meeting, the President drew the attention of the members of the Council to several

³⁹² S/11010, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 70.

³⁹³ 1743rd meeting, opening statement by the President.

³⁹⁴ 1745th meeting, opening statement by the President.

³⁹⁵ *Ibid.*, following the intervention by Peru.

documents³⁹⁶ which had been issued in connexion with the item under consideration.

At the same meeting, the representative of the United States said that his Government had requested the meeting of the Council in order that it might deal urgently with the current situation in the Middle East. The outbreak of hostilities on a massive scale and the breakdown of the cease-fire had not been averted despite intensive efforts by his Government in the last minutes to prevent the recourse to tragic violence. These efforts included consultations with Egypt and Israel as well as with the permanent and other members of the Council and the Secretary-General. In so serious a situation his Government as a permanent member of the Council decided to exercise its responsibility under the Charter and hoped that the Council could restore its historic role of constructive ameliorator in this area. In order to end the current fighting and to promote a restoration of the cease-fire and eventually a stable peace, the following principles must in the judgement of his Government be applied by the Council: first, military operations must be halted. Second, conditions must be restored in the area that would be conducive to a settlement of the long-standing differences in the Middle East; there must be respect for the rights and positions of all the States in the region; and the beginning should be made by a return of the parties concerned to the positions before hostilities broke out. Third, the Council must be mindful of the need for universal respect for the integrity of those instruments and principles of settlement for the Middle Eastern dispute which had received the adherence of the interested parties and the support of the Council. The representative of the United States concluded by affirming his willingness to discuss these and any other principles as a basis for further action by the Council.³⁹⁷

Recalling the review of the Middle Eastern situation in the Council on 6 June 1973 and at subsequent meetings, the representative of Egypt* stated that the negative vote cast by the United States on that occasion had rendered the collective will of the Council inoperative and had thus helped to block any advance in the Arab search for an end to Israeli occupation and for a just and lasting settlement in the region. He charged that Israel advocated a policy of conquest, occupation and territorial expansion, that it had rejected Mr. Jarring's aide-mémoire of February 1971 and called for direct negotiations in which the conqueror could deal with the vanquished and dictate the peace terms, thereby implementing its expansionist aims. Israel's obstructionist attitude was coupled with a systematic policy of colonization of the occupied territories documented in many United Nations records. The same policy led to the new Israeli attack against Egypt on 6 October and to similar acts of aggression against Syria. Egyptian forces responded

to this policy and returned to Egyptian territory east of the Suez Canal.

Denying the allegations that Egypt had attacked first, the Egyptian representative asked the Secretary-General if United Nations observers had been stationed at El Sukhna and El Zaafarana and could confirm the Israeli attack on these localities. He rejected the suggestion that the parties be asked to return to the positions occupied before the hostilities had broken out, since it did not mean the return to the positions before the war of 1967 but an invitation to one country to offer part of its territory for occupation by another State.³⁹⁸

The representative of China cited the express provision of Article 1, paragraph 1 of the United Nations Charter for "the suppression of acts of aggression" and asked what the United Nations had done in accordance with that principle against past and present Israeli acts of aggression. He termed the suggestion that Egypt and Syria should withdraw to their position prior to their counter-attack against the aggressor, an open encouragement to aggression and permission for the Israeli aggressors to perpetuate their occupation of Arab territories. He called for the condemnation of all Israeli acts of aggression in the strongest terms and for the firmest support to the Egyptian, Syrian and Palestinian peoples in their action to resist the aggressors.³⁹⁹

The representative of Israel* strongly denied the Egyptian charge about an Israeli naval attack at Sukhna and Zaafarana and urged the other parties to the conflict to embark together with Israel upon the adventure of negotiated peace.⁴⁰⁰

The representative of the USSR said that the approach of the Soviet Union was determined by the fact that the war continued between Israel, which had occupied the land of others, and the Arab States, the victims of Israeli aggression, which were striving to recover their land. The solution of the problem should be sought by the implementation of the existing United Nations resolutions, with a complete Israeli withdrawal from the occupied Arab territories as a first step. Until Israel stated its willingness to withdraw all its troops from occupied territories, the adoption of any new resolution in the Council would merely be once more exploited by the aggressor to continue its policy of annexation and occupation.⁴⁰¹

At the 1744th meeting on 9 October 1973, the representative of Yugoslavia declared that the Arab countries and the Arab people of Palestine were resisting the aggressor on the basis of the legitimate right to self-defence, liberation of their occupied territories and self-determination in conformity with the Charter of the United Nations. Resistance to aggression and the defence of the principles of the Charter constituted in themselves a contribution to peace. Peace and security could be realized only on the basis of the complete withdrawal of Israeli forces from the occupied territories and through the implementation of the national rights of the Arab people of Palestine. Should Israel persist in its aggression, occupation

³⁹⁶ 1743rd meeting, opening statement by the President. S/11009 and Corr. 1, letter dated 6 October 1973 from the representative of the Syrian Arab Republic to the President of the Security Council, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 70; S/11011, letter dated 7 October 1973 from the Minister for Foreign Affairs of Israel to the Secretary-General, *ibid.*, pp. 70-71; S/11012, letter dated 7 October 1973 from the representative of the USSR to the Secretary-General, *ibid.*, p. 71; S/11013, letter dated 8 October 1973 from the Secretary-General to the President of the Security Council, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 72.

³⁹⁷ *Ibid.*, intervention by the United States.

³⁹⁸ *Ibid.*, intervention by Egypt.

³⁹⁹ *Ibid.*, intervention by China.

⁴⁰⁰ *Ibid.*, intervention by Israel.

⁴⁰¹ *Ibid.*, intervention by the USSR.

and annexation, it would be necessary to consider the application of sanctions against it within the meaning of Chapter VII of the Charter of the United Nations.⁴⁰²

At the same meeting, the representative of the Syrian Arab Republic* stated that in the present system of the United Nations the Organization was paralysed by the improper use of the right of veto which had recently been utilized against justice and logic and against the will of fourteen members of the Council. The war that Israel launched against Syria and Egypt on 6 October was the direct result of the promise that the United States would never let the Security Council adopt a resolution against the interests of Israel. Israel's call for a return to the positions held before 6 October was unacceptable since no country could agree to negotiate without prior condition while its territory was occupied by a foreign Power which declared that it would never withdraw from the major part of the territory occupied.⁴⁰³

At the beginning of the 1747th meeting on 21 October 1973, the President drew the attention of the members of the Council to a draft resolution, co-sponsored by the USSR and the United States.⁴⁰⁴

The representative of the United States stated that the aim of their joint draft resolution was to bring an immediate ceasefire in place and to begin promptly negotiations between the parties under appropriate auspices in order to seek a just and durable peace based on Security Council resolution 242 (1967). He also reported that both the Soviet Union and the United States believed that there should be an immediate exchange of prisoners of war.⁴⁰⁵

The representative of the USSR declared that the continuing war in the Middle East required that the Security Council take the most urgent and immediate measures to end the bloodshed and to implement a peaceful settlement on the basis of resolution 242 (1967). He urged the Council to act immediately in accordance with the Charter of the United Nations and to take the necessary decision without delay.⁴⁰⁶

After further discussion, the draft resolution co-sponsored by the USSR and the United States was adopted by 14 to none; one member did not participate in the vote.⁴⁰⁷ The resolution read as follows:

The Security Council,

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
2. *Calls upon* the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts;
3. *Decides* that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under

⁴⁰² 1744th meeting, Yugoslavia, first intervention.

⁴⁰³ *Ibid.*, intervention by the Syrian Arab Republic.

⁴⁰⁴ 1747th meeting, opening statement by the President. S/11036, subsequently adopted without change as resolution 338 (1973).

⁴⁰⁵ *Ibid.*, intervention by the United States.

⁴⁰⁶ *Ibid.*, intervention by the USSR.

⁴⁰⁷ *Ibid.*, following the intervention by Guinea. Adopted as resolution 338 (1973).

appropriate auspices aimed at establishing a just and durable peace in the Middle East.

