

the substantive phase on 16 September, the two interlocutors had been meeting weekly in a businesslike atmosphere to discuss four agenda items—Varosha, initial practical measures, constitution and territory. He intended to maintain direct personal contact with the parties and explore procedures that might facilitate the conduct of the negotiations.¹²⁵

ITEMS RELATING TO THE MIDDLE EAST

A. THE SITUATION IN THE MIDDLE EAST

Decision of 17 April 1975 (1821st meeting): resolution 368 (1975)

At the 1821st meeting on 17 April 1975, the Security Council included the report of the Secretary-General on the United Nations Emergency Force (UNEF) dated 12 April 1975¹²⁶ in its agenda.

The report covering the period from 13 October 1974 to 12 April 1975 contained a detailed description of the functioning of UNEF. The Secretary-General summarized the developments regarding the functions and deployment of the Force, the humanitarian activities in the UNEF area and the ongoing efforts to keep the expenses for the Force at a minimum without impairing its efficiency. Based on his analysis of the situation in the Middle East, the Secretary-General concluded that the continued presence of UNEF was essential not only to maintain quiet in the Egypt-Israel sector but to provide an atmosphere conducive to further efforts towards the achievement of a just and lasting peace in the Middle East. In recommending the extension of the mandate of UNEF the Secretary-General pointed out that Egypt had indicated that, under the circumstances, it would not object to renewal of the mandate of the Force for an additional three months, and that Israel favoured its renewal for no less than six months on the grounds that UNEF was an integral part of the Disengagement Agreement of 18 January 1974.

Following the adoption of the agenda, the President of the Security Council invited the representatives of Egypt and Israel, at their request, to participate in the discussion without the right to vote.¹²⁷ The Security Council considered the report at the 1821st meeting.

The President announced that the members of the Council had agreed to put the draft resolution to the vote before statements were made. The draft resolution,¹²⁸ which had been prepared in the course of intensive consultations among all Council members, was put to the vote and adopted, by a vote of 13 in favour, none against and no abstentions; two delegations did not participate in the voting.¹²⁹

The resolution reads as follows:

The Security Council,

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974,

Having considered the report of the Secretary-General on the United Nations Emergency Force (S/11670 and Corr 1 and 2),

Having noted the developments in the situation in the Middle East,

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

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 Emergency Force for a period of three months, that is, until 24 July 1975;

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

After the vote, the Council heard statements regarding the extension of the UNEF mandate and the continuing search for a comprehensive peace settlement in the Middle East. Several representatives expressed concern that the Council has not been able to extend the UN force for more than three months;¹³⁰ some protested against the various restrictions one of the parties had placed on the freedom of movement of the UNEF troops.¹³¹ A number of delegations called for a resumption of the Geneva Peace Conference and a strengthening of the United Nations role in the peace process.¹³² A few representatives noted that the financing of UNEF fell within the competence of the General Assembly and needed not be discussed in the Council.¹³³ The representative of France restated his Government's principal position that permanent members of the Security Council should be permitted to contribute troops to peace-keeping forces of the United Nations.¹³⁴ The representative of Egypt indicated in detail the reasons for his Government's efforts to salvage the effort undertaken by the United States to advance an interim settlement and the subsequent decision to renew the mandate of UNEF for another three months.¹³⁵

Decision of 28 May 1975 (1822nd meeting): resolution 369 (1975)

At the 1822nd meeting on 28 May 1975, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 21 May 1975¹³⁶ in its agenda.

¹²⁵ For texts of relevant statements, see 1821st mtg.: Costa Rica, paras. 105-113; Guyana, paras. 90-97; Israel, paras. 131-135; Italy, paras. 33-46; Sweden, paras. 63-75; United Republic of Tanzania, paras. 76-85, and United States, paras. 20-27.

¹²⁶ For texts of relevant statements, *ibid.* Byelorussian SSR, paras. 98-104; Guyana, paras. 90-97; President (France), paras. 123-129; USSR, paras. 9-19.

¹²⁷ For texts of relevant statements, *ibid.* President (France), paras. 90-97; Sweden, paras. 63-75.

¹²⁸ For texts of relevant statements, *ibid.* Byelorussian SSR, paras. 98-104; Egypt, paras. 137-171; President (France), paras. 123-129; USSR, paras. 9-19.

¹²⁹ *Ibid.* President (France), paras. 123-129.

¹³⁰ *Ibid.* Egypt, paras. 137-171.

¹³¹ S/11694, *OR, 30th yr., Suppl. for April-June 1975*, pp. 27-30.

¹²⁵ 2257th mtg., paras. 7-10.

¹²⁶ S/11670, *OR, 30th yr., Suppl. for April-June 1975*, pp. 9-13.

¹²⁷ For further details, see chapter III.

¹²⁸ S/11675, adopted without change as resolution 368 (1975).

¹²⁹ 1821st mtg., para. 7.

In the report covering the period from 27 November 1974 to 21 May 1975, the Secretary-General informed the Security Council that with the co-operation of both parties the Force had continued to carry out the tasks assigned to it and had been able to contribute to the maintenance of the cease-fire. He cautioned that the prevailing quiet was precarious and that until further progress could be made towards a just and lasting peace the situation in the Israel-Syria sector, and in the Middle East as a whole, would remain unstable and potentially dangerous. Therefore, the continued presence of UNDOF was essential not only to maintain quiet but to provide an atmosphere conducive to further efforts towards the achievement of peace. With the agreement of the Governments of Syria and Israel the Secretary-General recommended to the Council to extend the mandate of UNDOF for a further period of six months.

At the beginning of the 1822nd meeting, at which the Council considered the report, the President drew the attention of the Council members to a draft resolution¹³⁷ which had been prepared in the course of consultations, and put it to the vote. The draft resolution received 13 votes in favour, none against and no abstentions, and was adopted as resolution 369 (1975); two members did not participate in the voting.¹³⁸

The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the efforts made to establish a lasting 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) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Following the adoption of the resolution, Council members made statements in which they urged the parties to make use of the extension of the UNDOF mandate to intensify their search for a comprehensive peace settlement in accordance with Security Council resolution 338 (1973),¹³⁹ called for the resumption of the Geneva Conference,¹⁴⁰ and expressed deep concern

about the continued restrictions on the freedom of movement of some contingents of the Observer Force.¹⁴¹

Decision of 21 July 1975 (1832nd meeting): Security Council appeal

Decision of 24 July 1975 (1833rd meeting): resolution 371 (1975)

At the 1832nd meeting on 21 July 1975, the Security Council included the report of the Secretary-General on UNEF dated 16 July 1975¹⁴² in its agenda.

In his report on the operations of UNEF for the period 13 April to 15 July 1975, the Secretary-General informed the Security Council that the Force had continued to function quietly and without change, that some restrictions on the freedom of movement of certain contingents still existed and that efforts to implement resolution 338 (1973) and been pursued actively but without results. In concluding his report the Secretary-General emphasized that the continued presence of UNEF was essential, but that he was obliged to convey to the Council the view of the Government of Egypt, as set out in detail in a letter¹⁴³ dated 14 July 1975 from the Deputy Prime Minister and Foreign Minister of Egypt, that while Egypt did not consent to further renew the mandate of UNEF, it was not against the proper use of the Force. The Secretary-General added that the Government of Israel had informed him by letter¹⁴⁴ that it favoured a further extension of the mandate of UNEF for six months.

The Security Council considered the report of the Secretary-General at the 1832nd and 1833rd meetings.

At the 1833rd meeting on 24 July 1975, the Security Council invited the representatives of Egypt and Israel, at their request, to participate in the discussion without the right to vote.¹⁴⁵

At the beginning of the 1832nd meeting on 21 July 1975, the President drew the attention of the Council members to the report of the Secretary-General including the letters by Egypt and Israel and referred to the consultations already held by the Council on the question of extending the mandate of UNEF. He then read out the text of an appeal addressed to the President of Egypt by the President of the Security Council on behalf of the Council, which had been drafted during the consultations:

Based on discussions I have held with the Secretary-General of the United Nations and members of the Security Council, and taking account of the gravity of the situation in the Middle East, I believe a further extension of the mandate of the United Nations Emergency Force would make in the present circumstances a significant contribution to creating an atmosphere conducive to progress towards agreement on a just and lasting peace in the area. Therefore, on behalf of the Security Council, I appeal to Your Excellency to reconsider the

¹³⁷ S/11700, adopted without change as resolution 369 (1975).

¹³⁸ For the President's declaration and the vote, see 1822nd mtg., paras 1-3.

¹³⁹ For texts of relevant statements, *ibid.* Byelorussian SSR, paras 82-90; Costa Rica, paras 65-74; France, paras 75-81; Japan, paras 9-14; President (Guyana), paras 101-109; Sweden, paras 37-42; USSR, paras 48-64; United Kingdom, paras 21-25; United Republic of Tanzania, paras 91-99.

¹⁴⁰ For texts of relevant statements, *ibid.* Byelorussian SSR, paras 82-90; France, paras 75-81; USSR, paras 48-64.

¹⁴¹ For texts of relevant statements, *ibid.* Byelorussian SSR, paras 82-90; President (Guyana), paras 101-109; USSR, paras 48-64.

¹⁴² S/11758, *OR, 30th yr., Suppl for July-Sept 1975*, pp. 16-18.

¹⁴³ S/11757, *ibid.*, pp. 14-15. The letter addressed to the Secretary-General was issued in a note by the Secretary-General on 15 July 1975.

¹⁴⁴ For the letter dated 16 July 1975 from the representative of Israel to the President of the Security Council see S/11759, *ibid.*, p. 19.

¹⁴⁵ For further details see chapter III.

attitude of Egypt on the situation. I assure Your Excellency that the Security Council, appreciative of the constructive measures already taken towards peace, follows the situation very closely and emphasizes the importance of achieving further progress towards a just and lasting peace and preventing a stalemate in the Middle East.

In accordance with the procedure agreed upon among the members in the course of those consultations, the President put the text of the draft appeal¹⁴⁶ to the vote. The text was approved with 13 votes in favour, none against and no abstentions; two delegations did not participate in the vote.¹⁴⁷ These two delegations explained before the vote their decision to dissociate themselves from this appeal regarding the extension of UNEF.¹⁴⁸

At the 1833rd meeting on 24 July 1975, the President stated that immediately after the Council had approved the appeal, he had transmitted it to the President of Egypt through the Permanent Representative of Egypt to the United Nations and that he had received the Egyptian reply¹⁴⁹ on 23 July; in this reply the Government of Egypt noted the Council's concern over the situation in the Middle East and accepted the further extension of the mandate of UNEF for an additional three-month period, until 24 October 1975. The President drew the attention of the Council members to the draft resolution¹⁵⁰ which had been agreed upon in the course of consultations. He added that the members had also decided that the draft should immediately be put before the Council for approval and that statements would be allowed after the vote.¹⁵¹

Accordingly, the draft resolution was put to the vote and adopted as resolution 371 (1975) with 13 votes in favour, none against and no abstentions; two delegations did not participate in the voting.¹⁵²

The resolution reads as follows:

The Security Council,

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974 and 368 (1975) of 17 April 1975,

Taking into account the letter dated 14 July 1975 addressed by the Deputy Prime Minister and Minister for Foreign Affairs of the Arab Republic of Egypt to the Secretary-General,

Bearing in mind the appeal addressed by the President of the Security Council to the Government of the Arab Republic of Egypt on 21 July 1975 and expressing satisfaction for the reply of the Government of the Arab Republic of Egypt thereto,

Having considered the report of the Secretary-General on the United Nations Emergency Force (S/11758),

Expressing concern at the continued state of tension in the area and the lack of progress towards the achievement of a just and lasting peace in the Middle East,

1. *Calls upon the parties concerned to implement immediately Security Council resolution 338 (1973),*

2. *Decides to renew the mandate of the United Nations Emergency Force for a period of three months, that is, until 24 October 1975;*

3. *Requests the Secretary-General to submit at the end of this period or at any time in the intervening period a report on the situation in the Middle East and the steps taken to implement resolution 338 (1973).*

In statements following the vote several delegations expressed great satisfaction about the ultimate acceptance of another extension of UNEF;¹⁵³ others issued urgent calls to the parties to press their negotiations for a lasting peace settlement with greatest energy and speed;¹⁵⁴ two delegations reiterated their appeals for a reconvening of the Geneva Conference¹⁵⁵ and for the complete freedom of movement for all UNEF contingents.¹⁵⁶ One member took note with regret of the Secretary-General's inability to inform the Council about recent high-level contacts involving the Co-Chairmen of the Geneva Conference and expressed the hope that modalities could be devised to give the Secretary-General unrestricted access to all the proceedings of that Conference held under United Nations auspices so that he could discharge his mandate of keeping the Council fully informed.¹⁵⁷

Decision of 23 October 1975 (1851st meeting): resolution 378 (1975)

At the 1851st meeting on 23 October 1975, the Security Council included the report of the Secretary-General on UNEF dated 17 October 1975¹⁵⁸ in its agenda.

In his report on the operations of UNEF for the period 15 July to 16 October 1975, the Secretary-General summarized the major developments that had occurred during the three months period. The Force had continued efficiently to carry out its assigned tasks and the situation in the area of operations had remained stable. On 20 August 1975 Major-General Bengt Liljestrand had succeeded Lieutenant-General Ensio Siilasvuo as Commander of UNEF; the latter was appointed on that day Chief Co-ordinator of the United Nations Peace-keeping Missions in the Middle East.¹⁵⁹

¹⁵³ For texts of relevant statements, *ibid.* Japan, paras. 88-94; Secretary-General, paras. 8-10; United Kingdom, paras. 130-137; United States, paras. 60-65.

¹⁵⁴ For texts of relevant statements, *ibid.* Costa Rica, paras. 79-87; Egypt, paras. 12-27; France, paras. 146-154; USSR, paras. 66-78; United Kingdom, paras. 130-137.

¹⁵⁵ *Ibid.* Byelorussian SSR, paras. 138-145; USSR, paras. 66-78.

¹⁵⁶ *Ibid.* Byelorussian SSR, paras. 138-145; USSR, paras. 66-78.

¹⁵⁷ *Ibid.* Guyana, paras. 110-124.

¹⁵⁸ S/11849, *OR, 30th yr., Suppl. for October-December 1975*, pp. 12-16.

¹⁵⁹ See S/11808, *OR, 30th yr., Suppl., for July-Sept. 1975*, p. 48 for the note by the President of the Security Council containing the exchange of communications between the Secretary-General and the President regarding these appointments and the consent of the Council.

¹⁴⁶ For the text of the appeal, see 1832nd mtg. President, paras. 2 and 3.

¹⁴⁷ For the vote, *ibid.*, para. 8. For the President's opening statement, *ibid.*, paras. 2 and 3.

¹⁴⁸ *Ibid.* China, para. 4; Iraq, paras. 5-7.

¹⁴⁹ The text of the Egyptian reply is contained in a note by the President of the Security Council (S/11771, *OR, 30th yr., Suppl. for July-Sept. 1975*, p. 26).

¹⁵⁰ S/11774/Rev.1, subsequently adopted without change as resolution 371 (1975).

¹⁵¹ For the President's opening statement, see 1833rd mtg., paras. 3-6.

¹⁵² *Ibid.*, para. 6.

The Secretary-General summarized the additional functions entrusted to UNEF resulting from the Agreement between Egypt and Israel of 4 September 1975¹⁶⁰ and the Protocol of 22 September 1975¹⁶¹ and listed in detail the specific responsibilities that the UNEF personnel had to carry out under the new agreement.¹⁶² He indicated that based on the increased manpower requirements resulting from the Agreement and on having the necessary resources in equipment and material at its disposal, the increase in the costs of UNEF for a period of one year ending 24 October 1976 was tentatively estimated at \$32 million over and above the authorized level of \$65 million for the previous year.¹⁶³

The Secretary-General indicated that since his last report there had been some progress in the implementation of resolution 338 (1973), also reflected in the Agreement between Egypt and Israel. The presence of UNEF remained essential to help maintain the cease-fire and to assist in the implementation of the new Agreement. In these circumstances, the Secretary-General recommended the extension of the mandate of UNEF.¹⁶⁴

At the beginning of the 1851st meeting, the President drew the attention of the members of the Security Council to the draft resolution¹⁶⁵ which had resulted from consultations among the members prior to the meeting. The members had also agreed in consultations that representatives could speak after the vote on the draft resolution. The President then called on the Secretary-General in connexion with his report.¹⁶⁶

The Secretary-General highlighted the main elements of his report, underlined the stringent economy applied in determining the additional needs of UNEF and stressed the great significance of the United Nations peace-keeping function in the Middle East and the support which the Council continued to show for these operations.¹⁶⁷

Following the statement of the Secretary-General, the President informed the members of the Council that he had that morning received a letter from the Foreign Minister of Egypt who conveyed to the Council members his Government's decision to accept a further extension of the mandate of UNEF for one year, until 24 October 1976.¹⁶⁸

Then the President put the draft resolution (S/11856) to the vote; it received 13 votes in favour, none against and no abstentions, with two members not participating in the vote, and was adopted as resolution 378 (1975).¹⁶⁹

The resolution reads as follows:

The Security Council.

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April and 371 (1975) of 24 July 1975,

Having considered the report of the Secretary-General on the United Nations Emergency Force,

Having noted the developments in the situation in the Middle East,

Having further noted the Secretary-General's view that any relaxation of the search for a comprehensive settlement covering all aspects of the Middle East problem could be especially dangerous in the months to come and that it is his hope, therefore, that urgent efforts will be undertaken by all concerned to tackle the Middle East problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at the comprehensive settlement called for by the Security Council in its resolution 338 (1973),

1. *Decides*:

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

(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1976;

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

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

In statements following the vote Council members welcomed the one-year extension of the Force, expressed satisfaction with the new Agreement between Egypt and Israel¹⁷⁰ and acknowledged the strengthened size and role of UNEF that had resulted from that agreement.¹⁷¹ Most Council members stressed again the long term view regarding the search for lasting principles of peace in the area.¹⁷² Several representatives underlined the need for stringent economy in financing the operations of UNEF,¹⁷³ some renewed their criticism of the continuing restrictions of the freedom of movement of some contingents,¹⁷⁴ and a few representatives called for the resumption of the Geneva Peace Conference.¹⁷⁵

Decision of 30 November 1975 (1856th meeting): resolution 381 (1975)

At the 1856th meeting on 30 November 1975, the Security Council included the Report of the Secretary-

¹⁶⁰ The text of the Agreement between Egypt and Israel was contained in the Secretary-General's report S/11818 and Add. 1-3, *OR, 30th yr., Suppl. for July-Sept. 1975*, pp. 54-57. The Agreement was signed on 4 September 1975.

¹⁶¹ The work on the Protocol of the Agreement was completed and the Protocol was signed on 22 September 1975. See S/11818/Add. 4, *ibid.*, p. 57.

¹⁶² The Secretary-General submitted a detailed list of additional functions, both of limited duration and over the long term, which UNEF was charged with, in his report on UNEF dated 17 October 1975, S/11849, *OR, 30th yr., Suppl. for Oct.-Dec. 1975*, especially paras. 18-23.

¹⁶³ *Ibid.*, para. 24.

¹⁶⁴ *Ibid.*, paras. 25-30.

¹⁶⁵ S/11856, subsequently adopted without change as resolution 378 (1975).

¹⁶⁶ For the President's opening remarks, see 1851st mtg., para. 1.

¹⁶⁷ *Ibid.*, paras. 3-8.

¹⁶⁸ For the text of the letter of the Foreign Minister of Egypt, *ibid.*, para. 10.

¹⁶⁹ For the vote, *ibid.*, para. 11.

¹⁷⁰ For the texts of relevant statements, *ibid.* Costa Rica, paras. 45-100; France, paras. 14-22; Guyana, paras. 62-68; Japan, paras. 27-33; President (Sweden), paras. 107-110; United Republic of Cameroon, paras. 69-74.

¹⁷¹ *Ibid.* Costa Rica, paras. 95-100; France, paras. 14-22; Italy, paras. 75-83; United Kingdom, paras. 23-26; United Republic of Cameroon, paras. 69-74.

¹⁷² *Ibid.* France, paras. 14-22; Guyana, paras. 62-68; Japan, paras. 27-33; Mauritania, paras. 57-61; President (Sweden), paras. 107-110; United Kingdom, paras. 23-26; USSR, paras. 34-52; United Republic of Cameroon, paras. 69-74; United Republic of Tanzania, paras. 101-105.

¹⁷³ *Ibid.* Byelorussian SSR, paras. 84-94; France, paras. 14-22; Guyana, paras. 62-68; USSR, paras. 34-52.

¹⁷⁴ *Ibid.* Byelorussian SSR, paras. 84-94; Guyana, paras. 62-68; USSR, paras. 34-52.

¹⁷⁵ *Ibid.* Byelorussian SSR, paras. 84-94; USSR, paras. 34-52.

General on the United Nations Disengagement Observer Force (UNDOF) dated 24 November 1975¹⁷⁶ in its agenda.

In his report on the operations of UNDOF for the period 22 May to 24 November 1975,¹⁷⁷ the Secretary-General described the activities of UNDOF which had continued to supervise the area of separation and, with the co-operation of both parties, had been able to contribute to the maintenance of the cease-fire called for under resolution 338 (1973).

The Secretary-General observed that, although the situation in the UNDOF area of operations had remained generally quiet, it would remain unstable and, with the passage of time, become increasingly dangerous. In his considered view the presence of UNDOF continued to be essential not only to maintain quiet in the Israel-Syria sector but also to provide an atmosphere conducive to further peace efforts. He informed the Security Council that he was currently visiting the area to discuss with the parties concerned the situation in all its aspects including the question of the extension of the UNDOF mandate, and would report to the Council on the latter question as soon as possible.

In a further report on UNDOF dated 28 November 1975,¹⁷⁸ the Secretary-General informed the Council about his visit to the Middle East from 22 to 27 November 1975. His itinerary included meetings with the Governments of Israel and the Syrian Arab Republic as well as of Egypt and Lebanon. His talks resulted in an agreement by the parties concerned to a renewal of UNDOF for another six-month period. The President of the Syrian Arab Republic conveyed to the Secretary-General his disappointment at the lack of progress in the negotiations foreseen under resolution 338 (1973) and requested that the Council reconvene in January 1976 to hold a substantive debate on the Middle East problem, including the Palestinian question with the participation of representatives of the Palestine Liberation Organization (PLO). The Government of Israel remained opposed to linking the extension of UNDOF's mandate to the form of further negotiations, but was willing to negotiate at any time with Syria based on resolution 338 (1973); the Israeli authorities did not accept the Security Council as the negotiating body for the Middle East problem. The Secretary-General described his contacts with the Governments of Egypt and Lebanon as most useful but not directly related to the question of the prolongation of the UNDOF mandate. He concluded his report with the formal recommendation to the Security Council to extend the mandate of UNDOF for another six months, on the assumption that the Council would reach agreement on a corresponding decision, as requested by one of the parties.

At the opening of the 1856th meeting, the President drew the attention of the members of the Council to the Secretary-General's proposal to renew the mandate of

UNDOF and to the draft resolution¹⁷⁹ which had been submitted by Guyana, Mauritania, United Republic of Cameroon and United Republic of Tanzania.