At the 1748th meeting on 23 October 1973, the representative of Egypt* said that he had asked for a meeting of the Council to consider the non-implementation of its resolution 338 (1973) and the breakdown of the cease-fire ordered by the Council.⁴⁰⁸

The representative of Israel* recalled that on 21 October his Government had expressed its readiness to comply with the proposed cease-fire provided the other parties would also accept and observe it. Only the Egyptian Government had agreed to the cease-fire on the Arab side. Subsequently it became clear that Egypt did not translate its declaration of acceptance into action and never stopped shooting. The fact of Egyptian aggression was the cause of Israel's military actions since the previous day and would determine Israel's attitude towards any draft resolution submitted to the Security Council. His Government also regarded the release of all war prisoners as an indispensable condition of any cease-fire.⁴⁰⁹

At the same meeting, the representative of the United States introduced a draft resolution which was sponsored by the USSR and the United States.⁴¹⁰

The representative of the USSR stated that the aim of the joint draft resolution was to confirm the decision of the Council of 22 October and that it also contained a request to the Secretary-General immediately to send United Nations observers to the cease-fire area. He emphasized that the USSR and the United States considered that the troops of the parties should be returned to the positions they occupied at the time the cease-fire adopted in resolution 338 (1973) came into force. He concluded with the request that the Council take a decision immediately and formally proposed that in view of the urgency of the situation the draft resolution be put to the vote at once.⁴¹¹

Following a brief procedural discussion regarding this proposal, in which the President of the Council and the representatives of China and of the USSR participated, the meeting was suspended for a short period.⁴¹²

After the resumption of the meeting the representative of China voiced his protest against the manner in which the USSR and the United States were trying to impose on the Council their joint draft resolution without giving the other members time for consideration and for seeking instructions from their Governments, and he opposed the use of the Council as a tool in the hands of the two super-Powers. He rejected the previous draft resolution as well as the new one, because they failed to condemn Israel's expanded aggression and to make any mention of the demand for Israel's total withdrawal from all occupied territories. He expressed his confidence that the Arab and Palestinian people would continue to break through the situation of "no war, no peace" which the two super-

⁴⁰⁸ 1748th meeting, Egypt, first intervention.

⁴⁰⁹ *Ibid.*, Israel, first intervention.

⁴¹⁰ *Ibid.*, United States, first intervention S/11039, adopted without change as resolution 339 (1973).

⁴¹¹ *Ibid.*, USSR, first intervention.

⁴¹² *Ibid.*, following the first intervention by the USSR.

Powers tried to reimpose on them, and on their own initiative finally win liberation.⁴¹³

The draft resolution co-sponsored by the USSR and the United States was adopted by 14 to none; one member did not participate in the vote.⁴¹⁴ The resolution read as follows:

The Security Council,

Referring to its resolution 338 (1973) of 22 October 1973,

1. *Confirms* its decision on an immediate cessation of all kinds of firing and of all military action, and urges that the forces of the two sides be returned to the positions they occupied at the moment the cease-fire became effective;

1. *Requests* the Secretary-General to take measures for immediate dispatch of United Nations observers to supervise the observance of the cease-fire between the forces of Israel and the Arab Republic of Egypt, using for this purpose the personnel of the United Nations now in the Middle East and first of all the personnel now in Cairo.

Decision of 25 October 1973 (1750th meeting): resolution 340 (1973)

Decision of 26 October 1973 (1751st meeting):

Adoption of two interim measures

In accordance with a request by the representative of Egypt who communicated it both in oral and written form on 25 October 1973 to the President, the Council was convened on the same date to resume its consideration of the situation in the Middle East.⁴¹⁵

At the beginning of 1749th meeting on 25 October, after the agenda had been adopted and the invitations issued since the 1743rd meeting had been renewed, the representative of Egypt* stated that his Government had asked for the urgent meeting of the Council to consider the continuing Israeli violations of the cease-fire decided in the resolutions 338 and 339 of 22 and 23 October 1973, but that in the meantime Israel had started a new war, a new aggression on the East Bank of the Suez Canal, where Egyptian forces had been massively attacked, as well as along the whole front except in the North. He charged that the United Nations military observers had been prevented by the Israeli military authorities from proceeding to their destinations. He asked the members of the Council to do their best to make sure that the observers were able to be stationed at their places and requested that the two Powers that brought the resolutions to the Council see to it that they were strictly implemented.⁴¹⁶

The representative of Israel* rejected the Egyptian charges as unfounded and declared that Egypt had never searched for a peaceful solution. At a moment when the fighting in violation of resolution 338 had died down, the time had come for a serious effort to make the cease-fire effective, and his Government reiterated its pledge to extend its full co-operation to General Siilvasvuo and UNTSO.⁴¹⁷

The representative of Sudan emphasized the duty of the Council and in particular of the two co-sponsoring Powers to implement these resolutions. There was no need yet to invoke Chapter VII of the Charter against Israel which should be condemned by the Council for its latest aggression.⁴¹⁸

The representative of the USSR demanded that the Council should immediately adopt measures to ensure Israel's compliance with the decisions and resolutions of the Council which so far constituted only a first step. The time had come for the Council to reflect upon Chapter VII of the Charter and to adopt appropriate strict sanctions against Israel. The Council should appeal to all Members of the United Nations to sever diplomatic relations and any other ties with Israel, an aggressor State which was incorrigibly violating the decisions of the General Assembly, the Security Council and the United Nations as a whole. Turning to the issue of the nationality of the United Nations observers, he noted with concern that all of them came from Western States and urged the Council to apply the principle of the United Nations Charter concerning equitable geographic distribution also to the recruitment of these military observers in the Middle East.⁴¹⁹

The representative of the United States reiterated his Government's commitment to resolutions 338 and 339 and to the return of the parties to the positions they occupied when the cease-fire became effective. These decisions could be implemented with the assistance of the United Nations observers who should be promptly increased and placed along the military lines.⁴²⁰

At the same meeting, after a suspension of a few hours, the representative of Kenya deplored the inability of the two super-Powers to stop the war and introduced a draft resolution⁴²¹ on behalf of Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan and Yugoslavia, which *inter alia* contained in operative paragraph 1, a demand for the observation of the cease-fire and for the withdrawal of the parties to the positions occupied at 1650 hours GMT on 22 October 1973; in operative paragraph 3 a decision to set up a United Nations Emergency Force under the authority of the Council and a request to the Secretary-General to report within 24 hours on the implementation of this decision; and in operative paragraph 5 a request to all Member States to extend their full co-operation in the implementation of this resolution as well as resolutions 338 and 339. He urged the adoption of the draft resolution as soon as possible.⁴²²

At the beginning of the 1750th meeting on 25 October 1973 the President drew the attention of the members of the Council to the revised draft resolution.⁴²³

The representative of Kenya reported that as a result of consultations certain amendments had been proposed which he accepted on behalf of the other sponsors of the draft resolution. The first amendment concerned operative

⁴¹³ 1748th meeting, China, second intervention.

⁴¹⁴ *Ibid.*, following China's second intervention. Adopted as resolution 339 (1973).

⁴¹⁵ 1749th meeting, President's opening statement.

⁴¹⁶ *Ibid.*, Egypt, first intervention.

⁴¹⁷ *Ibid.*, Israel, first intervention.

⁴¹⁸ *Ibid.*, intervention by Sudan.

⁴¹⁹ *Ibid.*, USSR, first intervention.

⁴²⁰ *Ibid.*, intervention by the United States.

⁴²¹ S/11046, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 88.

⁴²² 1749th meeting, intervention by Kenya.

⁴²³ 1750th meeting, President's opening statement. S/11045/Rev.1 subsequently adopted as resolution 340 (1973).

paragraph 1 in which the word "withdraw" was replaced by the word "return", because the latter described more accurately the moves to be undertaken by the parties to the conflict. In operative paragraph 3 the words "under its authority" were shifted and placed behind the word "immediately" and the following phrase was added after the words "Emergency Force": "to be composed of personnel drawn from States Members of the United Nations except the permanent members of the Security Council". The last amendment affected operative paragraph 5 in which the phrase "to the United Nations" was inserted between the word "co-operation" and the word "in". In conclusion he asked for unanimous support so that the Council would achieve its objectives in the Middle East as soon as possible.⁴²⁴

The representative of China said that China had always been opposed to the dispatch of so-called "peace-keeping forces" and maintained that position also with regard to the Middle East, because such a practice could only pave the way for further international intervention and control with the super-Powers as the behind-the-scenes boss, the evil consequences of which would gradually be recognized by the Arab people. Only out of consideration for the requests made by the victims of aggression would China refrain from vetoing the draft resolution and not participate in the voting.⁴²⁵

At the same meeting, the representative of the USSR announced that his delegation would vote for the draft resolution although it did not agree on principal grounds to the exclusion of the permanent members of the Council from participation in the United Nations force. If the aggressor continued to violate the decisions of the Council, the Council would then have to resort to sanctions according to Chapter VII of the Charter. He called again for strict observance of the principle of equitable geographical representation in setting up the observer force and for its operation in strict accordance with the Charter, i.e. under the immediate authority of the Council which should itself take decisions concerning all aspects of the establishment of the force and the discharge of its peace-keeping functions.⁴²⁶

The representative of Guinea expressed the hope that despite the reservations that paragraph 3 had evoked from some delegations all members of the Council and in particular its permanent members would oversee and ensure the strict application of the draft resolution and that the financial implications would not hamper the implementation of its provisions.⁴²⁷

The representative of the United Kingdom stated that the specific exclusion of forces of the permanent members from the proposed forces was in the view of his delegation without prejudice to the composition of the peace-keeping force which would later be needed to guarantee a final peace agreement and in which his Government would be willing to participate. He further said that his delegation interpreted the term "under its authority" in operative paragraph 3 as referring to the ultimate responsibility of the

Council for policy and not to the day-to-day operational control of the force.⁴²⁸

The representative of France indicated that his delegation would vote in favour of the draft resolution, subject to one reservation concerning the exclusion of the permanent members from the emergency force pursuant to operative paragraph 3. His Government held that the fact of not committing the responsibility of the permanent members weakened the impact of the Council's decision and renewed its willingness to participate in a real peace-keeping force. For these reasons the French delegation requested a separate vote on the words "except the permanent members of the Security Council" in operative paragraph 3 of the revised draft resolution.⁴²⁹

The representative of Saudi Arabia* asked whether all Powers were willing to contribute to financing the emergency force and whether the Secretary-General could give an idea of its initial expenses. The Secretary-General replied that he would report to the Council on the following day the first approximate estimate of the expenses involved.⁴³⁰

Replying to a question of the President, the representative of Kenya accepted on behalf of the co-sponsors of the revised draft resolution the request of France for a separate vote.⁴³¹

At the same meeting, the words "except the permanent members of the Security Council" in operative paragraph 3 of the revised draft resolution were maintained with 13 votes in favour, none against and 1 abstention; one member did not participate in the vote. The revised draft resolution as a whole was adopted by 14 votes to none; one member did not participate in the voting.⁴³²

The resolution read as follows:

The Security Council,

Recalling its resolutions 338 (1973) of 22 October and 339 (1973) of 23 October 1973,

Noting with regret the reported repeated violations of the cease-fire in non-compliance with resolutions 338 (1973) and 339 (1973),

Noting with concern from the Secretary-General's report that the United Nations military observers have not yet been enabled to place themselves on both sides of the cease-fire line,

1. *Demands* that immediate and complete cease-fire be observed and that the parties return to the positions occupied by them at 1650 hours GMT on 22 October 1973;

2. *Requests* the Secretary-General, as an immediate step, to increase the number of United Nations military observers on both sides;

3. *Decides* to set up immediately, under its authority, a United Nations Emergency Force to be composed of personnel drawn from States Members of the United Nations except the permanent members of the Security Council, and requests the Secretary-General to report within 24 hours on the steps taken to this effect;

4. *Requests* the Secretary-General to report to the Council on an urgent and continuing basis on the state of implementation of the present resolution, as well as resolutions 338 (1973) and 339 (1973);

⁴²⁸ *Ibid.*, intervention by the United Kingdom.

⁴²⁹ *Ibid.*, intervention by France.

⁴³⁰ *Ibid.*, intervention by Saudi Arabia.

⁴³¹ *Ibid.*, Kenya, second intervention.

⁴³² *Ibid.*, following Kenya's second intervention. Adopted as resolution 340 (1973).

⁴²⁴ 1750th meeting, Kenya, first intervention.

⁴²⁵ *Ibid.*, China, first intervention.

⁴²⁶ *Ibid.*, USSR, first intervention.

⁴²⁷ *Ibid.*, Guinea, first intervention.

5. *Requests* all Member States to extend their full co-operation to the United Nations in the implementation of the present resolution, as well as resolutions 338 (1973) and 339 (1973).

At the same meeting, the Council authorized the Secretary-General to take certain urgent interim measures, as proposed by him,⁴³³ namely, to transfer contingents from the United Nations Peace-keeping Force in Cyprus to Egypt and to appoint General Siilasvuo, Chief of Staff of UNTSO, as the interim Commander of the United Nations Emergency Force established under resolution 340 (1973).⁴³⁴

At the 1751st meeting on 26 October 1973, the Council continued its discussion of the situation in the Middle East. In addition to those previously invited, the representative of Zambia was invited, at its request, to participate without the right to vote in the discussion of the item on the agenda.⁴³⁵

The representative of Egypt stated that his delegation had requested the convening of the Security Council in order not only to speak about a breach of peace, but also to warn of a grave danger that threatened to extend beyond the Middle East. Violating the three resolutions adopted by the Council, Israel had still not observed the cease-fire and in his judgement a new major offensive was imminent. Israel had also set impractical and impossible conditions for its permission to let a convoy with medical and other vital supplies pass to the Egyptian forces in the Sinai. He asked Israel and in particular the United States whether the cease-fire would finally be implemented and appealed to the Council to concern itself with the new situation in order to revive the hopes for some movement towards peace.⁴³⁶

The representative of Israel charged that since the adoption of resolution 338, Egypt had been violating the cease-fire while claiming that Israel was violating it, even though Israeli forces reacted only to Egyptian assaults; he also asserted that Egypt alleged new fighting and new Israeli attacks when in fact there was no fighting going on at all. He added that Israel had delayed the convoy of trucks because it still had not received the list of prisoners held by Egypt and Syria and that instead Israel had delivered supplies of blood and plasma via planes to the encircled Egyptian forces.⁴³⁷

At the same meeting the representative of the USSR denounced the Israeli violations of the cease-fire and called upon the Council to take appropriate measures against these acts of aggression. He renewed his appeal to the other four permanent members to resume the consultations regarding the search for peace in the Middle East, which were currently stalled by the refusal of two of them to do so. In conclusion he read a statement by Secretary-General Brezhnev, in which he expressed support for resolution 338 and urged that peace talks should immediately begin

between the parties under appropriate auspices and that the USSR stood ready to take part in the necessary guarantees of a comprehensive peace settlement.⁴³⁸

The representative of the United States reaffirmed his Government's stand for strict observance of the cease-fire and suggested that the Council proceed systematically in its task of ending the fighting and beginning the peace negotiations.⁴³⁹

The representative of China rejected, the call for consultations among the five permanent members because these talks had never in the past been authorized by the Council nor had they been held within the framework of the United Nations and because his Government refused to become a part of an attempt by the big Powers to impose a settlement on the Palestinians and other Arab people.⁴⁴⁰

After further discussion, the representative of India suggested two interim measures in order to make sure that the situation would not get worse in the Middle East. The Secretary-General should be authorized to send additional men from Cyprus if he considered such a step necessary. Further, the Secretary-General and the President of the Council should send telegraphic appeals to the parties to co-operate fully and effectively with the International Red Cross for the proper discharge of its humanitarian task.⁴⁴¹

Referring to the two proposals made by the representative of India, the President of the Council stated that in the absence of any objection he considered these proposals as approved by the Council.⁴⁴²

The Secretary-General declared that he would actively consider the first proposal and that he would consult with the President of the Council about the necessary steps as regarded the second proposal.⁴⁴³

Decision of 27 October 1973 (1752nd meeting): resolution 341 (1973)

At the 1752nd meeting on 27 October 1973 the Council resumed the consideration of the situation in the Middle East. The agenda included in addition to the letter from the United States the report of the Secretary-General on the implementation of Security Council resolution 340 (1973).⁴⁴⁴ In accordance with the decisions taken at previous meetings, the representatives of Egypt, Israel, Syria, Nigeria, Saudi Arabia and Zambia were again invited to participate in the discussion.