The representative of Guyana noted that the members of the Council had been involved in long consultations to find common ground for a solution to the problem with which the Council was faced and pointed specifically to two documents before the Council which were sponsored by the four members: the draft resolution¹⁸⁰ and a draft statement by the President of the Council.¹⁸¹ In presenting these two texts the representative of Guyana referred to three principal considerations guiding the thinking of the non-aligned countries: firstly, the UNDOF troops were on Syrian territory; secondly, the renewal of the mandate of UNDOF should not be viewed by the Council as an automatic exercise, but the Council and the general membership of the United Nations should press the search for a just and lasting solution to the Middle East problem in which the Palestinian question was central; thirdly, the Council should recognize the widely expressed wish to involve the Palestinians actively in the Council's search for peace in the area. He indicated the important elements of the draft resolution and draft declaration and called upon the members to adopt the two texts.¹⁸²

Prior to the vote, the representative of the United States explained that his delegations's vote in favour of the draft resolution should not be seen as support for the provision calling for a Council debate on the situation in the Middle East, but that his Government agreed solely out of deference to the right of the Council to take up any matter it desired to take up; he considered that the draft resolution was taken without prejudice whatsoever to the Geneva Peace Conference or to negotiations by the parties through intermediaries.^{182a}

The President then put the draft resolution to the vote; it obtained 13 votes in favour, none against, with no abstentions, and was adopted as resolution 381 (1975); two members did not participate in the voting.^{182b}

The resolution reads as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the discussions of the Secretary-General with all parties concerned on the situation in the Middle East,

Expressing concern over the continued state of tension in the area,
Decides

(a) To reconvene on 12 January 1976, to continue the debate on the Middle East problem including the Palestinian question, taking into account all relevant United Nations resolutions,

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

(c) To request the Secretary-General to keep the Security Council informed on further developments

¹⁷⁹ S/11888, subsequently adopted without change as resolution 381 (1975)

¹⁸⁰ *Ibid.*

¹⁸¹ S/11889, agreed to in prior consultations and pronounced after the adoption of resolution 381 (1975)

¹⁸² 1856th mtg., paras 5-16

^{182a} *Ibid.*, paras 19-20.

^{182b} For the vote see *ibid.*, para. 22.

¹⁷⁶ S/11883 and Add I, *OR, 30th yr., Suppl. for Oct-Dec 1975*, pp. 44-46

¹⁷⁷ The basic report was issued as S/11883

¹⁷⁸ Issued as S/11883/Add I

In accordance with the agreement reached at the consultations between members of the Council, the President then read the following statement:^{182c}

It is the understanding of the majority of the Security Council that when it reconvenes on 12 January 1976 in accordance with paragraph (a) of resolution 381 (1975) the representatives of the Palestine Liberation Organization will be invited to participate in the debate.

In statements following the vote members of the Council expressed satisfaction about the renewal of the mandate of UNDOF and appealed to the Governments of Israel and the Syrian Arab Republic to make use of the time to promote the search for peace. Some members stressed the need to seek ways and means that would help in the pursuit of an overall just and lasting settlement in the area;¹⁸³ several representatives expressly supported the special Council meeting to be held in January 1976¹⁸⁴ and the proposal to invite the PLO to participate in the debate.¹⁸⁵ The suggestion to reactivate the Geneva Peace Conference was renewed;¹⁸⁶ one delegation raised the issue of the restrictions imposed on some UNDOF contingents in violation of their right to freedom of movement.¹⁸⁷

Decision of 4 December 1975 (1859th meeting): invitation to the Palestine Liberation Organization

Decision of 8 December 1975 (1862nd meeting): rejection of five-Power draft resolution

By letter¹⁸⁸ dated 3 December 1975 addressed to the President of the Security Council, the representative of Lebanon complained about a massive air attack by Israel on refugee camps and villages in various parts of Lebanon and, in view of the gravity of the situation which endangered peace and security, requested an urgent meeting of the Security Council.

By a letter of the same date,¹⁸⁹ the representative of Egypt also requested an urgent meeting of the Council to discuss the Israeli aggression against the Palestinian refugee camps in Lebanon and asked that the PLO be allowed to participate in the debate.

At its 1859th meeting on 4 December 1975, the Security Council included the letters by Lebanon and Egypt in its agenda. Following the adoption of the agenda, the representatives of Egypt, Lebanon and the Syrian Arab Republic and at the 1862nd meeting the representative of Saudi Arabia were invited, at their

request, to participate without the right to vote in the discussion of the item on the agenda.¹⁹⁰

The President then drew the attention of the Council members to the letter¹⁹¹ from the representative of Egypt requesting the participation of the PLO in the discussion of the item. He informed the Council that in informal consultations prior to the meeting the representatives of Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania had made the same proposal and had asked him to point out that the proposal was not being put forward under rule 37 or rule 39 of the provisional rules of procedure of the Security Council, but, if it was adopted by the Council, the invitation to the PLO to participate in this debate would confer on it the same rights of participation as were conferred when a Member State was invited to participate under rule 37.¹⁹²

Advised by the President that, as indicated, the representative of the PLO would not be invited under rule 39 of the provisional rules of procedure, the representative of France stated that his delegation would welcome any information provided by the PLO, as the request for a Council meeting arose out of the Israeli attacks on Palestinian refugee camps in Lebanon. The French Government condemned the Israeli bombardments and wished to hear all interested parties before the adoption of a resolution, but within the specific context of the complaint before the Council, his delegation held that the invitation to the PLO could be extended only on the basis of rule 39 providing for the invitation of any person regarded as qualified to supply information, and would, to its regret, be unable to associate itself with the proposed decision of the Council.¹⁹³

Before putting the proposal to the vote, the President called on representatives who wished to explain their vote before the voting.¹⁹⁴ In an extensive exchange of views some representatives strongly supported the proposal and referred to the special status the General Assembly had granted to the PLO in resolution 3210 (XXIX), whereas others insisted that the PLO could only be invited under rule 39 of the provisional rules of procedure.¹⁹⁵

The President put the proposal to invite the PLO to the vote: it received 9 votes in favour, 3 against, with 3 abstentions, and was adopted.¹⁹⁶ In accordance with the Council's decision, the representative of the PLO was invited to take a seat at the Council table.

The Council considered the issue at its 1859th to 1862nd meetings from 4 to 8 December 1975.

^{182c} S/11889. See *ibid.*, para. 23.

¹⁸³ For the texts of relevant statements see 1856th mtg.: Byelorussian SSR, paras. 103-116; Italy, paras. 90-101; Japan, paras. 64-71; President (USSR), paras. 138-159; Sweden, paras. 121-128; United Kingdom, paras. 81-89; United Republic of Cameroon, paras. 38-47.

¹⁸⁴ *Ibid.*: China, paras. 29-31; Costa Rica, paras. 54-63; Iraq, paras. 48-53; Mauritania, paras. 32-37; President (USSR), paras. 138-159; Sweden, paras. 121-128; United Republic of Tanzania, paras. 129-137.

¹⁸⁵ *Ibid.*: Byelorussian SSR, paras. 103-116; China, paras. 29-31; Mauritania, paras. 32-37; President (USSR), paras. 138-159; Sweden, paras. 121-128; United Republic of Tanzania, paras. 129-137.

¹⁸⁶ *Ibid.*: Byelorussian SSR, paras. 103-116; President (USSR), paras. 138-159.

¹⁸⁷ *Ibid.*: Byelorussian SSR, paras. 103-116.

¹⁸⁸ S/11892, *OR, 30th yr., Suppl. for Oct.-Dec. 1975*, p. 50.

¹⁸⁹ S/11893, *OR, 30th yr., Suppl. for Oct.-Dec. 1975*.

¹⁹⁰ For further details see chapter III.

¹⁹¹ S/11893.

¹⁹² 1859th mtg., paras. 3 and 4.

¹⁹³ For the exchange between the representative of France and the President, *ibid.*, paras. 5-11.

¹⁹⁴ *Ibid.*, para. 11.

¹⁹⁵ For the texts of statements in favour of the proposal to invite the PLO, *ibid.*: Byelorussian SSR, paras. 54-57; Iraq, paras. 30-34, 38-63; USSR, paras. 35-47, 64-66, 68; for statements opposing the suggested procedure, *ibid.*: Costa Rica, paras. 80-83; Italy, paras. 19-27; Japan, paras. 28-29; President (United Kingdom), paras. 76-77; United States, paras. 12-18, 48-53 and 67. For a detailed discussion of this case, see chapter III.

¹⁹⁶ For the vote, *ibid.*, para. 78.

At the 1859th meeting the representative of Lebanon stated that since the Council had adopted resolution 347 (1974) his Government had refrained from coming to the Council regarding further Israeli attacks because Israel defied the Council's decisions and the Council was reluctant to adopt measures that would deter Israel from repeating its attacks and because the Lebanese Government had hoped that its behaviour would contribute to the efforts to solve the Middle East problem peacefully. He regretted that Israel, however, had persisted in its attacks on Lebanon forcing him to bring to the Council's attention the latest massive air attacks conducted by the Israeli armed forces, which threatened the cause of peace.

The representative of Lebanon described in detail the most recent air attacks and the costs in lives and property incurred by the Palestinian refugees and their Lebanese neighbours. He added that, as the Israeli authorities acknowledged, the aggression had not been punitive in nature; but the claim that the surprise attacks had been preventive could not be accepted, as States were not allowed to determine on their own what should be termed preventive acts, unless the world returned to the law of the jungle. The representative of Lebanon demanded that attacks against its sovereignty and territorial integrity cease and presented the minimum demands of his Government to the Council including a condemnation of Israel for its premeditated air attack, a call upon Israel to desist forthwith from all attacks against Lebanon and a solemn warning to Israel that, if such attacks were repeated, the Council would have to consider measures to give effect to its decisions.¹⁹⁷

The representative of Egypt joined Lebanon in condemning the latest Israeli attacks which constituted a campaign of intimidation and provocation and only served to revive the cycle of violence. He stated that Israel's persistent aggressions against Lebanon and the Palestinian people would have direct adverse consequences on the chances of achieving peace in the Middle East. The Council should call Israel to order and make sure that Israel desists from its policy of madness.¹⁹⁸

The representative of the Syrian Arab Republic declared that the Israeli air attacks constituted a flagrant violation of the United Nations Charter and the principles of international law. In view of the ongoing Israeli aggression against Lebanon and the Palestinian refugees, the Council should give a last warning to the aggressor that unless it put an end to its criminal acts, the Council would impose on Israel the most severe sanctions in accordance with the Charter of the United Nations.¹⁹⁹

The spokesman of the PLO denounced the Israeli attacks as premeditated and preventive and assured the Council that the Palestinians would intensify the armed struggle until they would be able to exercise their right

to self-determination and national independence in the Palestinian homeland.²⁰⁰

At the 1860th meeting on 5 December 1975, the representative of the United States reaffirmed his Government's position that all loss of innocent human life, whether it occurred from acts of organized groups or of Governments, was reprehensible and to be deplored in strong terms. His Government was prepared to support a resolution which would register the strongest disapproval by this Council of all acts of violence in the Middle East and would call upon all parties to refrain from any action that might endanger peace negotiations. The Council should seek to facilitate the accommodation of opposing views through rendering impartial and reasonable judgements on the issues properly within its competence.²⁰¹

The representative of the USSR condemned the Israeli attacks against Palestinian refugee camps as an overt challenge to the decisions of the United Nations and in particular numerous resolutions of the Security Council and underlined the availability of the Geneva Peace Conference as the best-suited international machinery specifically created for the settlement of the Middle East conflict with the involvement of the PLO on an equal footing with other participants. He indicated that on 9 November, his Government had proposed to the Government of the United States that the work of the Geneva Peace Conference be resumed on that basis.²⁰²

The representative of Japan reaffirmed his Government's basic position that all international conflicts and disputes should be solved through dialogue and by peaceful means, without recourse to the use of force. His Government urged Israel to desist from any further act of violence and appealed to all parties to refrain from any action which might endanger the momentum towards a negotiated settlement.²⁰³

At the 1861st meeting on 8 December, the President drew the attention of the Council members to a draft resolution²⁰⁴ which had been submitted by Guyana, Iraq, Mauritania, the United Republic of Cameroon and the United Republic of Tanzania.²⁰⁵

At the same meeting the representative of Guyana informed the Council of the declaration issued by the Co-ordinating Committee of the Non-Aligned Countries in the United Nations, which condemned the Israeli attacks as a threat to international peace and security and appealed to the Council to take steps to restrain Israel from pursuing its policy of aggression and from defying United Nations resolutions.²⁰⁶

At the same meeting the representative of the United Republic of Cameroon introduced, on behalf of the delegations of Guyana, Iraq, Mauritania, the United Republic of Tanzania and his own delegation, a joint

¹⁹⁷ See 1859th mtg., paras. 86-110.

¹⁹⁸ *Ibid.*, paras. 112-138.

¹⁹⁹ *Ibid.*, paras. 140-154.

²⁰⁰ *Ibid.*, paras. 156-170.

²⁰¹ 1860th mtg., United States, paras. 2-5.

²⁰² *Ibid.*, paras. 6-30.

²⁰³ *Ibid.*, paras. 31-36.

²⁰⁴ For the text of the draft, see S/11898, *OR*, 30th yr., *Suppl. for Oct-Dec 1975*, p. 53.

²⁰⁵ 1861st mtg., President, para. 2.

²⁰⁶ *Ibid.*, paras. 3-10.

draft resolution which in the preambular part would have the Council deplore Israel's defiance of previously adopted Council resolutions, express grief at the loss of life caused by the Israeli air attacks, express concern about the deteriorating situation resulting from Israel's violation of Lebanon's sovereignty and territorial integrity and express the conviction that Israel's air attacks against Lebanon were premeditative in nature, and, in the operative part, provide that the Council would strongly condemn the Government of Israel for its premeditated air attacks against Lebanon in violation of its obligations under the Charter and Security Council resolutions, call upon Israel to desist forthwith from all military attacks against Lebanon, and issue once again a solemn warning to Israel that if such attacks were repeated, the Council would have to consider taking appropriate steps and measures to give effect to its decisions.²⁰⁷

At the 1862nd meeting, on 8 December the representative of the United States pointed to the role of mediator played by his Government in the Middle East conflict and, in order to obtain a more even-handed text, proposed two additional paragraphs as amendments, whereby the Council would condemn all acts of violence, especially those which resulted in the tragic loss of innocent human life, and urged all concerned to refrain from any further acts of violence, and would call upon all parties to refrain from any action which might endanger negotiations aimed at achieving a just and lasting peace in the Middle East. He asked that these amendments be put to the vote.²⁰⁸

After the intervention by the United States, the President suggested that the Council discuss and vote on the first amendment, then take up and vote on the second. Since nobody objected, the President so decided.²⁰⁹

The representative of the United Republic of Cameroon, speaking on behalf of the five sponsors of the draft resolution, referred to the fact that the proposals by the United States had already been considered in an earlier phase of the meetings on this situation and that the sponsors felt that in the case before the Council the attempt to water down the condemnation of Israel by condemning all acts of violence was neither intellectually, morally nor politically admissible. He concluded that the non-aligned members of the Council categorically opposed these amendments.²¹⁰

In order to give the Council more time to find a constructive solution that all members could support, the representative of Italy moved for an adjournment until the next day.²¹¹ The representative of Iraq objected to the motion and asked that following the long consultations among the Council members the draft

resolution should be voted on at the same meeting.²¹² In accordance with the rules of procedure, the President put the Italian motion for adjournment to the vote: it received 6 votes in favour, 8 votes against, and 1 abstention and was not adopted, having failed to receive the required majority of votes.²¹³

At the 1862nd meeting on 8 December 1975, the President put the two amendments proposed by the United States and the draft resolution to the vote. Each of the amendments received 7 votes in favour and none against, with 6 abstentions. Neither of the two amendments was adopted, having failed to obtain the required majority. Two members did not participate in the vote.²¹⁴ The five-Power draft resolution received 13 votes in favour and 1 against, with 1 abstention, and was not adopted, owing to the negative vote of a permanent member.²¹⁵

Decision of 28 May 1976 (1923rd meeting): resolution 390 (1976)

At the 1923rd meeting on 27 May 1976, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 24 May 1976²¹⁶ in its agenda.

The report described the activities of UNDOF for the period 25 November 1975 to 24 May 1976. UNDOF had been able to contribute to the maintenance of the cease-fire called for by the Council in its resolution 338 (1973) of 22 October 1973.

The Secretary-General concluded his report by emphasizing the continued fragility of the quiet prevailing at the present time in the Israel-Syria sector. He mentioned briefly the ongoing efforts to seek the implementation of resolution 338 (1973) and his own contacts with the Co-Chairmen of the Geneva Peace Conference with a view to resuming the negotiating process called for by the Security Council. He indicated that the presence of UNDOF continued to be essential and recommended the extension of its mandate for a further period of six months until 30 November 1976. The Government of Syria, to which he had paid a brief visit to discuss the matter, and the Government of Israel had given their assent to the proposed extension.

Following the adoption of the agenda, the President drew the attention of the Council members to the Secretary-General's report and to a draft resolution²¹⁷ sponsored by Benin, Guyana, Pakistan, Romania and the United Republic of Tanzania which had been considered in the course of consultations prior to the meeting.²¹⁸

The Secretary-General, in a brief statement, presented the results of his recent visit to Syria and his talks with the Syrian President and Foreign Minister and stressed the urgent need for significant progress in the search for a just and lasting peace in the Middle East.²¹⁹

²⁰⁷ 1861st mtg., paras. 11-22.

²⁰⁸ 1862nd mtg., United States, paras. 44-54. For the text of the amendments see also S/11901, *OR*, 30th yr., *Suppl. for Oct.-Dec. 1975*, p. 61.

²⁰⁹ 1862nd mtg., paras. 55 and 56.

²¹⁰ *Ibid.*, paras. 58-62.

²¹¹ *Ibid.*, paras. 104-107.

²¹² *Ibid.*, paras. 109 and 110.

²¹³ For the vote, *ibid.*, 111.

²¹⁴ For the vote on the two amendments, *ibid.*, paras. 115-117.

²¹⁵ For the vote on the draft resolution, *ibid.*, para. 118.

²¹⁶ S/12083 and Add. 1, *OR*, 31st yr., *Suppl. for April-June 1976*, pp. 32-34.

²¹⁷ S/12088, subsequently adopted as resolution 390 (1976).

²¹⁸ 1923rd mtg., para. 1.

²¹⁹ *Ibid.*, paras. 3-9.

Before introducing the draft resolution on behalf of the five sponsors, the representative of Guyana asked that in the discharge of its prime responsibility under the Charter for peace and security the Council should assert its role unmistakably in the search for an overall settlement. He reviewed the many efforts undertaken so far under the aegis of the United Nations to find a negotiated peace in the Middle East and praised the work of UNDOF, while deploring the continued restriction of the freedom of movement for some contingents in the Force.²²⁰

The draft resolution was then put to the vote and obtained 13 votes in favour, none against, with no abstentions; two members did not participate in the vote.²²¹ It was adopted as resolution 390 (1976) and reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

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,

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

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

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

In statements following the adoption of the resolution Council members expressed their appreciation to UNDOF for its past achievements and supported its continued functioning in order to allow efforts towards a comprehensive peace settlement, to continue. A few delegations renewed the call for the resumption of the Geneva Peace Conference with the participation of the representatives of the PLO.²²²

Decision of 22 October 1976 (1964th meeting): resolution 396 (1976)

At the 1964th meeting on 22 October 1976, the Security Council included the report of the Secretary-General on the United Nations Emergency Force (UNEF) dated 18 October 1976²²³ in its agenda.

The report described the activities of UNEF for the period from 17 October 1975 to 18 October 1976. The Secretary-General noted that throughout the period under review the situation in the UNEF area of operations had remained stable and that the Force had continued efficiently to discharge its mandate which had been significantly expanded as the result of the Agreement between Egypt and Israel of 4 September 1975 and the Protocol thereto of 22 September 1975. He

added that the Force had been able to carry out its increased functions with 4,174 members rather than a projected total of 4,825.

The Secretary-General referred to efforts at several levels to promote an early resumption of the negotiations aimed at establishing a just and durable peace in the Middle East, as called for under resolution 338 (1973). He indicated that details about such efforts were described in detail in his report dated 18 October 1976²²⁴ to the General Assembly and the Security Council, in pursuance of General Assembly resolution 3413 (XXX) on the situation in the Middle East.

In concluding his report the Secretary-General stressed that UNEF had been a major factor in maintaining the cease-fire in the Egypt-Israel sector. He reminded the Council, however, that the essential role of a peace-keeping force in an area of conflict was to maintain quiet and to create an atmosphere conducive to the active search for a peaceful solution of underlying political problems. As long as the efforts to implement resolution 338 (1973) did not show progress, the continued presence of UNEF in the area continued to be essential. For these reasons the Secretary-General recommended the extension of the mandate for one year.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution²²⁵ which had been agreed upon by the members during consultations; he also announced that the procedure to be followed had been decided on and that representatives could speak after the vote on the draft resolution.²²⁶ In the course of the meeting the representative of Saudi Arabia was invited to address the Council on the agenda item.²²⁷

At the same meeting the draft resolution was put to the vote and adopted with 13 votes in favour, none against and no abstentions; two members did not participate in the vote.²²⁸ Resolution 396 (1976) reads as follows:

The Security Council.

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April, 371 (1975) of 24 July and 378 (1975) of 23 October 1975,

Having considered the report of the Secretary-General on the United Nations Emergency Force,

Having noted the developments in the situation in the Middle East,

Recalling the Secretary-General's view that any relaxation of the search for a comprehensive settlement covering all aspects of the Middle East problem could be dangerous and his hope that urgent efforts will be undertaken by all concerned to tackle the Middle East problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at the comprehensive settlement called for by the Security Council in its resolution 338 (1973),

Noting that the Secretary-General recommends the extension of the mandate of the Force for one year,

1. Decides

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

²²⁰ *Ibid.*, paras. 12-27

²²¹ For the vote, *ibid.*, para. 28.

²²² For the texts of relevant statements regarding the resumption of the Geneva Peace Conference, *ibid.*: Benin, paras. 128-132; Romania, paras. 73-80; USSR, paras. 30-49.

²²³ S/12212, *OR, 31st yr., Suppl. for Oct-Dec 1976*, pp. 7-12.

²²⁴ S/12210, *OR, 31st yr., Suppl. for Oct-Dec 1976*, pp. 4-6.

²²⁵ S/12219, subsequently adopted without change as resolution 396 (1976).

²²⁶ 1964th mtg., paras. 1-4.

²²⁷ For details, see chapter III.

²²⁸ For the vote, see 1964th mtg., para. 10.

(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1977.

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

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

In statements following the vote members of the Council deplored the lack of progress in the efforts to arrive at a comprehensive peace settlement and urged accelerated and intensified steps in that direction. Several delegations specifically asked that the Geneva Peace Conference be reconvened in order to implement resolution 338 (1973).²²⁹

Decision of 30 November 1976 (1975th meeting): resolution 398 (1976)

At the 1975th meeting on 30 November 1976, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 22 November 1976²³⁰ in its agenda.

In his report on the activities of UNDOF for the period 25 May to 22 November 1976, the Secretary-General described the continued functioning of the Force and the successful maintenance of the cease-fire called for in resolution 338 (1973). For his specific measures to promote an early resumption of the negotiations for peace in the Middle East the Secretary-General again referred to his report to the General Assembly and the Security Council on 18 October 1976 (S/12210) in pursuance of Assembly resolution 3414 (XXX) on the situation in the Middle East.

He concluded his report on UNDOF with a recommendation to the Council to extend the mandate of the Force for a further period of six months until 31 May 1977 and reiterated his judgement that the disengagement agreement be utilized to renew the efforts at resuming peace negotiations.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution²³¹ which had been considered by the Council in consultations and put it to the vote: it was adopted with 12 votes in favour, none against, and no abstention; three members did not participate in the voting.²³²

Resolution 398 (1976) reads as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

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

Decides

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

²²⁹ For the texts of relevant statements, *ibid.*: France, paras. 36-46; Guyana, paras. 74-78; Japan, paras. 82-88; President (Pakistan), paras. 110-113; Romania, paras. 12-21; USSR, paras. 23-35.

²³⁰ S/12235, *OR*, 31st yr., *Suppl. for Oct.-Dec. 1976*, pp. 26-28.

²³¹ S/12246, subsequently adopted without change as resolution 398 (1976).

²³² For the vote, see 1975th mtg., para. 1

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1977;

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

After the vote the President said that he had been authorized to make a complementary statement on behalf of the Security Council regarding the resolution adopted:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12235) states in paragraph 32 that "despite the present quiet in the Israeli-Syria sector, there can be no question that the situation in the Middle East will remain unstable and potentially dangerous unless real progress can be made towards a just and lasting settlement of the problem in all its aspects". This statement of the Secretary-General reflects the view of the Security Council.