At the beginning of the meeting, the President drew the attention of the members of the Council to the report of

⁴³³ S/11049: Letter dated 25 October 1973 from the Secretary-General to the President of the Security Council, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 89. 1750th meeting, statement by the Secretary-General.

⁴³⁴ *Ibid.*, President's concluding statement.

⁴³⁵ 1751st meeting, following Egypt's first intervention.

⁴³⁶ *Ibid.*, Egypt, first intervention.

⁴³⁷ *Ibid.*, Israel, first intervention.

⁴³⁸ *Ibid.*, USSR, first intervention.

⁴³⁹ *Ibid.*, intervention by the United States.

⁴⁴⁰ *Ibid.*, intervention by China.

⁴⁴¹ *Ibid.*, intervention by India. The representative of Yugoslavia supported the two proposals by the representative of India.

⁴⁴² *Ibid.*, following the intervention by Yugoslavia. For the decision see *OR*, 28th yr., *Resolutions and Decisions of the Security Council 1973*, p. 11.

⁴⁴³ *Ibid.*, statement by the Secretary-General.

⁴⁴⁴ S/11052, replaced by S/11052/Rev.1 in *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, pp. 91-92.

the Secretary-General and to the draft resolution proposed by Australia, approving the report.⁴⁴⁵

Speaking in explanation of his vote, the representative of China reaffirmed his Government's opposition to the dispatch of the so-called United Nations Emergency Force to the Middle East as well as to the sending of troops by the five permanent members. Therefore, his Government could, of course, not pay the expenses of the emergency force. His delegation would not participate in the voting on the draft resolution.⁴⁴⁶

At the same meeting, the Council adopted the Australian draft resolution by 14 votes to none; one member did not participate in the vote.⁴⁴⁷ The resolution read as follows:

The Security Council,

1. Approves the report of the Secretary-General on the implementation of Security Council resolution 340 (1973) contained in document S/11052/Rev.1 dated 27 October 1973;

2. Decides that the Force shall be established in accordance with the above-mentioned report for an initial period of six months, and that it shall continue in operation thereafter, if required, provided the Security Council so decides.

After the vote, the representative of France stated that his Government wanted to emphasize the exclusive competence of the Security Council in the matter of peace-keeping and the maintenance of international security in accordance with Article 24 of the Charter. The Council should not only determine the establishment of the force, but it should also have control over all operations that might be ordered by it. This meant that the Council had to define the terms of reference, duration, size and composition of the force, to appoint the commander, to decide on the basic directives for the commander, to regulate the financing of the force and to ensure constant control over the application of its directives. Since the Council was not in a position to discharge this responsibility on a continuing basis, his delegation envisaged, in application of Article 29 of the Charter, the establishment of a subsidiary organ of the Council which would lessen the Council's work without prejudice to the primary responsibilities of the Council under the Charter. The committee would be in constant contact with the Secretary-General and could for instance propose to the Council the name of the Commander and draft basic directives. The representative of France accepted the proposed mode of financing of the emergency force within the regular United Nations budget, but indicated his delegation's willingness to agree to a complete exemption of the least advanced developing countries from contributing to the financing of the peace-keeping operations.⁴⁴⁸

The representative of Sudan said that notwithstanding the noble motives of the French suggestion, his delegation considered the contribution to the peace-keeping force too significant for the least developed countries to be excluded from participating in it.⁴⁴⁹

⁴⁴⁵ 1752nd meeting, President's opening statement. The draft resolution S/11054 was adopted without change as resolution 341 (1973).

⁴⁴⁶ *Ibid.*, intervention by China.

⁴⁴⁷ *Ibid.*, following China's intervention. Adopted as resolution 341 (1973).

⁴⁴⁸ *Ibid.*, intervention by France.

⁴⁴⁹ *Ibid.*, intervention by Sudan.

The representative of Saudi Arabia* pointed out that the emergency force might have to be extended for many years, which might bring the total expenditure to more than \$1 billion. The report of the Secretary-General should not have bypassed Article 17, paragraph 1 of the Charter according to which the budget of the organization had to be approved by the General Assembly and not the Security Council. Article 19 should also have been considered, in view of previous experiences.⁴⁵⁰

Decision of 2 November 1973 (1754th meeting):

Statement by the President

At the 1754th meeting on 2 November 1973 the Council resumed the consideration of the situation in the Middle East. The agenda included in addition to the letter from the United States the progress reports of the Secretary-General on the United Nations Emergency Force.⁴⁵¹

After renewing the invitations to the representatives of Egypt, Israel, Syria, Nigeria, Saudi Arabia and Zambia to participate in the discussion, the President of the Council stated that he was authorized to make a statement representing the agreement of the members of the Council.⁴⁵² The statement read as follows:

United Nations Emergency Force (Security Council resolution 340 (1973) of 25 October 1973): implementation-second phase

1. The members of the Security Council met for informal consultations on the morning of 1 November 1973 and heard a report from the Secretary-General on the progress so far made in the implementation of Security Council resolution 340 (1973).

2. After a lengthy and detailed exchange of views it was agreed that in regard to the next stage of implementation of resolution 340 (1973):

(a) The Secretary-General will immediately consult, to begin with, Ghana (from the African regional group), Indonesia and Nepal (from the Asian regional group), Panama and Peru (from the Latin American regional group), Poland (from the Eastern Europe regional group) and Canada (from the Western European and other States group), the latter two with particular responsibility for logistic support, with a view to dispatching contingents to the Middle East pursuant to Security Council resolution 340 (1973). The Secretary-General will dispatch troops to the area from these countries as soon as the necessary consultations have been completed. The Council members agreed that at least three African countries are expected to send contingents to the Middle East. The present decision of the Council is intended to bring about a better geographical distribution of the United Nations Emergency Force.

(b) The Secretary-General will regularly report to the Council on the results of his efforts undertaken pursuant to subparagraph (a) so that the question of balanced geographical distribution in the force can be reviewed.

3. The above-mentioned agreement was reached by members of the Council with the exception of the People's Republic of China which dissociates itself from it.

Decision of 12 November 1973 (1755th meeting):

Authorizing the President to send a reply to the Secretary-General

At its 1755th meeting on 12 November 1973 the Council considered the item entitled "Letter dated 8

⁴⁵⁰ *Ibid.*, intervention by Saudi Arabia.

⁴⁵¹ S/11056 and Add.1 and Add.1/Corr.1, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, pp. 93-94.

⁴⁵² 1754th meeting, President's opening statement. See *OR*, 28th yr., *Resolutions and Decisions of the Security Council 1973*, p. 12.

November 1973 from the Secretary-General addressed to the President of the Security Council concerning the appointment of the Commander of the United Nations Emergency Force".⁴⁵³ The President stated that he had received a letter in which the Secretary-General recalled that with the authorization of the Council he had appointed Major-General Siilasvuo as the interim Commander of UNEP, and in which he further indicated that it was his intention, if the Council consented, to appoint the General as the Force Commander.⁴⁵⁴ The Council authorized the President to send the following reply to the Secretary-General:⁴⁵⁵

I have the honour to acknowledge receipt of your letter dated 8 November 1973 by which you informed me of your intention to appoint General Siilasvuo, at present interim Commander of the United Nations Emergency Force, as the Force Commander, if the Security Council consents. In accordance with your request I have brought this matter to the attention of the members of the Council.