The President added that the three delegations which had not participated in the voting had asked him to say that they took the same position with regard to the statement.²³³

Council members expressed their appreciation for the commendable work of UNDOF and reaffirmed their commitment to the mandate for a comprehensive peace settlement under resolution 338 (1973). Several delegations called specifically for the reconvening of the Geneva Peace Conference to accelerate the negotiating process.²³⁴

Decision of 25 March 1977 (1993rd meeting): invitation accorded to the PLO

At its 1993rd meeting on 25 March 1977, the Security Council included the report of the Secretary-General submitted under General Assembly resolution 31/62 concerning the Peace Conference on the Middle East²³⁵ in its agenda.

The Secretary-General, in this report, recalled General Assembly resolution 31/62 under which the Assembly requested *inter alia* that the Secretary-General resume contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference in the Middle East, in accordance with his initiative of 1 April 1976, in preparation for the early convening of the Conference, and submit a report to the Security Council on the results of his contacts and on the situation in the Middle East not later than 1 March 1977; the Assembly also called for the early convening of the Conference not later than the end of March 1977 and requested the Security Council to convene subsequent to the submission of the Secretary-General's report in order to

²³³ For the President's statement on behalf of the Council, see 1975th mtg., paras. 2 and 3.

²³⁴ For the texts of relevant statements, *ibid.*: France, paras. 76-82; Japan, paras. 63-70; Pakistan, paras. 91-102; Romania, paras. 52-62; USSR, paras. 6-23.

²³⁵ S/12290, *OR* 32nd yr., *Suppl. for Jan.-March 1977*, pp. 10-12. The representative of Egypt, in a letter dated 23 March 1977 (S/12306, *ibid.*, p. 21), confirmed his telephone request for a meeting of the Security Council on 25 March 1977 to discuss the situation in the Middle East in the light of the report of the Secretary-General.

consider the situation in the area in the light of that report and to promote the process towards the establishment of a just and lasting peace.²³⁶

In order to carry out the mandate of the Assembly resolution, the Secretary-General held initial consultations with the parties involved and the two Co-Chairmen of the Geneva Peace Conference and then decided to visit the area in early February 1977. He visited Egypt, the Syrian Arab Republic, Saudi Arabia, Lebanon, Jordan and Israel, met leaders of government as well as the Chairman of the PLO and, at the termination of that visit, sent representatives to the respective capitals in order to inform the two Co-Chairmen of the Conference of his consultations and to consult with them on the question of the early reconvening of the Conference.

The main object of the mission was to get clarification of the views of the parties concerned as to the best course to be followed in resuming the negotiating process and to consult with them as to the best means of overcoming the various obstacles in the way of that objective. All the parties expressed their desire for an early resumption of the negotiating process through the convening of the Peace Conference. The problem was to find agreement on the conditions under which the Conference could be convened.

The question of participation still was the most immediate difficulty. The Arab States held that the PLO should be invited to participate in any future meetings of the Conference, whereas Israel maintained its opposition to a PLO role in the Conference; Israel indicated willingness to discuss the Palestinian question with the Government of Jordan and would not object to the inclusion of Palestinian representatives in the delegation of Jordan. The PLO asked to be invited to participate in the Conference from the outset on an equal footing with all the other parties as the sole representative of the Palestinian people. The Secretary-General added that this view was shared by all the Arab Governments, especially as related to the importance of issuing a separate invitation to the PLO. Efforts to bridge the differences between the parties on the whole matter of participation by procedural devices would appear to be hopeless in view of the fundamental disagreement.

Although there were slight differences among the parties regarding the timing of the reconvening of the Conference, the Secretary-General conveyed his impression that the parties would be prepared to be flexible as regards timing, provided there was a prospect of the Conference's being convened within a reasonable time-limit.

The Secretary-General described further divergences among the parties regarding the terms of reference, the agenda and the organization of work for the Conference, but he indicated that none of these could be resolved either prior to the reopening of the Conference or after its resumption. He pointed out that if no early

agreement on reconvening the Conference could be reached, the parties would be agreeable to some interim measure. Three specific proposals were mentioned: a preparatory working group could be set up in the United Nations Secretariat under the Secretary-General's auspices to maintain contact with all the parties and with the Co-Chairmen on the problems of reconvening the Conference; or a contact group could be established at Geneva consisting of the representatives of the two Co-Chairmen, of the Secretary-General and of the parties concerned in order to explore further the procedural problems involved; a further possibility would be the formation of an interim conference secretariat to maintain contact with the parties and the Co-Chairmen and to work on the preparations for the Conference. The general feeling, according to the Secretary-General, seemed to be that it would not be advisable to formalize such interim measures at the current moment.

The Secretary-General summarized his consultations with the two Co-Chairmen and reported his finding that both the United States and the USSR Governments maintained a policy of principal support of the Geneva Peace Conference, although they differed with regard to the participation of the PLO and the timing of the reconvening of the Conference.

In his concluding observations, the Secretary-General emphasized that all parties concerned earnestly desired to move towards a negotiated settlement, that the main elements of the problem remained intractable, in particular the issue of the participation of the PLO and the representation of the interests and rights of the Palestinian people, but that there was an increasing consciousness in the area that an opportunity existed to resume negotiations in a meaningful way and that, if this opportunity was not seized, there would be grave dangers that the situation would deteriorate once again. He expressed hope that the search for means through which the Peace Conference could be convened would be intensified and ultimately concluded successfully.

At the beginning of the 1993rd meeting, the President reminded the members of the Council that during consultations on 15 March it had been agreed that the Council would take up the report of the Secretary-General at an appropriate time. Before he declared the agenda adopted, he referred to the request of the representative of Egypt for a meeting on 25 March.²³⁷

In the course of the meetings the representatives of Egypt, Israel, Jordan, Saudi Arabia, the Syrian Arab Republic and Yemen were invited to participate, without vote, in the discussion of the item.²³⁸ At the 1993rd meeting the President informed the Council that he had received a letter from the representative of Egypt requesting the participation of the PLO in the debate in accordance with the previous decisions of the Council in that respect. He indicated that it was his understanding that the proposal was not put forward under rule 37 or rule 39 of the provisional rules of procedure of the Council but that, if adopted by the Council, the

²³⁶ General Assembly resolution 31/62, paras. 1-3

²³⁷ 1993rd mtg., para. 1

²³⁸ For details, see chapter III

invitation to the PLO to participate in the debate would confer upon it the same rights of participation as those conferred on a Member State invited to participate under rule 37.²³⁹ Speaking in his capacity as the representative of the United States, the President stated that his Government was not able to agree to the proposal, as it considered the terms of the Council's invitation as inappropriate, and asked that the proposed invitation be put to the vote.²⁴⁰

Then the President put the request to invite the PLO to the vote: it was adopted by 10 votes in favour to 1 against, with 4 abstentions.²⁴¹ Accordingly, the representative of the PLO was invited to participate in the discussion of the item.

The Security Council considered the item during the 1993rd, 1995th and 1997th meetings on 23, 28 and 29 March 1977.

The representative of Egypt welcomed the meeting of the Security Council on the Secretary-General's report as a demonstration of the Council's responsibility as the guardian of peace and security in the world. In view of Israel's unwillingness to reciprocate the wish for peace on the Arab side and to accept fully the role of the United Nations and the Secretary-General in the peace process, it was important for the Council first of all to promote the process towards the establishment of a just and lasting peace as envisaged in General Assembly resolution 31/62, secondly to put an end to Israel's disregard for its resolutions and decisions, and finally to call for the prompt convening of the Peace Conference with the participation of all the parties. He warned that if the Council failed in its mandate, a great threat would confront not only the Middle East but the whole world.²⁴²

The representative of Jordan warned that if nothing was done to move the Geneva Peace Conference out of the procedural deadlock blocking its resumption, the situation in Jerusalem and its environs would soon be irreversibly changed as a result of the construction of Israeli settlements, thereby undermining the objectives of resolution 242 (1967). He appealed to the Council not to abandon the occupied territories and their people and proposed that the Council consider setting up a monitoring team consisting of three Council members which maintained diplomatic relations with Israel, such as the United States, the United Kingdom and France, and installing the team with a small staff in the Government House in Jerusalem with the mandate to oversee the strict observance of the fourth Geneva Convention of 1949, to which the Arab States and Israel were signatories, in the occupied territories and to report monthly to the Council on any and all violations of the integrity and inviolability of the territories and the people.²⁴³

At the 1995th meeting on 28 March 1977, the representative of Israel expressed regret at the Council's

engaging once again in a futile time-consuming discussion that also would fail to bring the Middle East even an inch closer to peace. He cited the provisions of Article 35 of the Charter and charged that the meeting of the Council had been requested although the criteria of that Article had not been met, as there was no danger of an imminent conflict in the Middle East. He rejected the Jordanian proposal for a monitoring team and recalled a draft resolution submitted by his delegation to the General Assembly which contained a call on Egypt, Israel, Jordan and the Syrian Arab Republic to reconvene at the Peace Conference on the Middle East under the chairmanship of the United States and the USSR in order to resume negotiations without prior conditions on the establishment of a just and durable peace. He pointed out that his Government had rejected General Assembly resolution 31/62 of 1976 because its purpose was to change the ground rules of the Geneva Peace Conference and substitute a dictated settlement for direct negotiations between the parties. He reiterated that Israel was and remained prepared for the reconvening of the Geneva Conference at any time with the participants of the original Conference of December 1973. But he insisted that there was no alternative to direct face-to-face negotiations between Israel and its Arab neighbours in order to achieve a real peace.²⁴⁴

At the same meeting the representative of the Syrian Arab Republic accused Israel of boycotting the reconvening of the Geneva Peace Conference by its obstinate objections against the participation of the PLO on an equal footing and drew the conclusion that Israel was not interested in peace and did not even want the Conference to be convened. He warned again against the ongoing implementation of the Israeli expansionist designs in the occupied Arab territories, recalled the principle underlying resolution 242 (1967) of the inadmissibility of the acquisition of territory by war and urged the Council to reissue its demand that Israel cease its annexationist policy, release all Arab "security" detainees and improve the conditions of other Arab prisoners and to affirm the national rights of the Palestinian people. He emphasized that the Council's attention was overdue in view of the continuing Israeli aggression in the occupied territories.²⁴⁵

The representative of the PLO reviewed the recent efforts to reconvene the Geneva Peace Conference and pointed out that the opposition to his organization's being represented on an equal footing at that Conference came essentially from the Israeli Government whereas the United Nations organs and a rapidly growing number of States including Western countries recognized the legitimate claim of the Palestinian people to be fully involved in the effort to work towards a comprehensive peace settlement including a settlement of the Palestinian problem.²⁴⁶

The representative of Romania emphasized the responsibility of the Council to help the parties to

²³⁹ See 1993rd mtg., paras 3 and 4

²⁴⁰ *Ibid.*, para 7

²⁴¹ *Ibid.*, para 8

²⁴² *Ibid.*, paras 21-55

²⁴³ *Ibid.*, paras 57-80

²⁴⁴ 1995th mtg., paras 7-69

²⁴⁵ *Ibid.*, paras 71-123

²⁴⁶ *Ibid.*, paras 126-154

negotiate a just and lasting peace, with the participation of the PLO. The United Nations offered the best framework for manifestation of the support of all States for the cause of peace in the Middle East. The Security Council should encourage the continued search for the peace process, appeal to all the parties to ensure the reconvening of the Peace Conference and request the Secretary-General to remain in touch with the parties and to inform the Council of further relevant developments so that it could re-examine the whole issue.²⁴⁷

The representative of Canada pointed out that resolution 242 (1967) remained the fundamental basis for a viable peace settlement, with due account of the legitimate aspirations of the Palestinians. He endorsed the call for the resumption of the Peace Conference which should as a first step set up negotiations mandated under resolution 338 (1973).²⁴⁸

The representative of the USSR restated his Government's long-standing proposals regarding the settlement of the Middle East problem and the reconvening of the Geneva Conference. He added that the resumption of the Conference was a realistic possibility and should result in final agreements based on the inadmissibility of the acquisition of territory by war, on the right of all States of that region to an independent existence and to security, on the right of the Palestinians to self-determination and to the creation of their own State, as well as on the withdrawal of Israeli troops from all Arab territories occupied in 1967. He expressed the hope that the Council's discussion of the report submitted by the Secretary-General would draw the attention of the world community to the tense and dangerous situation in the Middle East. He concluded that the USSR as one Co-Chairman stood ready to resume the Peace Conference at the earliest opportunity.²⁴⁹

At the 1997th meeting on 29 March 1977, the representative of India said that he had initially not intended to speak on the item because his delegation had been under the impression that the Council would address itself only to the report of the Secretary-General and work out a consensus statement of a procedural nature. He praised the report submitted by the Secretary-General and suggested that the consensus statement should mention the fact that all the parties were ready and willing to attend another Peace Conference at any time and to discuss all substantive issues without pre-conditions and request the Secretary-General to continue his discussions with a view to discovering approaches to the establishment of peace in the Middle East. He stated that in his judgement there was enough common ground for a consensus to be adopted by the Council reflecting the objectives of the Assembly resolution 31/62, but if such a decision was not possible, he would favour adjournment until a more auspicious moment.²⁵⁰

The representative of France praised the Secretary-General's report and emphasized in particular the fact

that all the interested parties had recognized that it was of vital importance not to lose the momentum won so far and to see to it that efforts continued to that end without interruption. He expressed hope that all the parties would make the required efforts to allow a reconvening of the Peace Conference.²⁵¹

The representative of the Federal Republic of Germany drew the attention of the Council to the common policy towards the Middle East developed among the nine States of the European Community. He restated his Government's firm belief that Israel should be ready to recognize the legitimate rights of the Palestinian people within the framework of a comprehensive settlement and that the Arab side should recognize the right of Israel to live in peace within secure and recognized boundaries. He concluded that in view of the need for an early resumption of the Geneva Peace Conference, his Government appealed to the Secretary-General to continue his mission of good offices with all the parties concerned.²⁵²

The representative of the United Kingdom focused on some of the problems that faced the Council in the months running up to the resumption of the Geneva Peace Conference expected for the second half of the year. He indicated that the Council could and should now state its conviction that the negotiations be resumed as soon as possible and urge on the parties the need for moderation and a willingness to compromise in overcoming the remaining obstacles. He welcomed the Secretary-General's assurance that the efforts would be continued and that the Council would be informed of further developments.²⁵³

The President speaking in his capacity as representative of the United States pointed out that the current phase was a period of most intense diplomatic activity. He held that the report of the Secretary-General provided an agenda of work to be done in the next few months, which was complemented by the diplomatic efforts of the Government of the United States, and that the various endeavours were geared towards the common goal of returning to the Geneva Conference in the second half of the year, provided all parties showed flexibility on the issues involved. He expressed his conviction that the peace process would be furthered through the early reconvening of the Conference and conveyed his Government's pledge to do its utmost to advance the goal of peace in the Middle East.²⁵⁴

The representative of the Libyan Arab Republic explained that his delegation had not participated in the debate in compliance with its well-known principal position regarding the agenda item. He restated his Government's view that the Palestinian question including the right to self-determination of the Palestinian people was the core of the Middle East problem and that the General Assembly resolutions 3236 (XXIX), 3237 (XXIX), 3376 (XXX), 3379 (XXX) and 31/20,

²⁴⁷ *Ibid.* paras 158-172

²⁴⁸ *Ibid.* paras 175-181

²⁴⁹ *Ibid.* paras 185-200

²⁵⁰ 1997th mtg., paras 15-21

²⁵¹ *Ibid.* paras 24-31

²⁵² *Ibid.* paras 33-38

²⁵³ *Ibid.* paras 42-46

²⁵⁴ *Ibid.* paras 108-114

but no longer Security Council resolutions 242 (1967) and 338 (1973), constituted a framework for a just or lasting solution of the question.²⁵⁵

After the 1997th meeting the Security Council did not pursue the Secretary-General's report any further.

Decision of 26 May 1977 (2010th meeting): resolution 408 (1977)

At the 2010th meeting on 26 May 1977, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 23 May 1977²⁵⁶ in its agenda.

The report described the activities of UNDOF for the period 23 November 1976 to 23 May 1977. During the period UNDOF had been able to contribute to the maintenance of the cease-fire called for by the Security Council in resolution 338 (1973). The Secretary-General briefly referred to the ongoing efforts to seek the implementation of resolution 338 (1973) but concluded that the main elements of the Middle East problem remained unresolved and the situation continued to be unstable and dangerous. In view of these factors he recommended that the Council should extend the mandate of UNDOF for a further period of six months until 30 November 1977.

Following the adoption of the agenda, the President drew the attention of the Council members to the report of the Secretary-General and to a draft resolution.²⁵⁷ After a short intervention by the Secretary-General, who informed the Council of the assent to the extension by both parties,²⁵⁸ the draft resolution was put to the vote and adopted as resolution 408 (1977) by 12 votes to none; three members did not participate in the voting.²⁵⁹ The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

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

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1977,

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

After the vote the President made the following statement on behalf of the Security Council in connection with the adoption of the resolution on the renewal of the mandate of UNDOF:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12333) states in para-

graph 31 that "the present quiet in the Israel-Syria sector should not obscure the fact that the main elements of the Middle East problem remain unresolved and that the situation in the area will continue to be unstable and dangerous unless real progress can soon be made towards a just and durable settlement of the problem in all its aspects". This statement of the Secretary-General reflects the view of the Security Council.

He added that the delegations of Benin, China and the Libyan Arab Jamahiriya had asked him to say that, as they had not participated in the vote on the resolution, they took the same position with regard to his statement on behalf of the members of the Council.²⁶⁰

In statements after the adoption of the resolution members of the Council expressed their appreciation for the work done by UNDOF and voiced considerable concern that the pursuit of a comprehensive peace settlement in accordance with resolution 338 (1973) be accelerated and intensified, with particular attention given to the hopes for the resumption of the Peace Conference.

Decision of 21 October 1977 (2035th meeting): resolution 416 (1977)

At the 2035th meeting on 21 October 1977, the Security Council included the report of the Secretary-General on the United Nations Emergency Force (UNEF) dated 17 October 1977²⁶¹ in its agenda.

The report described the activities of UNEF for the period 19 October 1976 to 17 October 1977. The Secretary-General indicated that the functions and responsibilities of UNEF had not changed, the situation in the area of operations had remained stable and the Force had continued efficiently to discharge its mandate. Regarding the implementation of resolution 338 (1973), the Secretary-General noted that intensive efforts had been made during the period under review to promote an early resumption of the negotiating process aimed at establishing peace in the Middle East. In conclusion the Secretary-General recommended the extension of the mandate of UNEF for another year, because the situation in the area remained unstable and would become increasingly dangerous in the absence of a negotiated peace agreement and therefore made the continued presence of UNEF essential.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution²⁶² which had been agreed to as a result of consultations. He also outlined the procedure to be followed, as established during these consultations. Regarding the draft resolution, he stated:

Under the procedure of operative paragraph 1 c, the Security Council would request the Secretary-General to submit by 24 October 1978 a report on the developments in the situation and on the steps taken to implement Council resolution 338 (1973). Members of the Council have asked me to make it clear that, should developments occur which would lead the Secretary-General to consider it appropriate to report to the Council at an earlier date, they would of course expect him to do so, and that he will continue his efforts to assist the early resumption of the negotiations for a comprehensive settlement in the Middle East

²⁵⁵ 1997th mtg., paras. 183-186

²⁵⁶ S/12333, *OR, 32nd yr., Suppl. for April-June 1977*, pp. 41-44.

²⁵⁷ 2010th mtg., para. 1, S/12337, subsequently adopted without change as resolution 408 (1977)

²⁵⁸ *Ibid.*, paras. 3 and 4

²⁵⁹ For the vote, *ibid.*, para. 6

²⁶⁰ *Ibid.*, para. 7

²⁶¹ S/12146, *OR, 32nd yr., Suppl. for Oct.-Dec. 1977*, pp. 33-38

²⁶² S/12149, subsequently adopted without change as resolution 416 (1977)

He added that the delegations of China and the Libyan Arab Jamahiriya had asked him to say that they would not participate in the vote on the draft resolution and, as a result, did not subscribe to the agreed statement which he had just read out on behalf of the Council members.²⁶¹

After a brief intervention by the Secretary-General, the draft resolution was put to the vote and adopted as resolution 416 (1977) by 13 votes to none; two members did not participate in the vote.²⁶⁴ It reads as follows:

The Security Council.

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April, 371 (1975) of 24 July and 378 (1975) of 23 October 1975, and 396 (1976) of 22 October 1976,

Having considered the report of the Secretary-General on the United Nations Emergency Force,

Having noted the developments in the situation in the Middle East,

Recalling the Secretary-General's view that any relaxation of the search for a comprehensive settlement covering all aspects of the Middle East problem could be dangerous and his hope that urgent efforts would be undertaken by all concerned to tackle the Middle East problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at the comprehensive settlement called for by the Security Council in its resolution 338 (1973),

Noting that the Secretary-General recommends the extension of the mandate of the Force for one year,

1. *Decides*

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

(b) To renew the mandate of the United Nations Emergency Force for a period of one year, that is, until 24 October 1978;

(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and on the steps taken to implement resolution 338 (1973);

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

Representatives praised the work of UNEF, but stressed the need for quick and substantial progress in the peace efforts, especially in the attempt to reconvene the Geneva Peace Conference, so that the Council could envisage the date when UNEF would no longer be required to keep the peace in the area.

Decision of 30 November 1977 (2051st meeting): resolution 420 (1977)

At the 2051st meeting on 30 November 1977, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) dated 23 November 1977²⁶⁵ in its agenda.

The report described the activities of UNDOF for the period 24 May to 23 November 1977. The Secretary-General noted that during the period covered by the report UNDOF had continued to carry out its mandate and contribute to the maintenance of the cease-fire as

called for in resolution 338 (1973). The Secretary-General indicated that intensive efforts had been made during the past year to promote an early resumption of the negotiating process with the aim of reaching a just and lasting peace in the area and that these efforts continued. He concluded by recommending the extension of the mandate of UNDOF for another six months until 31 May 1978, since the situation remained dangerous and unstable and the maintenance of the current quiet in the Israel-Syrian sector was a prerequisite for the pursuit of further efforts to reconvene the Geneva Peace Conference and to advance towards a peace agreement.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution.²⁶⁶ After a brief statement by the Secretary-General, the draft resolution was put to the vote and adopted as resolution 420 (1977) by 12 votes to none; three members did not participate in the vote.²⁶⁷ The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

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

Decides

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1978;

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

In connection with the adoption of the resolution the President made the following complementary statement on behalf of the Security Council:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12453) states, in paragraph 32, that "the present quiet in the Israel-Syria sector should not obscure the fact that the main elements of the Middle East problem remain unresolved and that the situation in the area will continue to be unstable and dangerous unless real progress can soon be made towards a just and durable settlement of the problem in all its aspects" This statement of the Secretary-General reflects the view of the Security Council

He added that the delegations of Benin, China and the Libyan Arab Jamahiriya had requested him to say that, as they had not participated in the vote, they took the same position with regard to the statement read by him.²⁶⁸

Members of the Council expressed support for the continued functioning of UNDOF and urgently called for increased efforts to seek a path to peace in the area.

²⁶¹ 2035th mtg., paras. 2-4.

²⁶² *Ibid.*, para. 10.

²⁶³ S/12453, OR, 32nd yr., Suppl. for Oct.-Dec. 1977, pp. 73-75.

²⁶⁶ S/12459, subsequently adopted without change as resolution 420 (1977).

²⁶⁷ For the vote, see 2051st mtg., para. 7.

²⁶⁸ *Ibid.*, para. 8.

Decision of 19 March 1978 (2074th meeting): resolution 425 (1978)

By letter²⁶⁹ dated 17 March 1978 addressed to the President of the Security Council, the representative of Lebanon requested an urgent meeting of the Council, pursuant to his previous letter²⁷⁰ dated 15 March 1978 in which he had informed the President of a large-scale attack by Israeli land, air and naval forces against Lebanese territory.

By letter²⁷¹ dated 17 March 1978 addressed to the President of the Council and with reference to his previous letter²⁷² dated 13 March 1978, the representative of Israel also requested a meeting of the Council to consider continuous acts of terror and violence against Israeli civilians, together with the frequent shelling, sabotage incursions, bombing and murder being perpetrated from Lebanese territory against Israel, such as the attack on 11 March by a PLO murder squad on the Haifa-Tel Aviv highway.

At its 2071st meeting on 17 March 1978, the Security Council included the two letters in its agenda without objection. Following the adoption of the agenda, the representatives of Lebanon, Israel, Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mongolia, Pakistan, Qatar, Sudan, Syrian Arab Republic, Viet Nam and Yemen were invited, at their request, to participate without vote in the discussion of the item on the agenda.²⁷³

At the beginning of the 2071st meeting, the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's previous practice, to participate in the debate and to take a seat at the Council table.²⁷⁴

The Council considered the two items on its agenda during its 2071st to 2074th meetings on 17 to 19 March 1978.

At the 2071st meeting on 17 March 1978, the representative of Lebanon briefly outlined the dimensions of the renewed Israeli aggression and urged the United Nations to uphold the spirit and letter of the Charter and prevent Israel from according itself the licence to take international law into its hands. He called upon the Security Council to restore its sovereignty to Lebanon and to bring about the immediate cessation of hostilities and the withdrawal of the invaders.²⁷⁵

The representative of Israel expressed his conviction that both States wanted to see the sovereignty of Lebanon restored and charged that the Security Council in refusing to condemn terrorist actions against Israel had betrayed its mandate to promote the establishment and maintenance of international peace and security, as

proclaimed in Articles 24 and 26 of the Charter. He held that the Israeli actions in Lebanon were carried out in accordance with its right of self-defence as the United Nations had been unable to deal with terrorism and Israel was confronted with a growing threat of new and enlarged PLO acts of murder and terror.²⁷⁶

The representative of Jordan joined the Lebanese representative in calling for immediate action by the Security Council to ensure a cessation of the armed Israeli aggression and to order the prompt withdrawal of the Israeli forces who were in occupation of sizeable territories in Southern Lebanon. He further urged the Government of Israel not to seek security through the occupation of Arab lands but to find it by means of a just and comprehensive peace binding all peoples in the area.²⁷⁷

Other Arab representatives expressed similar warnings against further Israeli expansion into neighbouring Arab territories and demanded that the Council put an end forthwith to the Israeli aggression.²⁷⁸

At the 2072nd meeting on 18 March 1978, the representative of Egypt concurred with the viewpoint expressed by other Arab spokesmen and suggested in addition that the Council might request the Secretary-General to report on Israel's compliance with the Council's call for an immediate withdrawal; he added that the Secretary-General would be assisted in such a task by the members of the United Nations Truce Supervision Organization (UNTSO) stationed in the Israel-Lebanon sector who should return to the posts from which they had been evicted by the Israeli troops.²⁷⁹

At the same meeting the representative of France deplored the recurrence of violence in the area, called for a cease-fire and the immediate withdrawal of the Israeli troops from Lebanese territory and indicated his delegation's willingness attentively to consider any proposal—including the stationing of a United Nations force—aimed at restoring peace and strengthening security in the region.²⁸⁰

At the beginning of the 2073rd meeting on 18 March 1978, the President drew the attention of the Council members to a draft resolution submitted by the United States.²⁸¹

The representative of Canada emphasized that the current crisis set two principal objectives for the deliberations of the Council: to seek an end to the present hostilities, and to create conditions in which the recent peace initiative could be resumed. He added that a United Nations peace-keeping force would offer the best hope to stabilize the situation and to renew the peace

²⁶⁹ S/12606, *OR, 33rd yr., Suppl. for Jan-March 1978*, p. 60.

²⁷⁰ S/12600, *ibid.*, pp. 56-57.

²⁷¹ S/12607, *ibid.*, p. 60.

²⁷² S/12598, *ibid.*, pp. 55-56.

²⁷³ For details, see chapter III.

²⁷⁴ See 2071st mtg., paras. 2-8, for the brief statements and votes on the invitation of the PLO.

²⁷⁵ *Ibid.* Lebanon, paras. 11-17.

²⁷⁶ *Ibid.* Israel, paras. 26-70.

²⁷⁷ *Ibid.* Jordan, paras. 73-84.

²⁷⁸ *Ibid.* Libyan Arab Jamahiriya, paras. 107-124, PLO, paras. 126-138, Syrian Arab Republic, paras. 87-104, also 2072nd meeting Kuwait, paras. 27-46.

²⁷⁹ 2072nd mtg., Egypt, paras. 7-25.

²⁸⁰ *Ibid.* France, paras. 47-50.

²⁸¹ 2073rd mtg., para. 4. The draft resolution (S/12610) was subsequently adopted without change as resolution 425 (1978).

process and declared his Government's readiness to contribute to such a peace-keeping force.²⁸²

At the same meeting the representative of the United States pointed out that his Government's policy in this crisis was guided by three fundamental principles: Israel had to withdraw from Lebanese territory; the territorial integrity of Lebanon was to be fully respected; and the United Nations had a vital role to play in assisting the Government of Lebanon to restore authority and a peaceful life for the people in Southern Lebanon.

He referred to the consultations his delegation had held with other Council members and concluded that a common perception had emerged regarding the shape and function of a United Nations peace-keeping force in the area: the force would be charged with establishing and providing security in the southern border region of Lebanon and it would assist the Government of Lebanon in restoring its authority in the area, whereupon it would relinquish its responsibilities to Lebanon.

The representative of the United States then introduced the draft resolution (S/12610) sponsored by his delegation and called for the other members to support the initiative. He explained that the wish of the USSR delegation to include a reference to the time frame for the United Nations interim force could not be accepted since according to the Council's practice any time frame would be determined by the Council after having received the report of the Secretary-General as called for in the draft resolution.²⁸³

The representative of India described the Israeli withdrawal from occupied Arab territories and the restoration of the legitimate rights of the Palestinians as fundamental for peace in the Middle East and suggested that to ignore these basic points resulted in the recurrence of the tragic cycle of violence. He warned that a United Nations peace-keeping force should not be introduced in every case of aggression in order to make the aggressor withdraw; he held the view that a United Nations force should be established only in exceptional situations and for a limited period of time. In all such cases, however, it was indispensable that no force be introduced without prior request or approval from the country affected. He also cautioned against the United Nations getting involved in functions and duties related to the maintenance of internal law and order.²⁸⁴

The representative of the USSR strongly condemned the Israeli aggression against Lebanon and the Palestinian refugees in Southern Lebanon and accused Israel of seeking the dismemberment of Lebanon and the total destruction of the Palestine resistance movement. His Government believed that the Council should severely condemn the new Israeli aggression, take effective steps in accordance with the Charter to put an end to that aggression and demand the immediate withdrawal of Israeli troops from Lebanese territory.²⁸⁵

At the beginning of the 2074th meeting on 19 March 1978, the representative of Lebanon urged that the draft resolution be adopted before representatives would continue with the debate.²⁸⁶ As a result, only a few delegations spoke before the vote.

Speaking in explanation of vote, the representative of China criticized the draft for not condemning the Israeli armed aggression against Lebanon and for failing to support the just Arab and Palestinian struggle and announced that his delegation would not participate in the vote.²⁸⁷

The representative of the USSR regretted that certain suggestions and amendments put forth by his delegation in regard of the need for a clear-cut condemnation of the Israeli aggression as well as for certain provisions defining the mandate of the United Nations force in Southern Lebanon strictly as observation of the cease-fire and the Israeli withdrawal and limiting the stay of the United Nations troops to a short period were not acceptable to the sponsor and announced that, in view of Lebanon's wishes, his Government had decided not to cast a negative vote but to abstain in the vote on the draft resolution. He added that the Government of Israel as the aggressor should bear the expenses for the despatch of the United Nations force.²⁸⁸

At the same meeting the draft resolution was put to the vote and adopted with 12 votes in favour, none against, and 2 abstentions as resolution 425 (1978); one delegation did not participate in the vote.²⁸⁹ The resolution reads as follows:

The Security Council.

Taking note of the letters from the Permanent Representative of Lebanon and from the Permanent Representative of Israel,

Having heard the statements of the Permanent Representatives of Lebanon and Israel,

Gravely concerned at the deterioration of the situation in the Middle East and its consequences to the maintenance of international peace,

Convinced that the present situation impedes the achievement of a just peace in the Middle East,

1 *Calls* for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

2 *Calls upon* Israel immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory;

3 *Decides*, in the light of the request of the Government of Lebanon, to establish immediately under its authority a United Nations interim force for Southern Lebanon for the purpose of confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area, the force to be composed of personnel drawn from Member States,

4 *Requests* the Secretary-General to report to the Council within twenty-four hours on the implementation of the present resolution

²⁸² *Ibid.* Canada, paras. 5-10. For a similar view in support of a United Nations force, *ibid.* Federal Republic of Germany, paras. 19-23.

²⁸³ *Ibid.* United States, paras. 11-18.

²⁸⁴ *Ibid.* India, paras. 24-32.

²⁸⁵ *Ibid.* USSR, paras. 33-49.

²⁸⁶ 2074th mtg. Lebanon, para. 4. For the response to the plea by Lebanon, see paras. 5-18.

²⁸⁷ *Ibid.* China, paras. 19-20.

²⁸⁸ *Ibid.* USSR, paras. 24-29.

²⁸⁹ For the vote, *ibid.*, para. 41.

Following the adoption of the resolution, the representative of Kuwait expressed his disappointment that the Israeli aggression had not been singled out for condemnation and wondered whether the loose terms of reference suggested for the United Nations force might not detract from Lebanese sovereignty, as they did not indicate the length of stay nor the right of the Government to terminate the presence of the force at any time. He also was concerned about Israel's claim that it intervened since it found the authority of the Lebanese Government ineffective; the Council had not rejected this attitude as clearly as was necessary.²⁹⁰

The representative of France underlined that the United Nations force to be established would not be used for any other purpose than to assist in the search for and maintenance of peace and to help the Government of Lebanon to re-establish its effective authority in the area. He added that the *raison d'être* of UNTSO would not be removed by the presence of the new force and that his Government was ready to participate directly in the force.²⁹¹

The representative of the United States expressed his appreciation for the support given by the other Council members to the resolution as adopted and urged the Council to proceed immediately after the meeting to further consultations that would lead to the adoption, if possible the same afternoon, of the mandate of the United Nations Interim Force.²⁹²

Speaking as the representative of the United Kingdom, the President expressed his satisfaction about the Council's decision to establish a peace-keeping force in the area, a step his Government had advocated for some time.²⁹³

At the same meeting the Secretary-General announced that his report called for under resolution 425 would be available shortly; he hoped that the Council would be able to consider his recommendations at the earliest possible date. He proposed to instruct Major-General Erskine, the Chief of Staff of UNTSO, to establish close contact with the parties concerned and to deploy UNTSO observers with a view to confirming the cessation of military action in the area, as a prerequisite for the implementation of the other parts of the resolution.²⁹⁴

Decision of 19 March 1978 (2075th meeting): resolution 426 (1978)

In pursuance of resolution 425 (1978) concerning the establishment of the United Nations Interim Force in Lebanon (UNIFIL), the Secretary-General submitted to the Council on the same day his report²⁹⁵ in which he outlined the terms of reference of the Force, general

considerations related to its effective functioning, a proposed plan of action and the estimated cost and method of financing it.

At its 2075th meeting on 19 March 1978, the Security Council continued its discussion and included in its agenda in addition to the two letters considered during the previous four meetings the report of the Secretary-General. The invitations issued during the previous meetings were renewed. The Council considered the item during the 2075th meeting.

At the beginning of the meeting the President drew the attention of the Council members to the Secretary-General's report and, in his capacity as representative of the United Kingdom, introduced a brief draft resolution²⁹⁶ approving that report and setting up the Interim Force for a period of six months.

Prior to the vote, the representative of China announced that his Government would not pay any expenses for sending the force,²⁹⁷ and the representative of the USSR restated his objections to the force as envisaged, requested that the consent of the Council be sought on specific questions such as the choice of countries providing contingents to the force, and added that in his delegation's view Israel should be asked to defray the cost of sending the force to Lebanon.²⁹⁸

Then the President put the draft resolution (S/12612) to the vote: it received 12 votes in favour, none against, with 2 abstentions and was adopted as resolution 426 (1978); one delegation did not take part in the voting.²⁹⁹ The resolution reads as follows:

The Security Council

1. Approves the report of the Secretary-General on the implementation of Security Council resolution 425 (1978), contained in document S/12611 of 19 March 1978;

2. Decides that the United Nations Interim Force in Lebanon 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 the United States indicated his delegation's understanding that under the authority of General Assembly resolution 32/214, the Secretary-General could act to expedite the initiation of the mission authorized by resolution 425 (1978). He also underlined the judgement of the Secretary-General that the costs of the Force should be borne by Members in accordance with Article 17, paragraph 2, of the Charter.³⁰⁰

The Secretary-General announced that he would immediately proceed to put into effect the plan of action for the despatch of the Force and instruct Lieutenant-General Silasvuo, Chief Co-ordinator of the United Nations Peace-keeping Missions in the Middle East, to

²⁹⁰ 2074th mtg.: Kuwait, paras. 46-51

²⁹¹ *Ibid.*: France, paras. 53-55.

²⁹² *Ibid.*: United States, paras. 56-58

²⁹³ *Ibid.*: President (United Kingdom), paras. 61-64

²⁹⁴ *Ibid.*: Secretary-General, paras. 67-69

²⁹⁵ For the report dated 19 March 1978, see S/12611, *OR*, 33rd yr., *Suppl. for January-March 1978*, pp. 61-62

²⁹⁶ S/12612, subsequently adopted without change as resolution 426 (1978).

²⁹⁷ 2075th mtg.: China, para. 5.

²⁹⁸ *Ibid.*: USSR, paras. 6-9

²⁹⁹ For the vote, *ibid.*, para. 10.

³⁰⁰ *Ibid.*: United States, paras. 18-24. For a similar view regarding the authority of the Secretary-General and the financing arrangements, *ibid.*: France, paras. 25 and 26

initiate meetings on the withdrawal of Israeli forces and the establishment of a United Nations area of operation. He further informed the Council that he had instructed UNTSO to supervise initially the cessation of military action and had made arrangements with General Siilasvuo for the temporary transfer of some contingents to the new Force until his contacts with Governments would result in the availability of regular contingents for the Force in Southern Lebanon.³⁰¹

Decision of 3 May 1978 (2076th meeting): resolution 427 (1978)

Following a number of progress reports³⁰² regarding the establishment and functioning of UNIFIL, the Secretary-General, in a letter dated 1 May 1978,³⁰³ informed the Council that the Chief Co-ordinator of United Nations Peace-keeping Missions in the Middle East and the Force Commander of UNIFIL had reported to him that in view of the very difficult conditions on the ground and in the light of the experience so far acquired, they felt strongly that the total strength of the Force should be brought to about 6,000. Having visited the area, he considered it necessary to increase the strength of UNIFIL to the proposed level in order to allow the Force to carry out the tasks entrusted to it. He added that several Governments had agreed to make a battalion each available and that if the Council supported the suggested increase of the Force, he would seek additional contingents from those Governments.

At the 2076th meeting on 3 May 1978, the Security Council included the letter of the Secretary-General in its agenda.

The President drew the attention of the Council to the text of a draft resolution³⁰⁴ sponsored by Bolivia and India. He informed the members that Mauritius had become an additional sponsor of the draft.³⁰⁵ He then put the draft resolution to the vote; it received 12 votes in favour, none against, with 2 abstentions, and was adopted as resolution 427 (1978); one member did not participate in the voting.³⁰⁶ The resolution reads as follows:

The Security Council,

Having considered the letter dated 1 May 1978 from the Secretary-General to the President of the Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978,

1. *Approves* the increase in the strength of the United Nations Interim Force in Lebanon requested by the Secretary-General from 4,000 to approximately 6,000 troops;

2. *Takes note* of the withdrawal of Israeli forces that has taken place so far,

3. *Calls upon* Israel to complete its withdrawal from all Lebanese territory without any further delay;

³⁰¹ *Ibid.* Secretary-General, paras. 29-35

³⁰² The first progress report dated 23 March 1978 was contained in S/12620, *OR, 33rd yr. Suppl. for Jan-March 1978*, pp. 66-67. Subsequent progress reports dated 2 April, 8 April and 17 April 1978 were issued as S/12620/Add. 1-3, *ibid.*, *Suppl. for April-June 1978*, pp. 2-6

³⁰³ S/12675, *ibid.*, p. 39

³⁰⁴ S/12679, adopted without change as resolution 427 (1978)

³⁰⁵ 2076th mtg., para. 2

³⁰⁶ For the vote, *ibid.*, para. 2

4. *Deplores* the attacks on the United Nations Force that have occurred and demands full respect for the United Nations Force from all parties in Lebanon.

After the adoption of the resolution, the Secretary-General indicated his appreciation for the Council's support, expressed his deep regret over some incidents resulting in several casualties in the Force and informed the Council about the progress so far in obtaining the Israeli withdrawal from Lebanese territory. He concluded his remarks with the announcement that he would now seek to bring into the Force the three additional contingents from Fiji, Iran and Ireland at the earliest possible time.³⁰⁷

In explaining their vote on the resolution Council members expressed support for the strengthening of the peace-keeping force and deplored the casualties suffered by UNIFIL soldiers in the discharge of their task. Several representatives condemned the failure of Israel to carry out the provisions of resolution 425 (1978) and to withdraw immediately and completely from Lebanese land;³⁰⁸ one delegation even called for measures under Chapter VII of the Charter if Israel continued in its defiance of the Council's resolutions.³⁰⁹ A few members raised questions regarding the precise mandate of the peace-keeping force and criticized what they called attempts to involve the Force in internal affairs of Lebanon.³¹⁰

Decision of 31 May 1978 (2079th meeting): resolution 429 (1978)

At the 2079th meeting on 31 May 1978, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 24 November 1977 to 17 May 1978 dated 17 May 1978³¹¹ in its agenda.

The report described the activities of UNDOF for the period 24 November 1977 to 17 May 1978. During the period UNDOF had been able to contribute to the maintenance of the cease-fire called for by the Security Council in resolution 338 (1973). The Secretary-General informed the Council of continuing efforts to promote an early resumption of the negotiating process aimed at establishing a just and lasting peace in the Middle East. Although the situation in the Israel-Syria sector had been free of serious incidents, the quiet there, in the view of the Secretary-General, was basically precarious. The Secretary-General concluded that under the prevailing circumstances the mandate for UNDOF be extended a further period of six months, until 30 November 1978.

Following the adoption of the agenda the President drew the attention of the Council to the draft resolu-

³⁰⁷ *Ibid.*, paras. 4-10.

³⁰⁸ For the texts of relevant statements, *ibid.* China, paras. 13-15; Czechoslovakia, paras. 31-35; Gabon, paras. 37-39; India, paras. 66-70; Kuwait, paras. 22-29; Mauritius, paras. 56-59; Nigeria, paras. 92-94; USSR, paras. 41-47

³⁰⁹ *Ibid.* Kuwait, paras. 22-29

³¹⁰ *Ibid.* Czechoslovakia, paras. 31-35; India, paras. 66-70; USSR, paras. 41-47

³¹¹ S/12710, *OR, 33rd yr. Suppl. for April-June 1978*, pp. 61-64

tion.³¹² The draft resolution was put to the vote and adopted as resolution 429 (1978) by 14 votes to none; one member did not participate in the voting.³¹³ The resolution reads as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Having noted the efforts made to establish a durable and just peace in the Middle East area and the urgent need to continue and intensify such efforts,

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

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1978;

(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and on the measures taken to implement resolution 388 (1973).

After the vote the President, on behalf of the Security Council, made the following complementary statement regarding the resolution:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12710) states in paragraph 36 that "the present quiet in the Israel-Syria sector is, however, basically precarious. The main elements of the Middle East problem remain unresolved and the situation in the area as a whole will continue to be unstable and dangerous until real progress can soon be made towards a just and durable settlement of the problem in all its aspects". This statement reflects the view of the Security Council.

He added on behalf of the Chinese delegation that, as it had not participated in the vote on the resolution, it took the same position with regard to his statement.³¹⁴

Following the President's statement, members of the Council voiced regret about the lack of progress in the search for a comprehensive, peace settlement which would allow the termination of the peace-keeping activities in the Israel-Syria sector. One delegation renewed its suggestion for the resumption of the Geneva Peace Conference,³¹⁵ and another representative rebuked the Council for its failure to implement its decisions by the adoption of measures under Chapter VII of the Charter against Israel.³¹⁶

Decision of 18 September 1978 (2085th meeting): resolution 434 (1978)

At the 2085th meeting on 18 September 1978, the Security Council included the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period 19 March to 13 September 1978 dated 13 September 1978³¹⁷ in its agenda.

The report presented a summary of developments relating to UNIFIL from its inception on 19 March to

13 September 1978. The Secretary-General pointed out that in the first six months of its existence UNIFIL had developed cohesion and succeeded in exerting control over most of its area of operation, allowing normal life to be resumed. But he emphasized that UNIFIL continued to face major problems as the Israeli armed forces, in the fourth and last phase of the withdrawal from Lebanese territory, had handed over control of the evacuated area not to UNIFIL, but to the Lebanese *de facto* armed groups in the area commanded by Major Haddad. As a result, the full deployment of the Force and the restoration of the authority of the Lebanese Government in the whole area of operation had been prevented. In view of this situation a removal of UNIFIL would have disastrous consequences. As the Government of Lebanon had informed him that it was fully in agreement with an extension of the mandate, the Secretary-General recommended to the Council the renewal of the UNIFIL mandate for a further six-month period.

The Security Council considered the report of the Secretary-General during its 2085th and 2086th meetings on 18 and 19 September 1978.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution³¹⁸ sponsored by the United States and to two letters received from the representative of Lebanon³¹⁹ and from the representative of Israel³²⁰ regarding the Israeli decision to hand over control over the evacuated Lebanese territory to Major Haddad's forces and not to UNIFIL.

Then the President put the draft resolution to a vote; it was adopted by 12 votes to none, with 2 abstentions, as resolution 434 (1978); one member did not participate in the voting.³²¹ The resolution reads as follows:

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March and 427 (1978) of 3 May 1978,

Recalling in particular that, in its resolution 425 (1978), the Council called for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

Gravely concerned at the serious conditions in Lebanon, which continue to endanger the achievement of a just and lasting solution of the Middle East question,

Having considered the report of the Secretary-General dated 13 September 1978 on the implementation of the above-mentioned resolutions,

Commending the outstanding performance of the United Nations Interim Force in Lebanon in seeking to carry out its mandate as established in resolutions 425 (1978) and 426 (1978),

Deeply grieved at the loss of life suffered by the Force,

³¹⁸ S/12848, adopted without change as resolution 434 (1978).

³¹⁹ S/12835 (identical to S/12834). In this letter, dated 5 September 1978, the representative of Lebanon protested sharply against the Israeli action, which he described as a blatant breach of the agreements establishing UNIFIL and the schedule of the Israeli withdrawal.

³²⁰ S/12840, *ibid.*, p. 45. In his brief rebuttal dated 8 September 1978, the representative of Israel simply asserted that Israel had completed the withdrawal, as agreed in accordance with resolution 425 (1978), and that therefore the Lebanese charges were unfounded.

³²¹ For the vote, see 2085th mtg., para. 3.

³¹² S/12721, adopted without change as resolution 429 (1978).

³¹³ For the vote, see 2079th mtg., para. 2.

³¹⁴ *Ibid.*, para. 3.

³¹⁵ For this suggestion, *ibid.*: USSR, para. 29.