In reply I wish to inform you that the members of the Security Council give their consent to this appointment, with the exception of the People's Republic of China which dissociates itself from it.

ARRANGEMENTS FOR THE PROPOSED PEACE CONFERENCE ON THE MIDDLE EAST

Decision of 15 December 1973 (1760th meeting): resolution 344 (1973)

At the 1760th meeting held on 15 December 1973 in private, the Security Council included in its agenda the item "Arrangements for the proposed peace conference on the Middle East." The Council decided without any objection not to invoke rule 51 of the provisional rules of procedure, to circulate the verbatim record of the meeting in all the working languages as an unrestricted document in accordance with rule 49, and to issue a communiqué through the Secretary-General at the end of the meeting under rule 55.⁴⁵⁶

The President drew the attention of the members of the Council to the draft resolution sponsored by the ten non-permanent members Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan and Yugoslavia.⁴⁵⁷

The representative of Guinea recalled operative paragraph 3 of resolution 338 (1973) and emphasized again that the phrase "under appropriate auspices" referred to those of the United Nations. In the distressing situation of the Middle East everything had to be done to respect the role and responsibility of the Security Council. For this reason the 10 non-permanent members of the Council had submitted the draft resolution.⁴⁵⁸

The draft resolution was adopted by 10 to none with 4 abstentions; one member did not participate in the vote.⁴⁵⁹ The resolution read as follows:

⁴⁵³ S/11103, *OR*, 28th yr., *Suppl. for Oct.-Dec. 1973*, p. 223.

⁴⁵⁴ 1755th meeting, President's statement.

⁴⁵⁵ *Ibid.*, See *OR*, 28th yr., *Resolutions and Decisions of the Security Council 1973*, p. 12.

⁴⁵⁶ 1760th meeting, President's opening statement.

⁴⁵⁷ *Ibid.*, S/11156 subsequently adopted without change as resolution 344 (1973).

⁴⁵⁸ *Ibid.*, intervention by Guinea.

⁴⁵⁹ *Ibid.*, following the intervention by Guinea. Adopted as resolution 344 (1973).

The Security Council,

Considering that it has decided by its resolution 338 (1973) of 22 October 1973 that talks among the parties to the Middle East conflict for the implementation of resolution 242 (1967) of 22 November 1967 should be held under "appropriate auspices",

Noting that a peace conference on the Middle East situation is to begin shortly at Geneva under the auspices of the United Nations,

1. *Expresses the hope* that the Peace Conference will make speedy progress towards the establishment of a just and durable peace in the Middle East;

2. *Expresses its confidence* that the Secretary-General will play a full and effective role at the Conference, in accordance with the relevant resolutions of the Security Council and that he will preside over its proceedings, if the parties so desire;

3. *Requests* the Secretary-General, to keep the Council suitably informed of the developments in negotiations at the Conference, in order to enable it to review the problems on a continuing basis;

4. *Requests* the Secretary-General to provide all necessary assistance and facilities for the work of the Conference.

Following the vote, the representative of France stated that his Government could not accept that the Council abdicated the exercise of the responsibility of the United Nations in this question to the point of seeming to be extraneous to the negotiations, that were about to open. If the Geneva Conference achieved positive results, the Council would have to give its approval to the final settlement by accompanying it with suitable guarantees. Therefore, the Council was duty-bound to recall before the inauguration of the Conference the link between the negotiations and the Council. The draft resolution was deficient in that it did not spell out the role of the Secretary-General and that it had been submitted although the Council did not even know under what conditions the Secretary-General would be invited to the Conference. The draft resolution also failed to determine the procedure by which the Secretary-General would keep the Council informed. For these reasons, his delegation was constrained to abstain on the draft resolution.⁴⁶⁰

The representative of the United Kingdom explained that his delegation had abstained from the vote because the two co-sponsors of resolution 338, from which the scheduled conference had evolved, had not yet endorsed the draft resolution.⁴⁶¹

The representative of the United States said that his delegation felt it could not support the resolution while the negotiations regarding invitations to the Geneva Conference were still proceeding.⁴⁶²

At the close of the 1760th meeting the Security Council approved in accordance with rule 55 of its provisional rules of procedure an official communiqué which was issued by the Secretary-General.⁴⁶³

Decision of 8 April 1974 (1765th meeting): resolution 346 (1974)

At the 1765th meeting on 8 April 1974 the Security Council included the following item in its agenda: The

⁴⁶⁰ *Ibid.*, intervention by France.

⁴⁶¹ *Ibid.*, intervention by the United Kingdom.

⁴⁶² *Ibid.*, intervention by the United States.

⁴⁶³ *Ibid.*, following the intervention by the President as representative of China. For the text of the official communiqué see *OR*, 28th yr., *Resolutions and Decisions of the Security Council*, p. 12-13.

Situation in the Middle East: Report of the Secretary-General on the United Nations Emergency Force.⁴⁶⁴

At the beginning of the meeting the President stated that the Council had received the draft resolution which had been elaborated in the course of intensive consultations among all the members of the Council.⁴⁶⁵

The representative of China restated his Government's opposition in principle to the dispatching of UNEF and explained that his delegation had refrained from voting against resolution 340 (1973) only out of consideration for the wishes of the victims of aggression. On the basis of that earlier stand his delegation would not participate in the vote on the draft resolution providing for the extension of the mandate of UNEF.⁴⁶⁶

The representative of Kenya called for equal treatment of all the countries that had contributed contingents to the United Nations Emergency Force with regard to the reimbursement of their expenses and stressed the need for equal treatment of all UNEF contingents by the parties to the dispute.⁴⁶⁷

Following these two statements, the Council adopted the draft resolution by 13 to none; two members did not participate in the voting.⁴⁶⁸ The resolution read as follows :

The Security Council,

Recalling its resolution 340 (1973) of 25 October and 341 (1973) of 27 October 1973 and the agreement reached by members of the Security Council on 2 November 1973,

Having reviewed the functioning of the United Nations Emergency Force set up under these resolutions as reported by the Secretary-General,

Noting from the report of the Secretary-General of 1 April 1974 (S/11248) that in the present circumstances the operation of the United Nations Emergency Force is still required,

1. *Expresses its appreciation* to the States which have contributed troops to the United Nations Emergency Force and to those which have made voluntary financial and material contributions for the support of the Force;

2. *Expresses its appreciation* to the Secretary-General for his efforts in implementing the decisions of the Security Council regarding the establishment and functioning of the United Nations Emergency Force;

3. *Commends* the United Nations Emergency Force for its contribution to efforts to achieve a just and durable peace in Middle East;

4. *Notes* the Secretary-General's view that the disengagement of Egyptian and Israeli forces is only a first step towards the settlement of the Middle East problem and that the continued operation of the United Nations Emergency Force is essential not only for the maintenance of the present quiet in the Egypt-Israel sector but also to assist, if required, in further efforts for the establishment of a just and durable peace in the Middle East and accordingly decides that, in accordance with the recommendation in paragraph 68 of the Secretary-General's report of 1 April 1974, the mandate of the United Nations Emergency Force, approved by the Security Council in its resolution 341 (1973), shall be extended for a further period of six months, that is, until 24 October 1974;

5. *Notes with satisfaction* that the Secretary-General is exerting every effort to solve in a satisfactory way the problems of the

⁴⁶⁴ S/11248 (Report of the Secretary-General), *OR*, 29th yr., *Suppl. for April-June 1974*, pp. 88-95.

⁴⁶⁵ 1765th meeting, President's opening statement. The draft resolution S/11253 was subsequently adopted as resolution 346 (1974).

⁴⁶⁶ *Ibid.*, intervention by China.

⁴⁶⁷ *Ibid.*, intervention by Kenya.

⁴⁶⁸ *Ibid.*, following the intervention by Kenya. Adopted as resolution 346 (1974).