³¹⁶ *Ibid.*: Kuwait, para. 10.

³¹⁷ S/12845, *OR*, 33rd yr., *Suppl.* for July-Sept 1978, pp. 51-57.

Invitations to the Council meetings on this report were issued at the 2086th meeting. See below for relevant details.

Conscious of the progress already achieved by the Force towards the establishment of peace and security in Southern Lebanon.

Noting with concern that the Force has encountered obstacles in deploying freely throughout its area of operation and that it has not been possible as yet for the Lebanese Government fully to restore its authority over all its territory in accordance with resolution 425 (1978),

Supporting the efforts of the Secretary-General and taking into account the observations in his report describing the problems encountered by the Force in carrying out its mandate,

Determined to secure urgently the total fulfilment of the mandate and objectives of the Force in accordance with resolutions 425 (1978) and 426 (1978),

Acting in response to the request of the Lebanese Government,

1. *Decides* to renew the mandate of the United Nations Interim Force in Lebanon for a period of four months, that is, until 19 January 1979;

2. *Calls upon* Israel, Lebanon and all others concerned to co-operate fully and urgently with the United Nations in the implementation of Security Council resolutions 425 (1978) and 426 (1978),

3. *Requests* the Secretary-General to report to the Security Council in two months on the implementation of the present resolution in order to allow it to assess the situation and to examine what further measures should be taken, and to report again at the end of the four-month period

Following the adoption of the agenda, the Secretary-General made reference to the growing financial deficit under which UNIFIL had to labour and stressed the need for adequate financial support so that the Organization could at least provide the adequate minimum conditions for the troops in the field.³²²

During the 2085th meeting members of the Council praised UNIFIL for its work under trying circumstances and in varying degrees took exception to the Israeli refusal to surrender all of the occupied territory in Lebanon to the United Nations Force.³²³ The members stressed the need for a speedy completion of the mandate given to UNIFIL and emphasized once again the principal need for the resumption of negotiations aimed at a comprehensive peace settlement.³²⁴

At the beginning of the 2086th meeting, the Council invited the representatives of Lebanon, Israel and the Syrian Arab Republic to participate in the discussion of the item on the agenda without vote.³²⁵ The Council also decided, by vote, to invite the representative of the PLO in accordance with previous practice.³²⁶

At the 2086th meeting the representatives of Lebanon, Israel and the PLO amplified their positions

³²² *Ibid.*, para. 9

³²³ For criticism of the Israeli position, *ibid.*, Canada, para. 28; France, paras. 50, 52; Federal Republic of Germany, para. 76; India, para. 39; Kuwait, paras. 94-100; Nigeria, para. 112; President (Czechoslovakia), para. 132; USSR, para. 118; United Kingdom, para. 45; United States, paras. 21-23, invoking the responsibilities of States under Article 25 of the Charter

³²⁴ Two delegations (President (Czechoslovakia), *ibid.*, para. 133; USSR, para. 121) specifically renewed the call for the resumption of the Geneva Peace Conference, whereas the representatives spoke in general terms of the search for peace in the Middle East

³²⁵ For details, see chapter III

³²⁶ The vote on the Kuwait request (S/12851) was called for by the United States. The result was 10 votes in favour, 1 against, with 4 abstentions. For this procedure, see 2086th mtg., para. 6

regarding the continued deadlock in Southern Lebanon involving UNIFIL and the immediate parties.

Decision of 6 October 1978 (2089th meeting): resolution 436 (1978)

At the beginning of the 2089th meeting, following the adoption of the agenda, the President stated that he had convened the meeting as a result of approaches made to him as President by several delegations. The purpose of the meeting was to make every possible attempt to put an end to the cycle of violence around Beirut causing loss of human life, suffering and destruction.

He added that the Council was ready to proceed to the vote on a draft resolution³²⁷ which the members had before them. The draft resolution was put to the vote and adopted unanimously as resolution 436 (1978).³²⁸ The resolution reads as follows:

The Security Council,

Noting with grave concern the deteriorating situation in Beirut and its surroundings,

Deeply grieved at the consequent loss of life, human suffering and physical destruction,

Noting the appeal made on 4 October 1978 by the President of the Security Council and the Secretary-General,

1. *Calls upon* all those involved in hostilities in Lebanon to put an end to acts of violence and observe scrupulously an immediate and effective cease-fire and cessation of hostilities so that internal peace and national reconciliation may be restored based on the preservation of Lebanese unity, territorial integrity, independence and national sovereignty;

2. *Calls upon* all involved to allow units of the International Committee of the Red Cross into the area of conflict to evacuate the wounded and provide humanitarian assistance;

3. *Supports* the Secretary-General in his efforts and requests him to continue these efforts to bring about a durable cease-fire and to keep the Security Council informed on the implementation of the cease-fire.

After the adoption of the resolution, the President announced that, in view of the urgency of the measures taken by the Council, the members had agreed not to make statements.³²⁹

Decision of 23 October 1978 (2091st meeting): resolution 438 (1978)

At the 2091st meeting on 23 October 1978, the Security Council included the report of the Secretary-General on the United Nations Emergency Force (UNEF) for the period 25 October 1977 to 17 October 1978 dated 17 October 1978³³⁰ in its agenda.

The report of the Secretary-General described the activities of UNEF for the period from October 1977 to October 1978. The Secretary-General stated that the situation in the Force's area of operation had remained stable and that UNEF had continued efficiently to discharge its mandate. He also pointed out that the various ongoing efforts to implement resolution 338 (1973) had been dealt with in a comprehensive report³³¹

³²⁷ S/12883, adopted without change as resolution 436 (1978).

³²⁸ For the vote, see 2089th mtg., para. 5

³²⁹ *Ibid.*, para. 6

³³⁰ S/12897, OR, 33rd yr., Suppl. for Oct-Dec 1978, pp. 32-35.

³³¹ S/12896, *ibid.*, pp. 21-31. The report covered the principal developments in the Middle East since the last comprehensive report issued by the Secretary-General on 18 May 1973

on the Middle East problem which he had submitted on 17 October 1978 in pursuance of General Assembly resolution 32/20 of 25 November 1977.

The Secretary-General concluded that despite the prevailing quiet in the Egypt-Israel sector, the situation in the Middle East as a whole would remain unstable and potentially dangerous unless a comprehensive peace settlement could be reached. Taking into account all the factors involved and after consultations with the Governments of Egypt and Israel, he recommended the extension of the mandate of UNEF for a further period of one year.

The Security Council considered the report of the Secretary-General at its 2091st meeting. Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution³³² and announced that during consultations prior to the meeting the members had agreed on the procedure to be followed, namely that representatives wishing to speak would do so after the vote on the draft resolution. Then he put the draft resolution to the vote; it was adopted by 12 votes to none, with 2 abstentions, as resolution 438 (1978); one delegation did not participate in the voting.³³³ The resolution reads as follows:

The Security Council.

Recalling its resolutions 338 (1973) of 22 October, 340 (1973) of 25 October and 341 (1973) of 27 October 1973, 346 (1974) of 8 April and 362 (1974) of 23 October 1974, 368 (1975) of 17 April, 371 (1975) of 24 July and 378 (1975) of 23 October 1975, 396 (1976) of 22 October 1976 and 416 (1977) of 21 October 1977,

Having considered the report of the Secretary-General on the United Nations Emergency Force,

Recalling the Secretary-General's view that the situation in the Middle East as a whole continues to be unstable and potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached, and his hope that urgent efforts will be pursued by all concerned to tackle the problem in all its aspects, with a view both to maintaining quiet in the region and to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973),

1. *Decides to renew the mandate of the United Nations Emergency Force for a period of nine months, that is, until 24 July 1979;*
2. *Requests the Secretary-General to submit at the end of this period a report on the developments in the situation and on the steps taken to implement Security Council resolution 338 (1973);*
3. *Expresses its confidence that the Force will be maintained with maximum efficiency and economy.*

After the adoption of the resolution, the representative of the USSR expressed misgivings about the attempt to utilize UNEF for purposes other than those spelled out in resolutions 242 (1967) and 338 (1973) and indicated that his Government would not agree to altering the mandate of the Force and to drawing it into the implementation of a possible separate agreement sponsored by the United States. His Government viewed the ongoing talks between Israel and Egypt as contradicting the task of establishing lasting peace in the region and suggested again that the Geneva Conference

be resumed to achieve such a comprehensive settlement.³³⁴

The representative of Kuwait stated that his Government had agreed to the extension of UNEF for another nine months since the mandate remained as previously defined and pointed out that he would expect the Secretary-General to inform the Council immediately and thoroughly if the situation changed dramatically.³³⁵

The representative of the United States noted that his Government would have preferred an extension of the mandate for a full year but had accepted the compromise of nine months. In view of various remarks by other delegations, he argued that the negotiations which were held in Washington within the framework of the Camp David agreements were expressly tied in with the commitment in resolutions 242 (1967) and 338 (1973) to work towards a full and comprehensive settlement in the Middle East. While his Government agreed that the Secretary-General should inform the Council of significant changes in the deployment and functioning of UNEF, it did not accept the view that he was obligated to seek the specific approval of the Council for every deployment within the area; the Charter contemplated the need for the Secretary-General to exercise reasonable latitude in this respect.³³⁶

Decision of 30 November 1978 (2101st meeting): resolution 441 (1978)

At the 2101st meeting on 30 November 1978, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 18 May to 24 November 1978 dated 24 November 1978³³⁷ in its agenda.

The report of the Secretary-General described the activities of UNDOF for the period of 18 May to 24 November 1978. The Secretary-General observed that with the co-operation of both parties, the Force had been able to contribute to the maintenance of the cease-fire called for in resolution 338 (1973). He noted that despite the prevailing quiet in the Israel-Syria sector, the situation in the Middle East as a whole continued to be potentially dangerous as long as no peace settlement was reached. In the prevailing circumstances, he considered the continued presence of UNDOF in the area to be essential and recommended that the Security Council should extend the mandate of the Force for a further period of six months, until 31 May 1979.

The Security Council considered the report at its 2101st meeting. Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution³³⁸ which he immediately put to the vote. It was adopted by 14 votes to none as

³³² 2091st mtg.: USSR, paras 4-13. For a similar warning against the idea of using the Force to serve a separate agreement, *ibid.*: Czechoslovakia, paras 21-26.

³³³ *Ibid.*: Kuwait, paras 30-39.

³³⁴ *Ibid.*: United States, paras. 41-46.

³³⁵ S/12934, *OR, 33rd yr., Suppl. for Oct.-Dec. 1978*, pp. 64-67.

³³⁶ S/12941, adopted without change as resolution 441 (1978).

³³² S/12899, adopted without change as resolution 438 (1978).

³³³ For the President's statement and the voting, see 2091st mtg., paras 1-3.

resolution 441 (1978); one delegation did not participate in the voting.³³⁹ The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1979;

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

Regarding the resolution just adopted, the President made the following complementary statement on behalf of the Council:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/12934) states in paragraph 32 that "Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". This statement of the Secretary-General reflects the view of the Security Council.

He added that the delegation of China, which had not participated in the voting, wished to make it known that it took the same position regarding his statement.³⁴⁰

Members of the Council spoke in support of the successful functioning of UNDOF, but expressed once again their growing concern about the so far futile search for a comprehensive peace settlement. Two delegations renewed their call for the resumption of the Geneva Conference, whereas the representative of the United States suggested that the Camp David accords constituted a first step towards a lasting peace in the Middle East.³⁴¹ One representative deplored that the freedom of movement was still not fully established in the area under UNDOF's supervision.³⁴²

Decision of 8 December 1978 (2106th meeting): statement by the President

At its 2106th meeting on 8 December 1978, the Security Council included the interim report of the Secretary-General under Security Council resolution 434 (1978) concerning the United Nations Interim Force in Lebanon (UNIFIL) dated 18 November 1978³⁴³ in its agenda.

In his interim report on UNIFIL the Secretary-General stated that since the Council, in its resolution 434 of 18 September 1978, had extended the mandate of UNIFIL for a further period of four months, the Force had continued to use its best efforts to ensure that its area of operation would not be used for hostile activities

of any kind, and, in the area where UNIFIL exercised full control, effective action continued to be taken to prevent entry of armed personnel and a progressive normalization of life had been observed. However, despite UNIFIL efforts to secure full deployment in the area handed over by Israel to the *de facto* armed groups, little progress had been achieved and the Force had been subjected to periodic harassment.

The Secretary-General reaffirmed that an essential pre-condition for the success of UNIFIL was the co-operation of all concerned, but co-operation on the part of the Lebanese *de facto* forces in the area and the Government of Israel was still lacking, and the complete deployment of UNIFIL and the re-establishment of Lebanese authority in the area were therefore blocked.

The Secretary-General observed that restoration of the authority and sovereignty of the Lebanese Government in Southern Lebanon was the only durable and reliable way to secure normality in the area and that UNIFIL was there to protect all groups of the population.

The Security Council considered the interim report at its 2106th meeting. Following the adoption of the agenda, the representatives of Lebanon, Israel and the Syrian Arab Republic were invited to participate, without vote, in the discussion of the item.³⁴⁴

After a brief statement by the Secretary-General in which he indicated that the situation in Southern Lebanon had not changed since the issuance of his interim report and that the overriding objective remained the full implementation of resolution 425 (1978),³⁴⁵ the President made the following statement³⁴⁶ which had been prepared in the course of consultations among members of the Council and which the Council approved by consensus:³⁴⁷

The Security Council has studied the Secretary-General's report contained in document S/12929, submitted in pursuance of resolution 434 (1978). The Council associates itself with the views of the Secretary-General set forth in the report regarding the obstacles placed against the full deployment of the United Nations Interim Force in Lebanon and against the total implementation of resolutions 425 (1978) and 426 (1978).

The Council expresses its deepest concern over the grave situation in Southern Lebanon.

The Council is convinced that these obstacles constitute a challenge to its authority and a defiance of its resolutions. The Council therefore demands the removal of these obstacles, specifically described and referred to in the Secretary-General's report under consideration, as well as in his previous reports submitted to the Council.

The Council believes that the unimpeded deployment of the Force in all parts of Southern Lebanon will contribute significantly to the restoration of the authority of the Lebanese Government and the preservation of Lebanese sovereignty within Lebanon's internationally recognized boundaries.

The Council therefore calls upon all those not fully co-operating with the Force, particularly Israel, to desist forthwith from interfering with the operations of the Force in Southern Lebanon and demands that they comply fully without any delay with the implementation of resolutions 425 (1978) and 426 (1978).

³³⁹ For the voting, see 2101st mtg., para. 2.

³⁴⁰ For the President's statement, *ibid.*, para. 3.

³⁴¹ For the argument in favour of the resumption of the Geneva Conference, *ibid.* Czechoslovakia, paras. 25-30, USSR, paras. 11-17. For the viewpoint of the United States, *ibid.*, paras. 45-51.

³⁴² *Ibid.* Canada, paras. 18-23.

³⁴³ S/12929, OR, 33rd yr., Suppl. for Oct.-Dec. 1978, pp. 60-61.

³⁴⁴ For details, see chapter III.

³⁴⁵ 2106th mtg., paras. 3-6.

³⁴⁶ *Ibid.*, para. 7. The statement was also issued as S/12958.

³⁴⁷ *Ibid.*, para. 8.

The Council calls upon Member States that are in a position to do so to bring their influence to bear on those concerned so that the Force may discharge its responsibilities unimpeded.

The Council notes with appreciation the efforts made by the Secretary-General and the United Nations staff, and the commanders and soldiers of the Force for the implementation of resolution 425 (1978). It also takes this opportunity to express its particular appreciation to the countries that have contributed troops or are assisting in the deployment and facilitating the task of the Force.

The Council decides to remain seized of the problem, and to review the situation if and when necessary, before 19 January 1979, so as to consider practical ways and means that will secure the full implementation of its resolutions.

Following the approval of the President's statement, the representative of China announced that his delegation supported those points in the statement which condemned the continued Israeli defiance but dissociated itself from anything relating to UNIFIL.³⁴⁸ Members of the Council criticized in varying degrees the obstruction practised by the Israeli Government in Southern Lebanon and its continuous maintenance of the *de facto* forces serving as its proxy in violation of resolutions 425 (1978) and 426 (1978). In view of Israeli non-compliance, a few delegations suggested that the Council take stern measures to enforce its resolutions.³⁴⁹

The representative of Lebanon once more presented his Government's case regarding the situation in Southern Lebanon and placed the responsibility for the crisis upon Israel,³⁵⁰ whereas the representative of Israel claimed that his Government had merely acted to provide its citizens with the security against PLO attacks and that beyond that it had implemented the relevant resolutions of the Security Council fully and even acted in support of the functioning of UNIFIL in the designated area of operation.³⁵¹

Decision of 19 January 1979 (2113th meeting): resolution 444 (1979)

At its 2113th meeting on 19 January, the Security Council included the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period 14 September 1978 to 12 January 1979 dated 12 January 1979³⁵² in its agenda.

In the report covering the developments relating to UNIFIL during four months since September 1978, the Secretary-General pointed out that the activities of UNIFIL were concentrated on three objectives: to ensure that the area where it was fully deployed was not used for hostile activities of any kind and to promote a progressive return to normal conditions; to extend its deployment in the border area; and to assist the Government of Lebanon in restoring its effective authority in the area.

In the area where it had full control, UNIFIL had continued to take effective action to prevent the entry of armed personnel and to provide the population with some measure of assurance and safety. However, despite energetic efforts there had been virtually no further progress in deploying the Force in the area in the south held by *de facto* armed groups; accordingly, UNIFIL had not yet been able to complete the tasks assigned to it by resolution 425 (1978) because it lacked the co-operation of both the *de facto* forces under Major Haddad and the Israeli Defence Force.

Taking into account all aspects of the prevailing situation, the Secretary-General recommended the extension of the mandate of UNIFIL for a further period of six months. He added that the Government of Lebanon agreed to the extension and expressed his conviction that, despite all its difficulties, UNIFIL performed an essentially stabilizing function and that its premature withdrawal would inevitably disrupt the fragile peace which existed in southern Lebanon.

The Security Council considered the report during its 2113th meeting. Following the adoption of the agenda and subsequently during the meeting, the representatives of Lebanon, Israel and the Syrian Arab Republic were invited, at their request, to participate in the discussion without the right to vote.³⁵³ During the meeting the representative of the PLO was also invited, by vote and in accordance with the Council's previous practice, to participate in the discussion of the item without the right to vote.³⁵⁴

At the beginning of the 2113th meeting, the President put a draft resolution³⁵⁵ which the members of the Council had before them, to the vote; it was adopted by 12 votes to none, with 2 abstentions, as resolution 444 (1978); one member did not participate in the voting.³⁵⁶ The resolution reads as follows:

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March, 427 (1978) of 3 May and 434 (1978) of 18 September 1978,

Recalling also the statement made by the President of the Security Council on 8 December 1978 (S/12958),

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 January 1979, contained in document S/13026 and Corr.1,

Expressing concern at the grave situation in Southern Lebanon resulting from obstacles placed in the way of the full implementation of resolutions 425 (1978) and 426 (1978),

Reiterating its conviction that the continuation of the situation constitutes a challenge to its authority and a defiance of its resolutions,

Noting with regret that the Force has reached the end of its second mandate without being enabled to complete all the tasks assigned to it,

Stressing that free and unhampered movement for the Force is essential for the fulfilment of its mandate within its entire area of operation,

Reaffirming the necessity for the strict respect for the sovereignty, territorial integrity and political independence of Lebanon within its internationally recognized boundaries,

³⁴⁸ 2106th mtg., China, paras 10-12

³⁴⁹ See here the statements by Kuwait envisaging Chapter VII measures against Israel if its defiance continued (*ibid.*, paras 35-36), by India (*ibid.*, para 112), which found the lack of authority of the peace-keeping force intolerable, and by the USSR (*ibid.*, para 72).

³⁵⁰ *Ibid.*, Lebanon, paras 121-147

³⁵¹ *Ibid.*, Israel, paras 151-173

³⁵² S/13026, *OR, 34th yr., Suppl. for Jan-March 1979*, pp. 23-27

³⁵³ For details, see chapter III

³⁵⁴ See 2113th mtg., paras 261-265 for relevant statements and the vote on the invitation to the PLO

³⁵⁵ S/13042, adopted without change as resolution 444 (1979).

³⁵⁶ For the vote, see 2113th mtg., para 4

Re-emphasizing the temporary nature of the Force as set out in its terms of reference.

Acting in response to the request of the Government of Lebanon taking into account the report of the Secretary-General.

1. *Deplores* the lack of co-operation, particularly on the part of Israel, with the efforts of the United Nations Interim Force in Lebanon fully to implement its mandate, including assistance lent by Israel to irregular armed groups in Southern Lebanon;

2. *Notes with great appreciation* the efforts being made by the Secretary-General, the commanders and soldiers of the Force and the staff of the United Nations, as well as by Governments which have lent their assistance and co-operation;

3. *Expresses its satisfaction* with the declared policy of the Government of Lebanon and the steps already taken for the deployment of the Lebanese army in the south and encourages it to increase its efforts, in co-ordination with the Force, to re-establish its authority in that area;

4. *Decides* to renew the mandate of the Force for a period of five months, that is, until 19 June 1979;

5. *Calls upon* the Secretary-General and the Force to continue to take all effective measures deemed necessary in accordance with the approved guidelines and terms of reference of the Force as adopted by the Security Council and invites the Government of Lebanon to draw up, in consultation with the Secretary-General, a phased programme of activities to be carried out over the next three months to promote the restoration of its authority;

6. *Urges* all Member States which are in a position to do so to bring their influence to bear on those concerned, so that the Force can discharge its responsibilities fully and unhampered;

7. *Reaffirms* its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of resolution 425 (1978);

8. *Decides* to remain seized of the question and to meet again within three months to assess the situation.

Following the adoption of the resolution, the President made the following statement³⁵⁷ on behalf of the Security Council:

The Security Council, after considering the report of the Secretary-General in document S/13026 and Corr. 1, paid special attention, at its meeting on 19 January 1979, to the question of the restoration of the authority of the Lebanese Government over the entire territory of Southern Lebanon.

The Council takes note of the recent efforts made by the Government of Lebanon to establish a presence in the southern part of the country and expressed the hope that the continuation and expansion of such activities will be encouraged.

The Council accordingly suggests that the Government of Lebanon, in consultation with the Secretary-General, should draw up a phased programme of activities to be carried out over the next three months to promote the restoration of its authority.

The Council requests the Secretary-General to report to it by 19 April 1979 on the implementation of this programme.

After the statement of the President, the Secretary-General urgently appealed to the parties in the area to co-operate with UNIFIL in the pursuit of its objectives and called upon members of the Council who were in a position to do so to bring their influence to bear on those concerned in support of the efforts to implement the Security Council's resolutions.³⁵⁸

Members of the Council were united in deploring the continued refusal of Israel to co-operate with UNIFIL.

and in expressing growing alarm about the exacerbation of the bitter conflict in Southern Lebanon. The representative of Lebanon reported to the Council new acts of aggression by Israel or its agents and renewed his appeal that the Council make a new concerted effort to enable UNIFIL to complete its task.³⁵⁹ The representative of Israel rejected all these charges and accused the PLO of initiating the hostilities against the people of Israel and Lebanon.³⁶⁰

Decision of 26 April 1979 (2141st meeting): President's statement

On 19 April 1979, the Secretary-General issued a special report³⁶¹ in which he informed the Security Council of two occasions on 15 and 18 April when the *de facto* forces under Major Haddad had shelled UNIFIL positions including its headquarters and barracks. These attacks which were launched in connection with the move of the Lebanese army contingent into Southern Lebanon resulted in a number of serious casualties and in substantial damage to buildings and equipment.

On the same day, the Secretary-General also submitted an interim report³⁶² under Security Council resolution 444 (1979) concerning UNIFIL. In this report the Secretary-General supplied information to the Council on the elaboration of the phased programme of activities to promote the restoration of the authority of the Lebanese Government in Southern Lebanon called for by the Security Council and described the situation in the UNIFIL area of operation. He stated that discussion had been concentrated on the first phase of the programme of activities, which included four points: (a) the increase of the Lebanese civilian administrative presence in the South, including reinforcement of the Lebanese gendarmerie; (b) the further deployment of Lebanese military personnel in Southern Lebanon; (c) the intensification of efforts by the United Nations and UNIFIL to consolidate the cease-fire and to put an end to harassment by the *de facto* forces led by Major Haddad; and (d) efforts to secure further deployment of UNIFIL and control of the border area, emphasizing the need to make diplomatic contacts to enlist the co-operation of the Government of Israel.

The Secretary-General indicated that little progress had been achieved despite intensive efforts on the basis of the above plan, as Major Haddad had expressed strong opposition to the move of the Lebanese army contingent into the UNIFIL area of operation in Southern Lebanon and had threatened to fire on UNIFIL and Lebanese army units if the proposed move should take place. As the Secretary-General had made known in his special report of the same date,³⁶³ the threat was indeed carried out. But Israel finally agreed to help UNIFIL implement that move.

The Secretary-General stated in conclusion that the *de facto* forces continued to oppose co-operation with

³⁵⁷ *Ibid.*, Lebanon, paras. 184-210.

³⁵⁸ *Ibid.*, Israel, paras. 216-258.

³⁵⁹ S/13254, *OR*, 34th yr., Suppl. for April-June 1979, p. 42.

³⁶⁰ S/13258, *ibid.*, pp. 47-50.

³⁶¹ As cited above in note 363.

³⁵⁷ *Ibid.*, para. 5. The statement was also issued as document S/13043.

³⁵⁸ *Ibid.*, paras. 7-12.

UNIFIL and the objectives laid down by the Security Council. In this regard the position of the Government of Israel would be crucial for efforts to achieve further progress in the coming months.

In a letter³⁶⁴ dated 25 April 1979, the representative of Lebanon drew the attention of the Council to the grave situation which had resulted from Israel's obstruction to the implementation of the "phased programme of activities" called for in resolution 444 (1979) and requested a meeting of the Council to examine the interim and special reports of the Secretary-General dated 19 April.

At its 2141st meeting on 26 April 1979, the Security Council included the interim report of the Secretary-General under resolution 444 (1979) concerning UNIFIL and the letter by Lebanon in its agenda.

Following the adoption of the agenda, the President indicated that since the receipt of the Secretary-General's report, extensive consultations had been held with the members of the Council and other interested parties and, as a result, he had been authorized to make the following statement which had been agreed upon by the members of the Council:³⁶⁵

The Security Council had studied the Secretary-General's interim report on the United Nations Interim Force in Lebanon, circulated on 19 April 1979 in document S/13258, in accordance with the request made by the Council at its 2113th meeting, on 19 January 1979.

On behalf of members of the Council, I wish to state that they are following with the deepest concern the significant increase of tension in the area, particularly during the past months, and that they share the Secretary-General's anxiety over the present situation in which the Force is unable fully to implement its mandate. I wish to express to the Secretary-General the satisfaction and appreciation we feel for the efforts that he has undertaken towards the full implementation of Council resolution 425 (1978), and also to commend most highly the performance of the officers and men of the Force under the most difficult circumstances. If for any reason the Force were to be eroded, a highly dangerous and volatile situation would inevitably arise in the area.

Members of the Security Council share the views expressed in the Secretary-General's report about what should still be done towards the full implementation of the objectives of resolution 425 (1978) and emphasize in this connexion the importance of the deployment of the Force in all parts of Southern Lebanon.

The Security Council expresses its special satisfaction at actions taken by the Government of Lebanon and in particular the deployment of the Lebanese army contingent under the "phased programme of activities". Members of the Council consider that the continuation of such efforts, called for by the resolutions of the Council, should ultimately lead to the return of the effective authority of the Government of Lebanon over all its territory. In this respect, the Council reiterates its call for strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries. Members of the Council consider that all measures should be taken urgently towards the implementation of the "phased programme of activities", and particularly such measures as are deemed necessary to ensure the safety of the Force and of its headquarters. If such measures are not taken and, *a fortiori*, if further serious incidents occur, they feel that the Council should meet without delay to consider the situation

Decision of 15 May 1979 (2144th meeting): President's statement

By letter³⁶⁶ dated 7 May 1979, the representative of Lebanon referred to the increasing difficulties encountered by UNIFIL whose safety was not yet ensured and expressed his Government's view that it was imperative for the Council to consider taking further steps towards the full implementation of resolution 425 (1978) and the phased programme of activities called for in resolution 444 (1979), which was a first step on that course. He charged that, contrary to the claims of Israel, Israeli military personnel were still inside Lebanon, that they exercised a determining influence in the border area and that the continued utilization by Israel of the so-called *de facto* Christian forces which it equipped, financed and controlled, remained a major obstacle to implementation of the Security Council resolutions and restoration of Lebanese national sovereignty.

At its 2144th meeting on 15 May 1979, the Security Council included the Lebanese letter in its agenda. Following the adoption of the agenda, the President made the following statement as a result of consultations held with members of the Council:³⁶⁷

Since the President's statement was read out to the Council on 26 April 1979 (2141st meeting), grave events have occurred in Southern Lebanon which have merely served to show the precarious and fragile situation in that area. That the situation is not even worse is due largely to the presence of the United Nations Interim Force in Lebanon, whose forces are trying to fulfil their mandate in extremely difficult conditions and with an exemplary dedication admired by us all. This was particularly underlined in the report of the Secretary-General to the Council of 9 May 1979, contained in document S/13308.³⁶⁸

In view of the gravity of these events the Government of Lebanon has decided to request the Council to give further consideration to the situation and has accordingly addressed to me the letter contained in document S/13301.

Members have been informed of the steps taken in recent days under the auspices of the Council to secure a rapid improvement in that situation. These efforts seem to have produced some results. Talks have resumed between the representatives of the United Nations and the Government of Israel on various points that it is essential to try to settle if the Force is to carry out its mandate successfully.

These talks must be pursued with perseverance but in an atmosphere conducive to the full implementation of resolutions 425 (1978) and 444 (1979).

As it has done since the events that led to the establishment of the Force, the Council is following the situation with the deepest attention and concern.

I am confident that the Council will be meeting at an early date to debate this question and to take any action warranted by developments in the situation.

In the absence of any objections to this line of action, the President of the Council will proceed with his present diplomatic efforts.

The President adjourned the meeting, having indicated that the Council would remain seized of the question before it and would meet again whenever further consideration appeared to be necessary.³⁶⁹

³⁶⁴ S/13270, *OR*, 34th yr., *Suppl for April-June 1979*, pp. 89-92.

³⁶⁷ For the President's statement, see 2144th mtg., para. 2.

³⁶⁸ The special report of the Secretary-General (S/13308, *OR*, 34th yr., *Suppl for April-June 1979*, pp. 105-106) described in detail an incursion, on 9 May 1979, of Israeli troops into the UNIFIL area of operation.

³⁶⁹ See 2144th mtg., para. 3.

³⁶⁴ S/13270, *OR*, 34th yr., *Suppl for April-June 1979*, pp. 88.

³⁶⁵ See 2141st mtg., para. 2. The statement was also issued as document S/13272.

Decision of 30 May 1979 (2145th meeting): resolution 449 (1979)

At its 2145th meeting on 30 May 1979, the Security Council included the report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 25 November 1978 to 24 May 1979 dated 24 May 1979³⁷⁰ in its agenda.

The report gave an account of the activities of the Force during the period from November 1978 to May 1979. The Secretary-General noted that UNDOF had continued, with the co-operation of the parties, to fulfil the tasks entrusted to it and that during the period under review the cease-fire had been maintained without serious incidents.

He pointed out that despite the prevailing quiet in the Israel-Syria sector, the situation in the Middle East as a whole continued to be potentially dangerous and was likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. He expressed his hope that determined efforts would be made by all concerned to tackle the problem in all its aspects with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

In the circumstances, the Secretary-General considered the continued presence of UNDOF in the area to be essential and recommended that the Security Council extend the mandate of the Force for a further period of six months, until 30 November 1979. He added that the Governments of Israel and the Syrian Arab Republic had agreed to the proposed extension.

At the 2145th meeting, following the adoption of the agenda, the President put a draft resolution³⁷¹ which was before the members of the Council, to the vote: it was adopted by 14 votes to none as resolution 449 (1979); one member did not participate in the voting.³⁷² The resolution reads as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1979,

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

Following the adoption of the resolution, the President made the following complementary statement on behalf of the Security Council:³⁷³

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/13350) states in paragraph 28 that, "despite the present quiet in the Israel-Syria sector, the

³⁷⁰ S/13350, OR, 34th yr., Suppl for April-June 1979, pp. 151-153.

³⁷¹ S/13357, adopted without change as resolution 449 (1979).

³⁷² For the vote, see 2145th mtg., para. 3.

³⁷³ *Ibid.*, para. 4. The statement was also issued as document S/13362.

situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". This statement of the Secretary-General reflects the view of the Security Council.

The President added that the delegation of China wanted to make it known through him that as it had not participated in the vote on the resolution, it took the same position regarding his statement on behalf of the Council.

Decision of 14 June 1979 (2149th meeting): resolution 450 (1979)

By letter³⁷⁴ dated 30 May 1979, the representative of Lebanon requested an urgent meeting of the Security Council to discuss the rapidly deteriorating situation in Southern Lebanon resulting from Israeli escalation of its attacks and the adverse effect this might have on the implementation of Council resolutions 425 (1978) and 444 (1979).³⁷⁵

At its 2146th meeting on 31 May 1979, the Security Council included the letter by Lebanon in its agenda. The Council considered the item during its 2146th to 2149th meetings on 31 May to 14 June 1979. Following the adoption of the agenda, the representatives of Israel and Lebanon were invited to participate, without vote, in the discussion of the item.³⁷⁶ At the same meeting, the Council also decided, by a vote and in accordance with its previous practice, to invite the representative of the PLO to participate in the deliberations without the right to vote.³⁷⁷

At the outset of the 2146th meeting, the Secretary-General gave an account of the heavy daily exchange of artillery and mortar fire between the *de facto* forces and other armed elements, including shelling of targets in the UNIFIL area of operation. The armed clashes shook the trust of the local population in the ability of UNIFIL to keep the peace. The Commander of UNIFIL had finally been able to bring the parties to agree to a new cease-fire which would commence on 31 May. In view of the grave situation inside and outside of UNIFIL's area of operation, the Secretary-General expressed his hope that the newly restored quiet would prevail and permit the continuation of the search for a comprehensive settlement.³⁷⁸

The representative of Lebanon pointed out that the open conflict which began on 25 April had not stopped yet. His Government had decided to turn once again to the Council to request the following steps: (1) the Council should issue an injunction for the halting of all

³⁷⁴ S/13356, OR, 34th yr., Suppl for April-June 1979, p. 157.

³⁷⁵ In a letter also dated 30 May 1979 (S/13361, *ibid.*, pp. 158-160), the representative of Lebanon transmitted a memorandum of his Government in which the position regarding Lebanon's relations with Israel and in particular the worsening situation in Southern Lebanon were set out in detail. The Government expressed its conviction that it had become imperative properly to redefine the mandate and prerogatives of UNIFIL so as to assure to the Force freedom of deployment and secure the total and unconditional withdrawal of Israel.

³⁷⁶ For details, see chapter III.

³⁷⁷ For relevant statements and the vote on the invitation to the PLO, see 2146th mtg., paras. 55-59.

³⁷⁸ *Ibid.*, paras. 4-14.

acts of hostility against Lebanon and for an end to the Israeli violation of Lebanese sovereignty; (2) a strong and determined effort should be made to fulfil the mandate of UNIFIL; (3) the General Armistice Agreement of 1949, the only valid framework of peace in Southern Lebanon, which was designed to lead to a just and permanent settlement of the Palestinian question, should be immediately restored. The representative of Lebanon expressed his delegation's willingness to discuss with Council members the text of a draft resolution which would incorporate these proposals. If nothing would be done, the war in Lebanon would deepen and widen, jeopardizing all efforts to restore the sovereignty and territorial integrity of Lebanon. He concluded with an appeal to the Council members to strengthen the effective role of UNIFIL as peace-keeper in the area.³⁷⁹

The representative of Israel replied that his Government was eager and ready to negotiate a peace agreement with Lebanon whose sovereignty and territorial integrity it fully supported. He renewed his charges against armed bands of the PLO, to which the Secretary-General had referred as "armed elements," and insisted that his Government was merely exercising its rights and duties of self-defence under Article 51 in order to protect its citizens. To support his viewpoint he cited from lectures delivered by Fawcett at The Hague Academy of International Law.³⁸⁰

After a brief statement by the representative of the PLO, in which he restated the long-standing claim of the Palestinians for their right to self-determination and to a homeland in Palestine,³⁸¹ the President indicated that he planned to adjourn the meeting and that the date for the next meeting would be set soon. He also addressed an appeal to all parties to respect the cease-fire in accordance, *inter alia*, with the Armistice Agreement and to refrain from all acts of violence to help UNIFIL to carry out the mission entrusted to it under Security Council resolution 425 (1978).³⁸²

The Council resumed the consideration of the item at its 2147th meeting on 12 June 1979, when it included in addition to the letter by Lebanon the report of the Secretary-General on UNIFIL.³⁸³

The report of the Secretary-General was dated 8 June 1979 and covered the developments relating to UNIFIL for the period from 13 January to 8 June 1979. The Secretary-General pointed out that contacts with the parties concerned had been maintained both at United Nations Headquarters and in the area, with a view to further implementing the UNIFIL mandate, and that deployment of a Lebanese army battalion in the UNIFIL area of operation and an increase of Lebanese civilian administrative personnel in Southern Lebanon represented important steps towards the restoration of the Lebanese Government's authority and sovereignty in

Southern Lebanon. He noted, however, with regret that despite all efforts, a stalemate had persisted since mid-April, and that the situation had been aggravated by the conditions of heightened tension in the area.

The Secretary-General emphasized once again the indispensable function which UNIFIL was performing in bringing calm to the area and in reducing the active threat to international peace and security. For that reason, he recommended the extension of the mandate of UNIFIL for a further period of six months and added that the Lebanese Government had agreed to this recommendation.

During the 2147th and 2148th meetings on 12 and 14 June 1979, the Security Council invited the representatives of Egypt, Iran, Ireland, Jordan, the Libyan Arab Jamahiriya, the Netherlands and the Syrian Arab Republic to participate, without vote, in the discussion of the enlarged agenda.³⁸⁴

At the beginning of the 2147th meeting on 12 June 1979, the President drew the attention of the Council members to a letter³⁸⁵ dated 6 June 1979 from the representative of Kuwait transmitting the text of a letter dated 25 May from the Chairman of the Executive Committee of the PLO addressed to the Secretary-General and a letter³⁸⁶ dated 11 June from the representative of Lebanon addressed to the Secretary-General; both letters dealt with renewed attacks by the Israeli armed forces against targets on Lebanese territory.³⁸⁷

The Secretary-General briefly informed the Council about the renewal of hostilities in the UNIFIL area of operation since the submission of his report, and emphasized both the difficulties confronting UNIFIL and the indispensable function performed by the Force in bringing calm to a sorely affected area and in reducing the active threat to international peace and security.³⁸⁸

At the same meeting the representative of Lebanon addressed himself to the issues raised in his letter dated 11 June and recalled his suggestion of 31 May that the Council adopt an action-oriented resolution that would put an end to the hostilities in Southern Lebanon by checking Israeli aggression, giving UNIFIL greater means to carry out its mandate and restoring the General Armistice Agreement of 1949. Such a resolution would have to produce an immediate return to the cease-fire, which should in turn be conducive to a solution of the prevailing stalemate.³⁸⁹

During the deliberations at the 2147th through 2149th meetings, members of the Council and other speakers praised the achievements of UNIFIL, which despite very trying circumstances had been able to advance the implementation of its mandate under resolution 425 (1978), but they also expressed anger and concern at the continuing hostilities involving *de facto* Christian Forces, other armed elements and at times

³⁷⁹ 2146th mtg., paras 20-35.

³⁸⁰ *Ibid.*, paras 39-54.

³⁸¹ *Ibid.*, paras 62-71.

³⁸² *Ibid.*, paras 72-74.

³⁸³ S/13384, *OR*, 34th yr., *Suppl. for April-June 1979*, pp 179-184.

³⁸⁴ For details, see chapter III.

³⁸⁵ S/13379, *OR*, 34th yr., *Suppl. for April-June 1979*, p. 176.

³⁸⁶ S/13387, *ibid.*, p. 187.

³⁸⁷ 2147th mtg., para 4.

³⁸⁸ *Ibid.*, paras 6-13.

³⁸⁹ *Ibid.*, paras 15-27.

Israeli troops impeding the work of UNIFIL and barring the restoration of the sovereignty and territorial integrity of Lebanon under its legitimate Government. Several representatives including the Israeli representative engaged in extensive exchanges regarding the Israeli position that its retaliatory acts against attacks originating from the PLO on Lebanese soil were in accordance with the right of self-defence under Article 51 of the Charter.³⁹⁰ A number of delegations called for sanctions against Israel in view of its continued defiance of Security Council resolutions.³⁹¹

At the beginning of the 2149th meeting on 14 June 1979, the President drew the attention of the Council members to a draft resolution³⁹² which had been prepared during consultations among Council members. In the course of the same meeting the President put the draft to the vote: it was adopted by 12 votes to none, with 2 abstentions as resolution 450 (1979); one member did not participate in the voting.³⁹³ The resolution reads as follows:

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March, 427 (1978) of 3 May and 434 (1978) of 18 September 1978, and the statement made by the President of the Security Council on 8 December 1978 (S/12958),

Recalling also, and particularly, its resolution 444 (1979) of 19 January 1979 and the statements made by the President of the Security Council on 26 April (S/13272) and on 15 May 1979,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon,

Acting in response to the request of the Government of Lebanon and noting with concern the questions raised in its letters addressed to the Security Council on 7 May, 30 May and 11 June 1979,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

Expressing its anxiety about the continued existence of obstacles to the full deployment of the Force and the threats to its very security, its freedom of movement and the safety of its headquarters, which prevented the completion of the phased programme of activities,

Convinced that the present situation has serious consequences for peace and security in the Middle East and impedes the achievement of a just, comprehensive and durable peace in the area,

1. *Strongly deplores* acts of violence against Lebanon that have led to the displacement of civilians, including Palestinians, and brought about destruction and loss of innocent lives,

2. *Calls upon* Israel to cease forthwith its acts against the territorial integrity, unity, sovereignty and political independence of Lebanon, in particular its incursions into Lebanon and the assistance it continues to lend to irresponsible armed groups,

3. *Calls also upon* all parties concerned to refrain from activities inconsistent with the objectives of the United Nations Interim Force in Lebanon and to co-operate for the fulfilment of these objectives;

4. *Reiterates* that the objectives of the Force as set out in resolutions 425 (1978), 426 (1978) and 444 (1979) must be attained;

³⁹⁰ For relevant statements regarding the interpretation of Article 51, see 2147th mtg. Kuwait, para. 44, 2148th mtg. Egypt, paras. 9-11, 2149th mtg. Israel, paras. 48-49. For a detailed discussion of the arguments, see also the relevant section in chapter XI below.

³⁹¹ For calls to invoke Chapter VII of the Charter or to apply effective measures under the Charter, see 2147th mtg. Kuwait, para. 57; Czechoslovakia, para. 68, 2148th mtg. Jordan, para. 79, Syrian Arab Republic, para. 110, 2149th mtg. USSR, para. 146.

³⁹² S/13392, subsequently adopted without change as resolution 450 (1979).

³⁹³ For the vote, see 2149th mtg., para. 148.

5. *Highly commends* the performance of the Force and reiterates its terms of reference as set out in the report of the Secretary-General of 19 March 1978 and approved by resolution 426 (1978), in particular that the Force must be enabled to function as an effective military unit, that it must enjoy freedom of movement and communication and other facilities necessary for the performance of its tasks and that it must continue to be able to discharge its duties according to the above-mentioned terms of reference, including the right of self-defence;

6. *Reaffirms* the validity of the General Armistice Agreement between Israel and Lebanon in accordance with its relevant decisions and resolutions and calls upon the parties to take the necessary steps to reactivate the Mixed Armistice Commission and to ensure full respect for the safety and freedom of action of the United Nations Truce Supervision Organization;

7. *Urges* all Member States which are in a position to do so to bring their influence to bear on those concerned, so that the Force can discharge its responsibilities fully and unhampered;

8. *Decides* to renew the mandate of the Force for a period of six months, that is, until 19 December 1979;

9. *Reaffirms* its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of resolution 425 (1978).

10. *Decides* to remain seized of the question.

Decision of 29 August 1979 (2164th meeting): invitation accorded to the PLO

By letter³⁹⁴ dated 24 August 1979, the representative of Lebanon requested the President to convene an urgent meeting of the Security Council in view of the continued escalation of violence and the loss of civilian lives resulting from Israeli attacks and shelling of Lebanese territory. He stated that the Lebanese Government felt that the deteriorating situation in Southern Lebanon was endangering peace and security and that it was imperative to ask the Council to take appropriate measures, including the imposition of sanctions against Israel, to put once and for all an end to aggression against Lebanon.³⁹⁵

At the close of the 2163rd meeting on 24 August 1979, following the adjournment of the Council's discussion of the question of the exercise by the Palestinian people of its inalienable rights, the President drew the attention of the Council to many recent reports about intense military activity in Southern Lebanon and said that he had been informed that the UNIFIL Commander had been instructed to make every effort to arrange an immediate cease-fire in the area. He recalled the Secretary-General's recent appeal for restraint on the part of all the parties and issued his own appeal that the hostilities be brought to an end.³⁹⁶

In a letter³⁹⁷ dated 28 August 1979, the representative of Lebanon requested that measures be taken urgently to ensure the safety, integrity and freedom of movement of UNIFIL by providing the Force with weapons and equipment of a defensive character, to reconsider the definition of the area of operation of UNIFIL, to increase the number of posts and personnel in

³⁹⁴ S/13516, OR, 34th yr., Suppl. for July-Sept. 1979, pp. 117-118.

³⁹⁵ The letter contained references to two previous letters dated 22 August 1979 (S/13509 and S/13510, *ibid.*, pp. 114-115) in which the new Israeli attacks were set out in detail.

³⁹⁶ See 2163rd mtg., paras. 188-189.

³⁹⁷ S/13519, OR, 34th yr., Suppl. for July-Sept. 1979, pp. 118-119.

the United Nations Truce Supervision Organization (UNTSO) on the border with Israel and to reactivate the Mixed Armistice Commission.

In a second letter³⁹⁸ also dated 28 August 1979, the representative of Lebanon again requested a meeting of the Security Council at the earliest possible date in order to help consolidate the *de facto* cease-fire.

At its 2164th meeting on 29 August 1979, the Security Council included the letters dated 24 and 28 August from the representative of Lebanon in its agenda and considered the item at its 2164th and 2165th meetings.

During the 2164th and 2165th meetings, the Security Council decided to invite the representatives of Ireland, Israel, Lebanon, Netherlands and the Syrian Arab Republic to participate, without vote, in the discussion of the question.³⁹⁹ At the 2164th meeting, in accordance with the Council's past practice, the Council also decided, by vote, to invite the representative of the PLO to participate in the discussion.⁴⁰⁰

Opening the deliberations, the President conveyed to the Council pertinent information regarding the establishment of the *de facto* cease-fire in Southern Lebanon and the casualties suffered by the contingents of UNIFIL as a result of the recent hostilities.⁴⁰¹

At the same meeting, the representative of Lebanon called for the full implementation of all the relevant Council resolutions in order to make Southern Lebanon a zone of peace. He indicated that his Government did not ask for the adoption of another resolution which logically would have to contain measures under Chapter VII of the Charter to force Israel into compliance with the will of the international community.