United Nations Emergency Force, including the urgent ones referred to in paragraph 71 of his report of 1 April 1974;

6. *Further notes with satisfaction* the Secretary-General's intention to keep under constant review the required strength of the Force with a view to making reductions and economies when the situation allows;

7. *Calls upon* all Member States, particularly the parties concerned, to extend their full support to the United Nations in the implementation of the present resolution;

8. *Requests* the Secretary-General to report to the Security Council on a continuing basis as requested in resolution 340 (1973).

Following the vote, several representatives addressed themselves to the issue of equal reimbursements for the countries participating in the emergency force⁴⁶⁹ and to the restrictions of the freedom of movement that had been imposed unilaterally by one party to the dispute on some UNEF contingents⁴⁷⁰ and asked for special efforts by the Security Council and by the Secretary-General to remedy those shortcomings. Two representatives also emphasized the central role of the Security Council in this peace-keeping operation which differed markedly from previous operations in that respect.⁴⁷¹

Decision of 24 April 1974 (1769th meeting): resolution 347 (1974)

By letter⁴⁷² dated 13 April 1974 addressed to the President of the Security Council, the representative of Lebanon complained about a new case of Israeli aggression against six Lebanese villages as a result of which two civilians had been killed, others wounded and thirteen civilians kidnapped, and he requested an urgent meeting of the Security Council to consider this grave situation.

At its 1766th meeting on 15 April 1974, the Council included the letter by Lebanon in the agenda. Following the adoption of the agenda, the representatives of Lebanon, Israel, Syria, Egypt⁴⁷³ and subsequently Kuwait⁴⁷⁴ and Saudi Arabia⁴⁷⁵ were invited, at their request, to participate without the right to vote in the discussion of the item which was considered at the 1766th to 1769th meetings from 15 to 24 April 1974.

At the 1766th meeting, the representative of Lebanon* stated that on the night of 12-13 April Israeli armed forces had attacked six Lebanese frontier villages inhabited solely by civilians, killed two civilians, wounded two, kidnapped thirteen persons and dynamited 31 homes. The attacks had been carried out under the pretext that the assailants responsible for the reprehensible attack on Kiryat Shmona had come from Lebanon. Lebanon deplored acts of violence, such as the incident at Kiryat Shmona, wherever they may occur, but it could not be held responsible for acts that were committed by elements acting outside its borders and control. Israel's action against the Lebanese

⁴⁶⁹ *Ibid.*, Peru, United Republic of Cameroon, USSR, Byelorussian SSR, Indonesia, France, Iraq.

⁴⁷⁰ *Ibid.*, Mauritania, USSR, Byelorussian SSR, Indonesia, France, Iraq.

⁴⁷¹ *Ibid.*, USSR, Byelorussian SSR.

⁴⁷² S/11264, *OR*, 29th yr., *Suppl. for April-June 1974*, pp. 107-108.

⁴⁷³ 1766th meeting, President's opening statement.

⁴⁷⁴ *Ibid.*, following Israel's first intervention.

⁴⁷⁵ *Ibid.*, following Israel's second intervention.

villages constituted a premeditated act of aggression which should not merely be condemned by the Council, but against which the Council should take appropriate and effective measures under the relevant Articles of the Charter of the United Nations.⁴⁷⁶

The representative of Israel* said that in recent years Lebanon had become a main centre for Arab terrorist operations directed mainly against Israel. The most recent example was the massacre of 18 persons in Kiryat Shmona by a group of terrorists who had crossed into Israeli territory from Lebanese territory. These facts had been confirmed by leaders of the terrorist movement in Beirut. It was up to Lebanon to prevent the use of its territory for attacks against Israel. Israel was forced to take counter-measures on 12-13 April since Lebanon did not wish to meet its responsibility and end all terrorist activities on its soil. While Israel sought peace with its neighbours, it was determined to defend its rights and protect its citizens.⁴⁷⁷

The representative of the Syrian Arab Republic* declared that the Council had to deal with Israeli state terrorism which was fundamentally distinct from acts of individual violence expressing despair. Israel's most recent attacks against Lebanon were criminal acts in flagrant violation of the principles of the United Nations Charter, the resolutions of the Security Council, the Geneva Conventions and the fundamental principles of international law and human rights. The Council should condemn those acts and take the necessary measures to prevent their repetition.⁴⁷⁸

At the 1767th meeting on 16 April 1974 the representative of the USSR stated that the Israeli act of aggression against Lebanon constituted one new link in the chain of their crimes of annexation and appropriation of foreign lands, flagrantly violating the principle of the inadmissibility of the acquisition of territory by means of war or the use of force. Israel was still in defiance of the Security Council and its decisions. The USSR categorically opposed international terrorism and with similar determination it opposed a policy of aggression and state terrorism carried out by Israel. His country condemned the intrusions and attacks by one State against a neighbouring State under any pretext whatsoever. His delegation believed that the Council should not only categorically condemn the new acts of aggression by Israel but also take effective measures to put an end to them.⁴⁷⁹

The representative of the United Kingdom said that if the terrorists had indeed entered Israel from Lebanese ground, it would be right to remind the Lebanese Government of its duty under international law to take all reasonable steps to terminate the operations of the terrorist organizations. His delegation held the view that a Government-organized operation into the territory of another sovereign State could not be justified under the Charter. It was the duty of the Council and of the United Nations to do all to prevent the renewal of violence and counter-violence and to build a just and lasting peace in the Middle East.⁴⁸⁰

⁴⁷⁶ 1766th meeting, Lebanon, first intervention.

⁴⁷⁷ *Ibid.*, Israel, first intervention.

⁴⁷⁸ *Ibid.*, Syrian Arab Republic, first intervention.

⁴⁷⁹ 1767th meeting, USSR, first intervention.

⁴⁸⁰ *Ibid.*, intervention by the United Kingdom.

The representative of France declared that his Government condemned such acts of violence as those in Kiryat Shmona and the raids and reprisals by Israeli forces on Lebanese soil. The Council should pronounce itself against all acts of violence, regardless of their origins or reasons, and appeal to all parties, in the interests of peace to refrain from any act that might jeopardize the ongoing negotiations.⁴⁸¹

At the 1769th meeting on 24 April 1974 the President drew the attention of the members of the Council to a draft resolution submitted by several members after lengthy consultations.⁴⁸²

At the same meeting, the representative of the United States said that with a single amendment the draft resolution might win wide support in the Council and proposed that operative paragraph 2 be amended to read:

Condemns all acts of violence, especially those which"—at that point the four words "as at Kiryat Shmona" should be inserted—result in the tragic loss of innocent civilian life, and urges all concerned to refrain from any further acts of violence.⁴⁸³

The representative of Mauritania opposed the amendment because the mention of Kiryat Shmona entailed the reference to a third party which was not present at the Council meeting. No judgement could be rendered without hearing that party.⁴⁸⁴

The amendment proposed by the United States received 6 votes in favour, 7 against, and 2 abstentions and was not adopted, having failed to acquire the necessary majority.⁴⁸⁵

The draft resolution as a whole was adopted by 13 to none; two members did not participate in the vote.⁴⁸⁶ The resolution read as follows:

The Security Council,

Having considered the agenda item contained in document S/Agenda/1769/Rev.1,

Having noted the contents of the letters dated 12 and 13 April 1974 from the Permanent Representative of Lebanon (S/11263 and S/11264) and the letter dated 11 April 1974 from the Permanent Representative of Israel (S/11259),

Having heard the statements of the Foreign Minister of Lebanon and of the representative of Israel,

Recalling its previous relevant resolutions,

Deeply disturbed at the continuation of acts of violence,

Gravely concerned that such acts might endanger efforts now taking place to bring about a just and lasting peace in the Middle East,

1. *Condemns* Israel's violation of Lebanon's territorial integrity and sovereignty and calls once more on the Government of Israel to refrain from further military actions and threats against Lebanon;

2. *Condemns* all acts of violence, especially those which result in the tragic loss of innocent civilian life, and urges all concerned to refrain from any further acts of violence;

⁴⁸¹ *Ibid.*, intervention by France.