Instead he proposed that the Council reconsider the ongoing peace-keeping operation and in particular the objectives put forward by his Government in its memorandum dated 28 August 1979 (S/13519). These proposals had been devised to strengthen the safety, integrity and freedom of operation of UNIFIL, to expand and deepen its operations in Southern Lebanon, to increase the number of observers in the area and to reactivate the Israeli-Lebanese Mixed Armistice Commission. He reaffirmed his Government's readiness to work together with UNIFIL to progress towards peace in the area, stressed the crucial significance of the conditions in UNIFIL's area of operation for Southern Lebanon as a whole and emphasized once again the principal importance of implementing resolution 425 (1978).⁴⁰²

During the subsequent deliberations at the 2164th and 2165th meetings, members of the Council were united in their appreciation of the cease-fire attained and in their appeal to the parties to seek a more stable and extensive condition of peace in the area as a whole.

The precarious situation that had not yet eased for the members of the United Nations Force was also generally deplored.

The representative of France specifically suggested that an increase in the number of United Nations observer posts along the southern border of Lebanon as well as the reactivation of the Israeli-Lebanese Mixed Armistice Commission would be advantageous in the current situation.⁴⁰³

The President speaking in his capacity as representative of the United States condemned the violent acts committed by both sides in the area of conflict and called upon the parties to co-operate fully with UNIFIL, demanded of Israel an end of its policy of pre-emptive strikes on Lebanese soil and urged the Palestinian leadership to help heal the wounds of Lebanon. He called for a complete, immediate and lasting halt by all parties to all shelling, terrorism and other acts of violence.⁴⁰⁴

The representative of Kuwait issued a new appeal to the Council that in view of Israel's continuous defiance of the decisions of the world Organization measures under Chapter VII should be considered and imposed.⁴⁰⁵

At the end of the 2165th meeting on 30 August 1979, the President reminded the Council members of his appeal issued at the 2163rd meeting and expressed satisfaction that this appeal had been heeded. He concluded his remarks by appealing to all concerned to make permanent the cessation of hostilities and to implement resolution 425 (1978) in all its parts.⁴⁰⁶

Decision of 30 November 1979 (2174th meeting): resolution 456 (1979)

At its 2174th meeting on 30 November 1979, the Security Council included the report⁴⁰⁷ of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 25 May to 23 November 1979 dated 23 November 1979 in its agenda.

The report of the Secretary-General covered the activities of UNDOF from May to November 1979. The Secretary-General stated that UNDOF had continued to function effectively with the co-operation of the parties. He added, however, that despite the prevailing quiet in the Israel-Syria sector, the situation in the Middle East as a whole remained potentially dangerous unless and until a comprehensive peace settlement could be reached. Under the circumstances, he concluded that the continued presence of the Force was essential and recommended the extension of its mandate for another six months until 31 May 1980. He indicated that the Governments of Israel and the Syrian Arab Republic had agreed to the proposed extension.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft

³⁹⁸ S. 13520, *OR 34th yr., Suppl. for July-Sept. 1979*, p. 120.

³⁹⁹ For details, see chapter III.

⁴⁰⁰ For the relevant arguments and the vote (10 votes in favour, 1 against, with 4 abstentions), see 2164th mtg., paras. 2-7.

⁴⁰¹ *Ibid.*, paras. 9-12.

⁴⁰² *Ibid.*, paras. 15-31.

⁴⁰³ *Ibid.*, para. 37.

⁴⁰⁴ *Ibid.*, paras. 67-77. For contradictory statements regarding the origins and cessation of acts of violence, see the interventions by the representatives of Israel and the PLO.

⁴⁰⁵ See 2165th mtg., para. 41.

⁴⁰⁶ *Ibid.*, paras. 154-155.

⁴⁰⁷ S. 13637, *OR 34th yr., Suppl. for Oct.-Dec. 1979*, pp. 76-78.

resolution⁴⁰⁸ which he immediately put to the vote: it was adopted by 14 votes to none as resolution 456 (1979); one member did not participate in the voting.⁴⁰⁹ The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Decides

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1980,

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

After the vote the President made the following complementary statement⁴¹⁰ on behalf of the Security Council regarding the resolution just adopted:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/13637) states in paragraph 25 that "despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". This statement of the Secretary-General reflects the view of the Security Council.

Decision of 19 December 1979 (2180th meeting): resolution 459 (1979)

At its 2180th meeting on 19 December 1979, the Security Council included the report⁴¹¹ of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period from 9 June to 10 December 1979 dated 14 December 1979 in its agenda.

The Secretary-General covered in his report the activities of UNIFIL from June to December 1979 and noted that despite intensive efforts both at Headquarters and in the field, it had proved very difficult to make significant progress in fulfilling the mandate of the Force during that period.

The Secretary-General reported that during the earlier part of the period under review there had been serious exchanges of fire, involving the armed elements, on one side, and the *de facto* force or the Israeli forces, or both combined, on the other. A *de facto* cease-fire brought about through UNIFIL on 26 August had defused the highly dangerous situation but the basic problems remained unresolved. The essential problem, in the view of the Secretary-General, was the inability of UNIFIL to assume complete and peaceful control over its area of operation as a preliminary to the restoration of the effective authority of the Lebanese Government in the entire area. One main element of the problem was the intransigence of the *de facto* forces, which had continued and intensified their encroachments into the UNIFIL area of co-operation and had established four

positions which were a source of constant tension and of increased harassment of the local population. Another problem resulted from the continuing attempts by armed elements to infiltrate the UNIFIL area.

The Secretary-General added that in order to maintain the cease-fire and to consolidate the UNIFIL area of operation, a plan of action had been formulated, setting out those objectives as first essential steps and the restoration of the sovereignty and authority of the Lebanese Government over the territory of Lebanon as a whole as the long-term objective, including the reactivation of the Israel-Lebanon Mixed Armistice Commission. He pointed out that the Lebanese Government had given full support to the plan.

The Secretary-General also observed that an essential factor in the successful implementation of UNIFIL's mandate was the position of the Israeli Government, in as much as the *de facto* forces were supported by Israel, and its attitude towards the situation in Southern Lebanon was interrelated with its perception of the situation in the Middle East as a whole. Since a withdrawal or reduction of UNIFIL at the current juncture would, in his view, be extremely dangerous, the Secretary-General recommended that the mandate of the Force be extended for another period of six months.

Following the adoption of the agenda, the President drew the attention of the Council members to a draft resolution⁴¹² which had been drawn up during consultations among the members. Then, the Council decided to invite the representatives of Lebanon, Israel and the Syrian Arab Republic to participate in the discussion, without the right to vote,⁴¹³ and, in accordance with the Council's past practice, also decided, by vote, to invite the representative of the PLO to participate in the discussion.⁴¹⁴

In accordance with the agreement reached during consultations, the President first put the draft resolution to the vote: it was adopted by 12 votes to none, with 2 abstentions, as resolution 459 (1979); one member did not participate in the voting.⁴¹⁵ The resolution reads as follows:

The Security Council.

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March, 427 (1978) of 3 May and 434 (1978) of 18 September 1978, 444 (1979) of 19 January and 450 (1979) of 14 June 1979, as well as the statements made by the President of the Security Council on 8 December 1978 (S/12958), on 26 April (S/13272) and on 15 May 1979,

Recalling its debate on 29 and 30 August 1979 and the statements of the Secretary-General concerning the cease-fire.

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon.

Acting in response to the request of the Government of Lebanon and noting with concern the continued violations of the cease-fire, the attacks on the Force and the difficulties in implementing Security Council resolutions,

⁴⁰⁸ S/13660, adopted without change as resolution 456 (1979).

⁴⁰⁹ For the vote, see 2174th mtg., paras. 1-2.

⁴¹⁰ *Ibid.*, para. 3. The statement was also issued in document S/13662.

⁴¹¹ S/13691, *OR*, 34th yr., *Suppl. for Oct.-Dec. 1979*, pp. 121-128.

⁴¹² S/13695, adopted without change as resolution 459 (1979).

⁴¹³ 2180th mtg., paras. 2 and 184.

⁴¹⁴ For the relevant arguments and the vote (10 votes in favour, 1 against, with 4 abstentions), *ibid.*, paras. 3-6.

⁴¹⁵ For the vote, *ibid.*, para. 7.

Expressing its anxiety about the continued existence of obstacles to the full deployment of the Force and the threats to its very security, its freedom of movement and the safety of its headquarters,

Convinced that the present situation has serious consequences for peace and security in the Middle East and impedes the achievement of a just, comprehensive and durable peace in the area,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries, and welcoming the efforts of the Government of Lebanon to reassert its sovereignty and restore its civilian and military authority in Southern Lebanon,

1. Reaffirms the objectives of resolutions 425 (1978) and 450 (1979);

2. Expresses its support for the efforts of the Secretary-General to consolidate the cease-fire and calls upon all parties concerned to refrain from activities inconsistent with the objectives of the United Nations Interim Force in Lebanon and to co-operate for the fulfilment of these objectives;

3. Calls upon the Secretary-General and the Force to continue to take all effective measures deemed necessary in accordance with the approved guidelines and terms of reference of the Force as adopted in resolution 426 (1978);

4. Takes note of the determination of the Government of Lebanon to draw up a programme of action, in consultation with the Secretary-General, to promote the restoration of its authority in pursuance of resolution 425 (1978);

5. Takes note also of the efforts of the Government of Lebanon to obtain international recognition for the protection of the archaeological and cultural sites and monuments in the city of Tyre in accordance with international law and the Convention of The Hague of 1954, under which such cities, sites and monuments are considered to be a heritage of interest to all mankind;

6. Reaffirms the validity of the General Armistice Agreement between Israel and Lebanon in accordance with its relevant decisions and resolutions and calls upon the parties, with the assistance of the Secretary-General, to take the necessary steps to reactivate the Mixed Armistice Commission and to ensure full respect for the safety and freedom of action of the United Nations Truce Supervision Organization;

7. Highly commends the performance of the Force and its Commander, and reiterates its terms of reference as set out in the report of the Secretary-General of 19 March 1978 and approved by resolution 426 (1978), in particular that the Force must be enabled to function as an efficient military unit, that it must enjoy freedom of movement and communication and other facilities necessary for the performance of its tasks and that it must continue to be able to discharge its duties according to the above-mentioned terms of reference, including the right of self-defence;

8. Urges all Member States which are in a position to do so to continue to bring their influence to bear on those concerned, so that the Force can discharge its responsibility fully and unhampered;

9. Decides to renew the mandate of the Force for a period of six months, that is, until 19 June 1980;

10. Reaffirms its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of resolution 425 (1978).

11. Decides to remain seized of the question

Following the adoption of the resolution, Council members expressed their appreciation for the activities and extension of UNIFIL and for the maintenance of the *de facto* cease-fire in the area; they also deplored recurring violent clashes involving various parties and called for the full implementation of resolution 425 (1978).

Decision of 24 April 1980 (2218th meeting): resolution 467 (1980)

In a letter⁴¹⁶ dated 10 April 1980, the representative

of Lebanon drew the attention of the Security Council to renewed acts of aggression committed by Israeli armed forces inside Lebanese territory including direct clashes with UNIFIL and announcing its intent to carry out patrols in the UNIFIL area of operation. In view of the latest confrontation the Government of Lebanon requested a meeting of the Council at the earliest possible convenience to put an end to Israeli aggression and to enable UNIFIL to acquire full control over the totality of its area of operation.

On 11 April 1980, the Secretary-General submitted a special report⁴¹⁷ on UNIFIL in which he informed the Council of a dangerously escalating level of tension in, and adjacent to, the area of operation of the Force, where serious incidents had occurred because of violent harassment by the *de facto* forces of long-established observation posts manned by observers of UNTSO. Since 6 April, the *de facto* forces had sought forcibly to establish a permanent presence in a village in the area of deployment of the Irish battalion. Furthermore, starting on 8 April, Israeli tanks, armoured vehicles and personnel had moved into Southern Lebanon, including the area of deployment of UNIFIL, following an attack by Palestinian armed elements on the Israeli Kibbutz Misgav Am during the night of 6/7 April.⁴¹⁸

At its 2212th meeting on 13 April 1980, the Security Council included the Lebanese letter and the special report of the Secretary-General on UNIFIL in its agenda and considered the item during its 2212th to 2218th meetings from 13 to 24 April 1980. In the course of its deliberations, the Council decided to invite the representatives of Lebanon, Fiji, Ireland, Israel, Italy, Netherlands, Nigeria, Saudi Arabia and the Syrian Arab Republic to participate, without vote, in the discussion of the question.⁴¹⁹ In accordance with its past practice, the Council also decided, by vote, to invite the representative of the PLO to participate in the debate.⁴²⁰ The Council further decided, at the request of the representative of Tunisia, to extend an invitation to Mr. Clovis Maksoud and Mr. Hammadi Essid under rule 39 of the provisional rules of procedure.⁴²¹

At the 2212th meeting on 13 April 1980, the Secretary-General informed the Council of further developments in the current crisis which had been brought about and was exacerbated by intolerable aggression and harassment experienced by the UNIFIL personnel. He presented in detail the attacks and casualties suffered by members of the Force and emphasized his responsibility and the Council's for the peace-keeping force in Southern Lebanon.

At the beginning of the 2213th meeting on 14 April 1980, the Secretary-General, in an additional short

⁴¹⁷ S/13888, *ibid.*, pp. 15-17.

⁴¹⁸ In three addenda to his special report issued on 16 and 18 April (S/13888, Addds. 1-3), the Secretary-General provided the Security Council with further information on the continuing acts of harassment by the *de facto* forces against UNIFIL which had resulted in the murder of two Irish soldiers by the *de facto* forces (*ibid.*, pp. 17-18).

⁴¹⁹ For details, see chapter III.

⁴²⁰ For the arguments and the vote (10 in favour, 1 against, with 4 abstentions), see 2213th mtg., paras. 3-7.

⁴²¹ Mr. Maksoud was invited at the 2213th mtg., para. 8, Mr. Essid at the 2218th mtg., para. 2. For further details, see chapter III.

statement, informed the Council members as to the Israel withdrawal from Lebanese territory, as announced by the Government of Israel, the inability of UNIFIL to confirm that due to severe restrictions on its freedom of movement in its area of operation and as to the extreme difficulty under which UNIFIL continued to labour, with its headquarters isolated, important equipment immobilized and major roads closed to UNIFIL troops trying to resupply observation posts on the international border.⁴²²

The representative of Lebanon stated that the Israeli withdrawal was in doubt, as Israel, since 1978, had remained on Lebanese ground conducting military operations there. He called for a real and total withdrawal of the Israeli forces as well as for the disbanding of the *de facto* forces who were nothing but an accessory of Israel's occupation. He considered the attacks against UNIFIL as most dangerous and called upon all those who wanted peace in the area to defend the Lebanese boundaries. He demanded once again the immediate cessation of hostility against UNIFIL, the free, total deployment of UNIFIL up to the international boundaries, a clear injunction against further attempts to prevent UNIFIL from carrying out its full mandate, the condemnation of Israel's aggression and the dismantling of the *de facto* forces and the reactivation of the Armistice Agreement. He indicated that a draft resolution along these lines would be submitted at the appropriate time through the appropriate channels.⁴²³

The representative of France expressed his great distress about the harassment and attacks against UNIFIL resulting from Israel's intervention in Southern Lebanon. He also condemned the operations launched by the *de facto* forces against the United Nations Force and the violent terrorist act of taking children as hostages at the Misgav Am kibbutz.⁴²⁴

At the same meeting, the representative of Israel accused the international community of disregarding the cause of all the crises in Southern Lebanon and laid the blame for the Israeli acts of reprisals on the PLO terrorists whose violent attacks against targets in Israel such as the Misgav Am kibbutz called for forceful punishment at the source, that is against PLO camps in Lebanon. He concluded that, in taking all the measures to protect the lives and safety of its citizens, the Government of Israel merely exercised its inherent right of self-defence recognized under Article 51 of the Charter.⁴²⁵

At the 2214th meeting on 14 April, the representative of the USSR charged that Israel once again had violated the norms of international law and resolutions of the Security Council by its own acts of aggression in Lebanon and by supporting the anti-Government forces of Haddad. He condemned the harassment of UNIFIL by the Israeli and the *de facto* forces and accused the United States of blocking effective measures by the Security Council against the aggressors. His delegation

believed it essential for the Council to adopt a resolution which would condemn Israel outright and provide for extremely forthright measures against it.⁴²⁶

At the 2216th meeting on 16 April 1980, the representative of Lebanon expressed deep regret at the death of two UNIFIL soldiers and raised the question whether the Israeli forces had indeed completely withdrawn from Lebanese territory.⁴²⁷ The representative of Israel restated from his previous intervention that after having taken certain precautions to foil further PLO attacks against innocent Israeli civilians, all Israeli soldiers had withdrawn behind the border. But the Lebanese representative refused to accept the Israeli assertion.⁴²⁸

At the beginning of the 2217th meeting on 18 April 1980, the President drew the attention of the Council members to a draft resolution⁴²⁹ sponsored by Tunisia.

In the preambular part of this draft resolution, the Security Council would have recalled the relevant resolutions adopted in the past and in particular the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978 (S/12611) and confirmed by resolution 426 (1978); in the operative part the Security Council would have (1) reaffirmed its determination to implement the relevant resolutions, particularly resolutions 425 (1978), 426 (1978) and 459 (1979); (2) strongly condemned the military intervention of Israel in Lebanon and the violation of Lebanese sovereignty and territorial integrity, and called for the complete withdrawal of Israeli forces and the immediate cessation of all direct and indirect Israeli military action inside the internationally recognized boundaries of Lebanon; (3) strongly condemned all violations of the General Armistice Agreement between Israel and Lebanon and the provision of military assistance to illegal armed groups, as well as all acts of interference with the United Nations Truce Supervision Organization; (4) strongly condemned all attacks on the United Nations Interim Force in Lebanon and the United Nations Truce Supervision Organization, as well as all obstructions and hostile activities in or through the area of operation of the Force that were inconsistent with Security Council resolutions and the mandate of the Force, which was designed to ensure the peaceful character of the area of operation, to control movement and to take all measures deemed necessary for the effective restoration of the sovereignty of Lebanon; (5) strongly condemned the acts that had led to loss of life and physical injuries among personnel of the Force and of the United Nations Truce Supervision Organization, as well as their harassment and abuse, the destruction of property and matériel and the disruption of communications; (6) strongly condemned the deliberate shelling of the field hospital of the Force, which enjoys special protection under international law; (7) commended the efforts undertaken by the Secretary-General and by the interested Governments to secure

⁴²⁶ 2214th mtg., paras. 43-54.

⁴²⁷ 2216th mtg., paras. 50-55.

⁴²⁸ *Ibid.*, paras. 57 and 59.

⁴²⁹ S/13897, OR, 35th yr., Suppl. for April-June 1980, pp. 23-24. The draft was subsequently revised (S/13897/Rev.1) but was not pressed to a vote. For the President's remarks, see 2217th mtg., para. 3.

⁴²² 2213th mtg., paras. 10-13.

⁴²³ *Ibid.*, paras. 15-32.

⁴²⁴ *Ibid.*, paras. 33-39.

⁴²⁵ *Ibid.*, paras. 41-78.

the withdrawal of Israeli forces from Lebanon, as well as the cessation of hostilities, and to enable the Force to carry out its mandate effectively without interference; (8) commended the performance of the Force in carrying out its duties with great restraint in very adverse circumstances; (9) called attention to the provisions in the mandate that would allow the Force to use its right of self-defence, and called attention to the terms of reference which provided that it would use its best efforts to prevent the recurrence of fighting and to ensure that its area of operation would not be utilized for hostile activities of any kind; (10) called upon all parties concerned and all those capable of lending any assistance to co-operate with the Secretary-General in restoring peace and security and in enabling the Force to fulfil its mandate and further to reactivate the General Armistice Agreement of 1949 conducive to the restoration of the sovereignty of Lebanon over all of its territory up to the internationally recognized boundaries; and (11) requested the Secretary-General to report as soon as possible on the completion of the withdrawal of Israeli troops, the cessation of hostilities and all acts inconsistent with the mandate of the Force.

At the 2217th meeting, the Under-Secretary-General for Special Political Affairs made a statement in accordance with rule 22 of the Council's provisional rules of procedure and informed the members of the Council of critical developments in the last few days leading to the cold-blooded murder of two Irish soldiers of the UN Force by members of the *de facto* forces.⁴³⁰

After this short report the President, speaking on behalf of the Security Council, made the following statement which had been agreed upon by all the members of the Security Council:⁴³¹

I am authorized by the Security Council to make the following statement on behalf of its members, pending action on the resolution which the Security Council is considering on the overall situation in Lebanon and on the acts of hostility against Lebanon, the United Nations Interim Force in Lebanon (UNIFIL) and the United Nations Truce Supervision Organization in Palestine (UNTSO).

The members of the Security Council are shocked and outraged at the report that the Security Council has received on the attacks on the Force and the cold-blooded murder of peace-keeping soldiers by the *de facto* forces.

This unprecedented, barbaric act against a peace-keeping force is a direct challenge to and a defiance of the authority of the Security Council and the mission of the United Nations in maintaining international peace and security.

The Security Council strongly condemns all those who share in the responsibility for this outrageous act. The Council reaffirms its intention to take such determined action as the situation calls for to enable UNIFIL to take immediate and total control of its entire area of operations up to the internationally recognized boundaries.

The Council extends its deep-felt condolences to the Government of Ireland and the families of the victims.

The Council also commends the valiant action of the commanders and soldiers of UNIFIL and the courage of the United Nations observers under the most adverse circumstances.

Following the statement of the President on behalf of the Council, members of the Council and other speakers who had already expressed their condemnation of the

recent attacks against UNIFIL personnel and facilities in previous meetings joined in stating, in clear and unequivocal terms, their shock and dismay at the brutal killing of unarmed peace-keepers.

At the 2218th meeting on 24 April 1980, the representative of Tunisia indicated his delegation's full support for the efforts undertaken by the President of the Council to lead the debate to a responsible decision and to promote a positive and constructive conclusion through the adoption of a resolution having the broadest possible support of the Council.⁴³²

Speaking in his capacity as representative of Mexico, the President stated that the representatives of the countries contributing troops to UNIFIL agreed on three points: they had no doubt about the fact that the illegal forces were receiving direct assistance from Israel; they regretted that the Force was limited to preventing incursions as a consequence of the harassment to which it was subjected; and they considered it necessary that the Force be deployed in the entire area of operations under its jurisdiction. He added that the conditions of deployment had been changed due to the fact that not all parties to the conflict were prepared to comply with resolution 425 (1978) and that therefore the Force had been put in a very vulnerable position.⁴³³

Resuming again his functions as President of the Council, he announced that it was his understanding that the draft resolution⁴³⁴ which had been prepared in the course of consultations could be put to the vote. The draft resolution was adopted by 12 votes to none, with 3 abstentions, as resolution 467 (1980).⁴³⁵ It reads as follows:

The Security Council.

Acting in response to the request of the Government of Lebanon,

Having studied the special report of the Secretary-General on the United Nations Interim Force in Lebanon of 11 April 1980 and the subsequent statements, reports and addenda.

Having expressed itself through the statement of the President of the Security Council of 18 April 1980,

Recalling its resolutions 425 (1978), 426 (1978), 427 (1978), 434 (1978), 444 (1979), 450 (1979) and 459 (1979),

Recalling the terms of reference and general guidelines of the Force, as stated in the report of the Secretary-General of 19 March 1978 confirmed by resolution 426 (1978), and particularly:

(a) That the Force "must be able to function as an integrated and efficient military unit";

(b) That the Force "must enjoy the freedom of movement and communication and other facilities that are necessary for the performance of its tasks";

(c) That the Force "will not use force except in self-defence";

(d) That "self-defence would include resistance to attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council";

1. *Reaffirms its determination to implement the above-mentioned resolutions, particularly resolutions 425 (1978), 426 (1978) and*

⁴³² 2218th mtg., paras. 4-12. The revised draft sponsored by Tunisia (S/13897/Rev.1) contained a number of substantial changes in terms of the language used and the way the paragraphs of the resolution were organized. The text was issued on 23 April 1980, but there was no reference to it at the 2218th meeting.