⁴⁸² 1769th meeting President's opening statement, S/11275, adopted without change as resolution 347 (1974).

⁴⁸³ *Ibid.*, United States, first intervention.

⁴⁸⁴ *Ibid.*, Mauritania, first intervention.

⁴⁸⁵ *Ibid.*, following Mauritania's first intervention.

⁴⁸⁶ *Ibid.*, following Mauritania's second intervention. Adopted as resolution 347 (1974).

3. *Calls upon* all Governments concerned to respect their obligations under the Charter of the United Nations and international law;

4. *Calls upon* Israel forthwith to release and return to Lebanon the abducted Lebanese civilians;

5. *Calls upon* all parties to refrain from any action which might endanger negotiations aimed at achieving a just and lasting peace in the Middle East.

The representative of the USSR declared that his delegation would have much preferred to support a stronger draft resolution prepared by the non-aligned members but not submitted because of insufficient support and that it voted in favour of the adopted draft only in recognition of the wishes of the country that had brought the complaint before the Council.⁴⁸⁷

The President speaking as the representative of Iraq said that his delegation had refrained from participating in the vote because the draft merely constituted a condemnation of Israel and fell short of firmer action against Israeli aggression and lawbreaking. It also took exception with the attempt to view individual acts of violence on the same level as acts of aggression by one Member State against another.⁴⁸⁸

The representative of Lebanon* deplored that the Council had not taken the effective measures against Israel that it had announced if Israel failed to comply with previous Council decisions.⁴⁸⁹

Decision of 31 May 1974 (1774th meeting): resolution 350 (1974)

By letter⁴⁹⁰ dated 30 May 1974 addressed to the President of the Security Council, the representative of the United States requested an urgent meeting of the Council to consider the situation in the Middle East, in particular the disengagement of Israeli and Syrian forces.

At its 1773rd meeting on 30 May 1974, the Council included the letter by the United States and a report of the Secretary-General on the same matter⁴⁹¹ in the agenda. At the 1774th meeting on 31 May 1974 the representatives of Israel and the Syrian Arab Republic⁴⁹² were invited, at their request, to participate in the discussion without the right to vote. The Council considered the question at the 1773rd and 1774th meetings on 30 and 31 May 1974.

At the 1773rd meeting, following the adoption of the agenda, the Secretary-General introduced his report including the texts of the agreement on disengagement between Israeli and Syrian forces and the protocol concerning the United Disengagement Observer Force. He said that he would take the necessary steps in accordance with the provisions of the protocol to set up the Observer Force, if the Council so decided, and that he intended to follow the same general principles as those defined in his report on the implementation of resolution 340 (1973). In the first instance, he would draw the new Observer Force from United Nations military personnel already in the area. He

would keep the Council fully informed of all the developments in this matter.⁴⁹³

At the beginning of the 1774th meeting on 31 May 1974, the President drew the attention of the members of the Council to the draft resolution which had been submitted by the United States and the USSR.⁴⁹⁴

At the same meeting the representative of the United States introduced the draft resolution and asked the Council to authorize the creation of the United Nations Disengagement Observer Force which constituted the next critical step on the road toward a permanent peace in the Middle East. He endorsed the statement by the Secretary-General concerning the principles to guide the new Observer Force and urged speedy adoption of the draft resolution.⁴⁹⁵

The representative of the USSR stated that the disengagement agreement was only a step towards the fulfilment of the major task, the total liberation of the Arab territories from Israeli occupation. Following the completion of the disengagement of Syrian and Israeli troops, the Geneva conference should proceed to a consideration of a comprehensive settlement in the area. He welcomed the statement by the Secretary-General with regard to the principles underlying the new Observer Force, but pointed out that there was no need to increase the expenses for the maintenance of the United Nations Forces in the Middle East, since units would be transferred from UNEF to the Observer Force along the Israeli-Syrian cease-fire lines. He urged the Council to adopt the draft resolution and noted that after the expiration of the initial period of six months the Council would have to consider its renewal.⁴⁹⁶

The representative of China reaffirmed his delegation's stand against the involvement of the two super-Powers in the Middle East and its disassociation from the dispatch of troops in the name of the United Nations under whatever form. Consequently, his delegation would not participate in the voting on the draft resolution.⁴⁹⁷

The draft resolution sponsored by the United States and the USSR was adopted by 13 to none; two members did not participate in the voting.⁴⁹⁸ The resolution read as follows:

The Security Council,

Having considered the report of the Secretary-General contained in documents S/11302 and Add.1, and having heard his statement made at the 1773rd meeting of the Security Council,

1. *Welcomes* the Agreement on Disengagement between Israeli and Syrian Forces, negotiated in implementation of Security Council resolution 338 (1973) of 22 October 1973;
2. *Takes notes* of the Secretary-General's report and the annexes thereto and his statement;
3. *Decides* to set up immediately under its authority a United Nations Disengagement Observer Force, and requests the Secretary-General to take the necessary steps to this effect in accordance with his above-mentioned report and the annexes thereto; the Force shall

⁴⁹³ 1773rd meeting, statement by the Secretary-General.

⁴⁹⁴ 1774th meeting, President's opening statement S/11305/Rev.1, subsequently adopted as resolution 350 (1974).

⁴⁹⁵ *Ibid.*, intervention by the United States.

⁴⁹⁶ *Ibid.*, USSR, first intervention.

⁴⁹⁷ *Ibid.*, intervention by China.

⁴⁹⁸ *Ibid.*, following the intervention by Iraq. Adopted as resolution 350 (1974).

⁴⁸⁷ 1769th meeting, intervention by the USSR.

⁴⁸⁸ *Ibid.*, intervention by President as representative of Iraq.

⁴⁸⁹ *Ibid.*, intervention by Lebanon.

⁴⁹⁰ S/11304, OR, 29th yr., Suppl. for April-June 1974, p. 146.

⁴⁹¹ S/11302 and Add.1, *ibid.*, pp. 144-145.

⁴⁹² 1774th meeting, President's opening statement.

be established for an initial period of six months, subject to renewal by further resolution of the Security Council;

4. *Requests* the Secretary-General to keep the Security Council fully informed of further developments.

Speaking in explanation of the vote, the representative of the United Kingdom declared that his delegation had stressed the need to carry out the functions of the Observer Force as economically as possible without however impairing its efficiency. He welcomed the Secretary-General's intention to set up the new Force on the basis of the same principles as those governing UNEF. The new Force would operate as long as it was authorized by the Council, and it would not be withdrawn without a decision of the Council to that effect.⁴⁹⁹

The representative of France emphasized that the Council had to decide the modalities governing the Force including an increase of the number of contingents, if required, and reaffirmed his Government's reservations with regard to the exclusion of units drawn from the permanent members of the Council from the Force personnel.⁵⁰⁰

Following the statements in explanation of vote, the Secretary-General said that he would propose interim arrangements to transfer the Austrian and Peruvian contingents from UNEF to the new Force, supported by logistical units from Canada and Poland, and to appoint Brigadier-General Gonzalo Briceño of Peru as interim Commander of UNDOF. The new operation would inevitably involve additional expenditure. He would make every possible effort to keep additional expenditures to a minimum, inasmuch as the effectiveness of the Force would permit. He would inform the Council in the due course of the concrete financial implications of the new operation.⁵⁰¹

The representative of the USSR stated that his delegation had no principal objections to most of the proposals made by the Secretary-General and was ready to vote in favour of them if they were put to the vote. But his delegation had one reservation in that it would prefer to see no increase in either size or cost of the United Nations forces in the Middle East, especially since the General Assembly had approved a fixed sum for the UNEF troops and it would be improper to violate that decision. He suggested a reduction of the Canadian UNEF contingent which by far exceeded the maximum level of strength agreed upon informally among members of the Council and the Secretary-General in October 1973.⁵⁰²

At the conclusion of the meeting the President stated that since there were no objections, the Council agreed to the proposals made by the Secretary-General in accordance with paragraph 4 of resolution 350 (1974).⁵⁰³

Decision of 23 October 1974 (1799th meeting): resolution 362 (1974)

At the 1799th meeting on 23 October 1974 the Security Council included the Report of the Secretary-General on the United Nations Emergency Force dated 12 October

1974⁵⁰⁴ in its agenda. Following the adoption of the agenda, the President drew the attention of the members of the Council to a draft resolution⁵⁰⁵ which had been drawn up during intensive consultations among all the members.⁵⁰⁶

The Secretary-General stated that his report covered the period from 2 April to 12 October 1974 which had been tranquil. He explained the difficulties that still were unresolved with regard to the complex question of reimbursement to the troop-contributing countries and with regard to the separate management of the two peace-keeping forces as well as to their financing. He would continue to seek solutions for these problems and keep the Council fully informed of further progress.⁵⁰⁷

Following the Secretary-General's statement, the draft resolution was adopted by 13 to none; two members did not participate in the voting.⁵⁰⁸

The resolution read as follows:

The Security Council,

Recalling its resolution 338 (1973) of 22 October, 340 (1973) of 25 October, 341 (1973) of 27 October 1973 and 346 (1974) of 8 April 1974,

Having examined the report of the Secretary-General on the activities of the United Nations Emergency Force (S/11536),

Noting the opinion of the Secretary-General that "although quiet now prevails in the Egypt-Israel sector, the over-all situation in the Middle East will remain fundamentally unstable as long as the underlying problems are unresolved",

Noting also from the report of the Secretary-General that in the present circumstances the operation of the United Nations Emergency Force is still required,

1. *Decides* that the mandate of the United Nations Emergency Force should be extended for an additional period of six months, that is, until 24 April 1975, in order to assist in further efforts for the establishment of a just and lasting peace in the Middle East;

2. *Commends* the United Nations Emergency Force and those Governments supplying contingents to it for their contribution towards the achievement of a just and lasting peace in the Middle East;

3. *Expresses its confidence* that the Force will be maintained with maximum efficiency and economy;

4. *Reaffirms* that the United Nations Emergency Force must be able to function as an integral and efficient military unit in the whole Egypt-Israel sector of operations without differentiation regarding the United Nations status of the various contingents, as stated in paragraph 26 of the report of the Secretary-General (S/11536) and requests the Secretary-General to continue his efforts to that end.

Speaking in explanation of vote, the representative of France expressed his delegation's concern about the financial aspects of the peace-keeping operation, in particular the expected deficit which would have to be covered and which required strict control. The Council should take full charge of this operation and not in any circumstances abandon its prerogatives. He regretted that the resolution adopted by the Council was not more explicit about the financial aspects of the operation, and expressed the hope that the

⁵⁰⁴ S/11536, *OR*, 29th yr., *Suppl. for Oct.-Dec. 1974*, pp. 29-33.

⁵⁰⁵ S/11542, subsequently adopted as resolution 362 (1974).

⁵⁰⁶ 1799th meeting, President's opening statement.

⁵⁰⁷ *Ibid.*, statement by the Secretary-General.

⁵⁰⁸ *Ibid.*, following the Secretary-General's statement. Adopted as resolution 362 (1974).

⁴⁹⁹ 1774th meeting, intervention by the United Kingdom.

⁵⁰⁰ *Ibid.*, intervention by France.

⁵⁰¹ *Ibid.*, statement by the Secretary-General.

⁵⁰² *Ibid.*, USSR, second intervention.

⁵⁰³ *Ibid.*, President's closing statement.

Secretary-General would provide at an early date all the relevant information as to the actual and estimated expenditures. He also called for private consultations, on the initiative of the President, among the members of the Council at regular intervals to examine periodic reports on the progress of the operation.⁵⁰⁹

The representative of the USSR reaffirmed his delegation's view-point that the increase of the total expenditure for the maintenance of UNEF was not justified and that the Council which was fully responsible for United Nations peace-keeping operations, should determine the size and the cost of these operations. He called once again for maximum economy in the maintenance of UNEF and for complete freedom of movement to all UNEF contingents in the area. He expressed his appreciation of the manner in which the UNEF operation was set up and emphasized the position that in accordance with the Charter the Council should be the master and commander-in-chief of all peace-keeping operations.⁵¹⁰

The representative of the United Kingdom stated that UNEF should be maintained with the maximum efficiency and economy, but that financial considerations should never be allowed to impair the efficiency of the operation.⁵¹¹

Decision of 29 November 1974 (1809th meeting): resolution 363 (1974)

At the 1809th meeting on 29 November 1974 the Security Council included the Report of the Secretary-General on the United Nations Disengagement Observer Force dated 27 November 1974⁵¹² in its agenda. Following the adoption of the agenda, the representatives of the Syrian Arab Republic and Israel were invited, at their request, to participate in the discussion without the right to vote.⁵¹³ The President of the Council drew the attention of the members to a draft resolution⁵¹⁴ which was sponsored by Austria, Indonesia, Kenya, Mauritania, Peru and the United Republic of Cameroon.⁵¹⁵

The Secretary-General introduced his report and emphasized the urgency of a negotiated settlement between the two parties involved, before the dangers of a military confrontation would increase again.⁵¹⁶

The representative of Peru introduced the draft resolution co-sponsored by his delegation and expressed the hope that the parties would be encouraged to renew peace negotiations in Geneva, in the nearest possible future, with the participation of all the parties to the conflict.⁵¹⁷

The draft resolution was adopted by 13 to none; two members did not participate in the voting.⁵¹⁸ The resolution read as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force (S/11563),

Having noted the efforts made to establish a durable and just peace in the Middle East area and the developments in the situation in the area,

Expressing concern over the prevailing state of tension in the area,

Reaffirming that the two agreements on disengagement of forces are only a step towards the implementation of Security Council resolution 338 (1973) of 22 October 1973,

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months;

(c) That the Secretary-General will submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Speaking in explanation of the vote, the representative of the USSR stressed that the disengagement of troops on the Israeli-Syrian sector was only a first step towards a complete settlement and that the framework of the Geneva Peace Conference which should be resumed as early as possible, was most suitable in the search for a lasting peace.⁵¹⁹

The representative of the United Republic of Cameroon also emphasized that the essential objective was the renewal of negotiations under appropriate auspices for the attainment of an acceptable peace settlement.⁵²⁰

The representative of France said that it was high time that the Geneva Peace Conference resumed its work.⁵²¹

The representative of the Byelorussian SSR reaffirmed once again the particular responsibility of the Security Council in all aspects of peace-keeping operations in the Middle East as elsewhere, and he called for the resumption of the Geneva Conference with the participation of all interested parties, including the representatives of the Arab people of Palestine.⁵²²

The President speaking as the representative of the United States stated that his Government shared the sense of urgency concerning a settlement in the Middle East and would make every effort to advance step by step towards a just and lasting peace in the area.⁵²³

THE SITUATION IN CYPRUS

Decision of 15 June 1972 (1646th meeting): resolution 315 (1972)

⁵¹⁸ *Ibid.*, following the intervention by Peru. Adopted as resolution 363 (1974).

⁵¹⁹ *Ibid.*, intervention by the USSR.

⁵²⁰ *Ibid.*, intervention by the United Republic of Cameroon.

⁵²¹ *Ibid.*, intervention by France.

⁵²² *Ibid.*, intervention by the Byelorussian SSR.

⁵²³ *Ibid.*, President's closing statement.

⁵⁰⁹ 1799th meeting, intervention by France.

⁵¹⁰ *Ibid.*, USSR, first intervention.

⁵¹¹ *Ibid.*, intervention by the United Kingdom.

⁵¹² S/11563, *OR*, 29th yr., *Suppl. for Oct.-Dec. 1974*, pp. 43-47.

⁵¹³ 1809th meeting.

⁵¹⁴ S/11565, subsequently adopted without change as resolution 363 (1974).

⁵¹⁵ 1809th meeting, President's opening statement.

⁵¹⁶ *Ibid.*, statement by the Secretary-General.

⁵¹⁷ *Ibid.*, intervention by Peru.