⁴³³ 2218th mtg., paras. 50-60.

⁴³⁴ S/13905, subsequently adopted without change as resolution 467 (1980).

⁴³⁵ For the President's statement, see 2118th mtg., para. 62. For the vote, *ibid.*, para. 86.

⁴³⁰ 2217th mtg., paras. 5-14.

⁴³¹ *Ibid.*, para. 15.

459 (1979), in the totality of the area of operation assigned to the United Nations Interim Force in Lebanon, up to the internationally recognized boundaries.

2. *Condemns* all actions contrary to the provisions of the above-mentioned resolutions and, in particular, strongly deplores:

(a) Any violation of Lebanese sovereignty and territorial integrity;

(b) The military intervention of Israel in Lebanon;

(c) All acts of violence in violation of the General Armistice Agreement between Israel and Lebanon;

(d) Provision of military assistance to the so-called *de facto* forces;

(e) All acts of interference with the United Nations Truce Supervision Organization;

(f) All acts of hostility against the Force and in or through its area of operation as inconsistent with Security Council resolutions;

(g) All obstructions of the ability of the Force to confirm the complete withdrawal of Israeli forces from Lebanon, to supervise the cessation of hostilities, to ensure the peaceful character of the area of operation, to control movement and to take measures deemed necessary to ensure the effective restoration of the sovereignty of Lebanon;

(h) Acts that have led to loss of life and physical injuries among the personnel of the Force and of the United Nations Truce Supervision Organization, their harassment and abuse, the disruption of communication, as well as the destruction of property and material;

3. *Condemns* the deliberate shelling of the headquarters of the Force and more particularly the field hospital, which enjoys special protection under international law;

4. *Commends* the efforts undertaken by the Secretary-General and by the interested Governments to bring about the cessation of hostilities and to enable the Force to carry out its mandate effectively without interference;

5. *Commends* the Force for its great restraint in carrying out its duties in very adverse circumstances;

6. *Calls attention* to the provisions in the mandate that would allow the Force to use its right to self-defence;

7. *Calls attention* to the terms of reference of the Force which provide that it will use its best efforts to prevent the recurrence of fighting and to ensure that its area of operation will not be utilized for hostile activities of any kind;

8. *Requests* the Secretary-General to convene a meeting, at an appropriate level, of the Israel-Lebanon Mixed Armistice Commission to agree on precise recommendations and further to reactivate the General Armistice Agreement conducive to the restoration of the sovereignty of Lebanon over all its territory up to the internationally recognized boundaries;

9. *Calls upon* all parties concerned and all those capable of lending any assistance to co-operate with the Secretary-General in enabling the Force to fulfil its mandate;

10. *Recognizes* the urgent need to explore all ways and means of securing the full implementation of resolution 425 (1978), including enhancing the capacity of the Force to fulfil its mandate in all its parts;

11. *Requests* the Secretary-General to report as soon as possible on the progress of these initiatives and the cessation of hostilities.

Speaking in explanation of their votes, two Council members indicated that they had decided to abstain on the vote because the resolution did not provide for effective measures to overcome Israel's defiance of the Council's decisions and to finally implement the relevant resolutions adopted on the issue;⁴³⁶ another member explained his delegation's abstention by suggesting that the text of the resolution was not sufficiently balanced and comprehensive.⁴³⁷

⁴³⁶See 2218th mtg.: German Democratic Republic, paras. 67-69, USSR, paras. 88-91.

⁴³⁷*Ibid.*: United States, paras. 70-85.

Decision of 30 May 1980 (2224th meeting): resolution 470 (1980)

At its 2224th meeting on 30 May 1980, the Security Council included the report⁴³⁸ of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) for the period 24 November 1979 to 23 May 1980 dated 23 May 1980 in its agenda.

The report covered the activities of UNDOF, which had continued to supervise the observance of the cease-fire between Israel and the Syrian Arab Republic. During the period under review the cease-fire had been maintained without any complaints by either party. The Secretary-General warned, however, that despite the present quiet in the Israel-Syria sector, the situation in the Middle East continued to be potentially dangerous; he remained hopeful that a comprehensive settlement covering all aspects of the Middle East problem could be reached. But in the prevailing circumstances, he recommended that the Council extend the mandate of the Force for a further period of six months until 30 November 1980, with the assent of the Governments of Israel and the Syrian Arab Republic.

At the 2224th meeting, the President drew the attention of the Council members to a draft resolution⁴³⁹ which he immediately put to the vote. It was adopted by 14 votes to none as resolution 470 (1980); one delegation did not participate in the voting.⁴⁴⁰ The resolution reads as follows:

The Security Council.

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

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, that is, until 30 November 1980;

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

After the adoption of the resolution, the President made the following complementary statement on behalf of the Security Council:⁴⁴¹

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/13957) states in paragraph 26 that:

"Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached."

This statement of the Secretary-General reflects the view of the Security Council.

Decision of 17 June 1980 (2232nd meeting): resolution 474 (1980)

At its 2232nd meeting on 17 June 1980, the Security

⁴³⁸S/13957, OR, 35th yr., Suppl. for April-June 1980, pp. 64-66

⁴³⁹S/13967, adopted without change as resolution 470 (1980)

⁴⁴⁰See 2224th mtg., para. 2, for the voting.

⁴⁴¹*Ibid.*, para. 3.

Council included the report⁴⁴² of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period 11 December 1979 to 12 June 1980 dated 12 June 1980 in its agenda.

The report contained an account of developments relating to the functioning of UNIFIL for the period from December 1979 to June 1980. The Secretary-General noted that, despite the intensive effort made both at United Nations Headquarters and in the field to fulfil the mandate of UNIFIL, grave difficulties had prevented progress during the period under review. The report gave a detailed account of the increasingly tense situation in Southern Lebanon culminating in the violence of April and involving recurrent infiltration of UNIFIL's area of operation by the *de facto* forces as well as by armed elements (mainly PLO and the Lebanese National Movement).

The Secretary-General emphasized that the most serious problems had arisen with the *de facto* forces, which had not only prevented a further deployment of UNIFIL but had attempted to establish additional encroachments and confronted the Force with heavy artillery bombardments, resulting in the death of UNIFIL soldiers. The *de facto* forces were dependent on the Israeli forces. On occasion, UNIFIL had sought the intercession of the Israeli authorities to curb the hostile activities of the *de facto* forces against UNIFIL or against the civilian population in the UNIFIL area. In a few instances, Israeli intervention had resolved specific difficulties, but the Israeli authorities continued their support of the *de facto* forces and had made incursions into Lebanese territory and maintained a number of positions in the enclave. Regarding the attitude of the PLO, the Secretary-General reported assurances of continued co-operation with UNIFIL, but he also pointed out that the Force had frequently been subjected to attempts by armed elements to infiltrate personnel and weapons into its area of operation. In recent weeks in particular, sizable groups of the Lebanese National Movement had attempted to force their way into the UNIFIL area.

In conclusion the Secretary-General observed that the use of force in self-defence would not by itself achieve significant progress in the implementation of the UNIFIL mandate. A peace-keeping operation must achieve its major objectives through means other than the use of force, and that consideration certainly applied to UNIFIL. Therefore, the main road to full implementation of the UNIFIL mandate lay in political and diplomatic efforts, which must secure genuine co-operation with the Force in the interest of security and normality for all concerned. Owing to his conviction that UNIFIL, despite all the difficulties it had to face, was performing an indispensable service to peace in Lebanon and in the Middle East as a whole, the Secretary-General recommended that the mandate of the Force be extended for another period of six months, a recommendation with which the Government of Lebanon had expressed full agreement.

At the beginning of the 2232nd meeting, the Council decided to invite the representatives of Ireland, Israel, Lebanon and the Netherlands to participate, without vote, in the discussion of the agenda item.⁴⁴³

The President drew the attention of the Council members to a draft resolution⁴⁴⁴ which had been drawn up in consultations among the members, and immediately put it to the vote: it was adopted by 12 votes to none, with 2 abstentions, as resolution 474 (1980); one member did not participate in the voting.⁴⁴⁵ The resolution reads as follows:

The Security Council.

Recalling its resolutions 425 (1978), 426 (1978), 427 (1978), 434 (1978), 444 (1979), 450 (1979), 459 (1979) and 467 (1980), as well as the statement by the President of the Security Council of 18 April 1980.

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 June 1980.

Acting in response to the request of the Government of Lebanon and noting with concern the questions raised in its letters addressed to the Security Council on 8 May, 17 May and 27 May 1980.

Convinced that the present situation has serious consequences for peace and security in the Middle East.

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries.

Commending the performance of the Force, yet expressing its concern about the continued existence of obstacles to the full deployment of the Force and its freedom of movement, the threats to its security and the safety of its headquarters.

1. *Decides* to renew the mandate of the United Nations Interim Force in Lebanon for a period of six months, that is, until 19 December 1980, and reiterates its commitment to the full implementation of the mandate of the Force throughout its entire area of operation up to the internationally recognized boundaries, according to the terms of reference and guidelines as stated and confirmed in the appropriate Security Council resolutions.

2. *Takes note* of the report of the Secretary-General on the United Nations Interim Force in Lebanon and fully endorses the conclusions and recommendations expressed therein;

3. *Strongly condemns* all actions contrary to the provisions of the mandate and, in particular, continued acts of violence that prevent the fulfilment of this mandate by the Force;

4. *Takes note* of the steps already taken by the Secretary-General to convene a meeting of the Israel-Lebanon Mixed Armistice Commission and urges the parties concerned to extend to him their full co-operation in accordance with the relevant Security Council decisions and resolutions, including resolution 467 (1980);

5. *Takes note* of the efforts deployed by Member States, and more particularly the troop-contributing countries, in support of the Force and urges all those which are in a position to do so to continue to use their influence with those concerned so that the Force can discharge its responsibilities fully and unhampered;

6. *Reaffirms* its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means to secure the full implementation of resolution 425 (1978).

7. *Decides* to remain seized of the question.

Following the adoption of the resolution, Council members and other representatives expressed concern about the continuing hostile acts directed against UNIFIL from various sides in the area of operation, about the seemingly unending presence of the Force in South-

⁴⁴² S/1994. OR, 15th yr., Suppl. for April-June 1980, pp. 92-99.

⁴⁴³ For details, see chapter III.

⁴⁴⁴ S/14001, adopted without change as resolution 474 (1980).

⁴⁴⁵ See 2232nd mtg., para. 3, for the voting.

ern Lebanon and the lack of progress in implementing the relevant provisions of resolution 425 (1978).

Decision of 30 June 1980 (2242nd meeting): resolution 476 (1980)

By letter⁴⁴⁶ dated 28 May 1980, the representative of Pakistan, which at that time served as Chairman of the Organization of the Islamic Conference, requested, in accordance with the decision taken by the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980, an immediate meeting of the Security Council to examine the dangerous situation arising from the latest decision by the Israeli authorities seeking to annex and declare Al-Quds Al-Sharif (the Holy City of Jerusalem) as the capital of Israel and to consider the consequences of this decision on the endeavours for achieving a comprehensive, just and lasting peace in the Middle East.

At the 2233rd meeting on 24 June 1980, the Security Council included the letter of the representative of Pakistan in its agenda. It considered the issue during the 2233rd to 2236th, 2238th, 2239th, 2241st and 2242nd meetings from 24 to 30 June 1980. During these meetings the Council decided to invite the representatives of Algeria, Bahrain, Chad, Cuba, Democratic Yemen, Djibouti, Egypt, Gabon, Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Yemen and Yugoslavia to participate, without vote, in the discussion of the item.⁴⁴⁷ At the 2233rd meeting, the Council also decided, by vote, that an invitation, in accordance with past practice, be accorded to the representative of the PLO to participate in the debate.⁴⁴⁸ At the same meeting, the Council extended an invitation to Mr. Clovis Maksoud under rule 39 of the provisional rules of procedure; at the 2236th meeting, the Council invited, also under rule 39, the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁴⁴⁹

The Foreign Minister of Pakistan, speaking in his capacity as Chairman of the Islamic Conference of Foreign Ministers, stated that the Eleventh Islamic Foreign Ministers' Conference had requested an urgent meeting of the Security Council to consider the dangerous situation arising from Israel's latest moves to consolidate its illegal annexation of the Holy City of Jerusalem and to declare it as the permanent capital of Israel. A bill which recently had been introduced in the Israeli Parliament with the full backing of the ruling coalition would declare Al-Quds Al-Sharif as Israel's capital. This move to alter juridically the status of

Jerusalem had been followed by the decision to shift the office of the Israeli Prime Minister to East Jerusalem. The Islamic Conference had declared its opposition to these measures unequivocally and appealed to the Security Council to declare the annulment of the Israeli measures and, in case of defiance by Israel, to impose sanctions under Chapter VII of the Charter against Israel.

He reviewed the decisions taken by the Islamic Conference and by the United Nations in regard to the status of Jerusalem after its occupation by the Israelis in 1967. In view of the long history of Israeli intransigence, he felt that the Security Council should bring all possible pressure to bear on the Israeli authorities to rescind forthwith the administrative and juridical measures taken by them to annex Al-Quds. If Israel continued to flout the verdict of the international community and persist in its design to declare Jerusalem its capital, the Council would have to impose sanctions under Chapter VII of the Charter.⁴⁵⁰

The views expressed by the Foreign Minister of Pakistan were amplified in somewhat varying ways by a large number of Council members and other representatives who had been invited to participate in the discussion.⁴⁵¹ Other representatives also criticized the Government of Israel for its plans regarding Jerusalem and strongly appealed to Israel to desist from these illegal moves.⁴⁵²

At the 2241st meeting on 30 June 1980, the President of the Council drew the attention of the members to a draft resolution⁴⁵³ which was sponsored by 39 Member States.⁴⁵⁴

At the same meeting, the representative of Egypt addressed himself to the draft resolution which his Government had decided to co-sponsor as it covered the decisive aspects of the issue regarding Jerusalem; he mentioned in particular the reaffirmation of previous Assembly and Council resolutions deploring earlier Israeli measures, the renewed emphasis on the inadmissibility of the acquisition of territory by force and the reassertion of the principle that as an occupying Power Israel had to comply scrupulously with the existing legal obligations and responsibilities. He concluded that the

⁴⁵⁰ 2233rd mtg., paras. 10-29.

⁴⁵¹ For the texts of relevant statements, see 2233rd mtg.: Morocco, paras. 31-54; P.L.O., paras. 56-84; 2234th mtg.: Egypt, paras. 60-75; Jordan, paras. 4-58; Mauritania, paras. 77-104; 2235th mtg.: Cuba, paras. 56-72; Kuwait, paras. 5-28; Syrian Arab Republic, paras. 74-86; Mr. Maksoud, paras. 30-54; 2236th mtg.: Qatar, paras. 77-90; Saudi Arabia, paras. 22-43; Tunisia, paras. 5-20; Turkey, paras. 62-75; Yemen, paras. 92-104; and Mr. Gauci (Rapporteur, Committee on the Exercise of the Inalienable Rights of the Palestinian People), paras. 45-60; 2238th mtg.: German Democratic Republic, paras. 50-58; Iraq, paras. 104-112; USSR, paras. 11-26; Zambia, paras. 37-49; 2239th mtg.: Bahrain, paras. 63-79; China, paras. 14-20; Lebanon, paras. 124-134; Philippines, paras. 2-13; Somalia, paras. 99-109; Sudan, paras. 81-97; United Arab Emirates, paras. 111-122; 2241st mtg.: Algeria, paras. 13-25.

⁴⁵² See in particular 2241st mtg.: France, paras. 68-73, United Kingdom, paras. 74-79, both of whom referred to a decision taken by the European Community on the issue of Jerusalem.

⁴⁵³ S/14031, subsequently adopted without change as resolution 476 (1980).

⁴⁵⁴ Thirty-eight sponsors were listed by the President at the 2241st mtg., para. 3. The thirty-ninth sponsor was mentioned at the beginning of the 2242nd meeting.

⁴⁴⁵ S/13966, OR, 35th yr., Suppl. for April-June 1980, p. 71.

⁴⁴⁶ For details, see chapter III.

⁴⁴⁷ The vote was 10 votes to 1, with 4 abstentions. For the vote and relevant discussion, see 2233rd mtg., paras. 2-5. For further details, see chapter III.

⁴⁴⁸ See chapter III for details regarding the invitations under rule 39 of the provisional rules of procedure.

adoption of the draft resolution would be an added confirmation of the illegality of the Israeli designs on Jerusalem.⁴⁵⁵

At the 2242nd meeting on 30 June 1980, the President, speaking in his capacity as the representative of Norway, expressed support for the draft resolution, but noted that in his Government's view subsequent steps envisaged in the text would not constitute measures under Chapter VII of the Charter.

Resuming his functions as President he stated that it was his understanding that the Council was ready to vote on the draft resolution.⁴⁵⁶

Prior to the vote, the representative of the United States reiterated his Government's programme of pursuing the Arab-Israeli talks under the Camp David Agreements which the United States viewed as the most auspicious path to peace in the area. As the draft resolution was judged to contribute little if anything to the ongoing process of negotiations, the United States felt that its abstention on the text would signal its determination most clearly, while indicating its disapproval of the Israeli moves regarding Jerusalem.⁴⁵⁷

Then the President put the draft resolution to the vote; it was adopted by 14 votes against none with one abstention, as resolution 476 (1980).⁴⁵⁸ It reads as follows:

The Security Council,

Having considered the letter of 28 May 1980 from the representative of Pakistan, the current Chairman of the Organization of the Islamic Conference, contained in document S/13966,

Reaffirming that the acquisition of territory by force is inadmissible,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Reaffirming its resolutions relevant to the character and status of the Holy City of Jerusalem, in particular resolutions 252 (1968), 267 (1969), 271 (1969), 298 (1971) and 465 (1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Deploing the persistence of Israel in changing the physical character, demographic composition, institutional structure and the status of the Holy City of Jerusalem,

Gravely concerned about the legislative steps initiated in the Israeli Knesset with the aim of changing the character and status of the Holy City of Jerusalem,

1. *Reaffirms* the overriding necessity for ending the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Strongly deplores* the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly;

3. *Reconfirms* that all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

4. *Reiterates* that all such measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council;

5. *Urgently calls* on Israel, the occupying Power, to abide by the present and previous Security Council resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of the Holy City of Jerusalem;

6. *Reaffirms* its determination, in the event of non-compliance by Israel with the present resolution, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of the present resolution.

Following the adoption of the resolution, the representative of Pakistan expressed his satisfaction at the Council's decision and indicated that if Israel did not abide by this resolution the best means of enforcing the will of the United Nations would be the application of measures provided for under the Charter.⁴⁵⁹

The representative of Israel rejected the Council decision as another element in a long chain of resolutions ignoring the rights, interests and concerns of Israel. He charged that the resolution merely served the interests of the enemies of Israel and suggested that peace could be obtained only through honest dialogue and negotiation.⁴⁶⁰

Decision of 20 August 1980 (2245th meeting): resolution 478 (1980)

By letter⁴⁶¹ dated 1 August 1980, the representative of Pakistan, the current Chairman of the Islamic Conference, recalled paragraph 6 of Security Council resolution 476 (1980), pointed out that in total disregard of the will of the international community and in flagrant violation of the Council's resolutions Israel had persisted in its designs to alter the status of Jerusalem and had enacted a law proclaiming it as the capital of Israel, and requested an immediate meeting of the Council to examine, in accordance with resolution 476 (1980), paragraph 6, ways and means to implement the resolution.

At the 2245th meeting on 20 August 1980, the Security Council included the letter in its agenda and discussed the item at that meeting. The Council decided to invite the representatives of Algeria, Bahrain, Chad, Democratic Yemen, Djibouti, Egypt, Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Turkey, United Arab Emirates, Upper Volta and Yemen to participate, without vote, in the discussion of the item.⁴⁶² The Council also decided, by vote, to invite the representative of the Palestine Liberation Organization to participate in the debate, in accordance with past practice.⁴⁶³

⁴⁵⁵ 2241st mtg., paras. 5-11.

⁴⁵⁶ See 2242nd mtg., para. 12. A similar reservation regarding Chapter VII measures was expressed by the representative of the United Kingdom (*ibid.*, para. 25).

⁴⁵⁷ *Ibid.*, paras. 14-22.

⁴⁵⁸ For the vote, *ibid.*, para. 23.

⁴⁵⁹ *Ibid.*, paras. 27-37.

⁴⁶⁰ *Ibid.*, paras. 56-58.

⁴⁶¹ S/14084, OR, 35th yr., Suppl. for July-Sept. 1980, p. 23.

⁴⁶² For details, see chapter III.

⁴⁶³ The vote was 10 votes to 1, with 4 abstentions. For the vote and relevant discussion, see 2245th mtg., paras. 4-8. For further details, see chapter III.

At the beginning of the meeting, the President drew the attention of the Council members to a draft resolution⁴⁶⁴ sponsored by 35 Member States and to another draft resolution⁴⁶⁵ which had been prepared in the course of the Council's consultations.

The first draft resolution sponsored by 35 Member States would have provided for the Council to condemn Israel for its refusal to comply with resolution 476 (1980), would have called the Israeli action a threat to international peace and security and would have invoked Article 41 of the Charter calling upon all Member States to apply measures against Israel, including the interruption of economic and military relations with Israel.⁴⁶⁶

At the 2245th meeting, the representative of Pakistan indicated that the Islamic Conference had decided to seek a meeting of the Council to discuss the further deterioration of the situation regarding Jerusalem due to the formal annexation of the city by act of the Israeli parliament. He recalled Council resolution 476 (1980) and urged the Council members to take decisive action through the imposition of economic and military sanctions under Chapter VII against Israel.⁴⁶⁷

The representative of Tunisia echoed in unequivocal terms the demand of the representative of Pakistan for stern measures by the Council and added that the 35 sponsors of draft resolution S/14106 considered themselves duty-bound to put the text before the members, but not to call for an immediate vote so that the draft could be ensured of the widest possible support.⁴⁶⁸

Prior to the vote, the representative of the German Democratic Republic stated that in view of the severe worsening of the situation regarding Jerusalem his delegation had been ready fully to support the 35-Power draft resolution (S/14106), but was willing to vote for the second draft (S/14113) as the minimum of what the Council should do, because the Islamic Conference viewed this resolution as a further step towards urging Israel to comply with United Nations decisions.⁴⁶⁹

The Secretary of State of the United States suggested that a common vision of Jerusalem's future should be realized in the framework of negotiations for a comprehensive peace in the Middle East, not by unilateral actions or attempts to impose sanctions against Israel under Chapter VII. He pointed out that his Government was fully committed to the process begun with the Camp David Accords that was designed to lead to a final comprehensive peace agreement. He added that

the draft resolution that had been elaborated in the course of consultations still was deficient in parts and that his Government had decided to abstain in the vote.⁴⁷⁰

Then the President put the draft resolution contained in document S/14113 to the vote; it was adopted by 14 votes in favour, none against, with 1 abstention, as resolution 478 (1980).⁴⁷¹ It reads as follows:

The Security Council,

Recalling its resolution 476 (1980),

Reaffirming again that the acquisition of territory by force is inadmissible,

Deeply concerned over the enactment of a "basic law" in the Israeli Knesset proclaiming a change in the character and status of the Holy City of Jerusalem, with its implications for peace and security,

Noting that Israel has not complied with resolution 476 (1980),

Reaffirming its determination to examine practical ways and means, in accordance with the relevant provisions of the Charter of the United Nations, to secure the full implementation of its resolution 476 (1980), in the event of non-compliance by Israel,

1. *Censures in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;*
2. *Affirms that the enactment of the "basic law" by Israel constitutes a violation of international law and does not affect the continued application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;*
3. *Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;*
4. *Affirms also that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;*
5. *Decides not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon:*
 - (a) All Member States to accept this decision;
 - (b) Those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City;
6. *Requests the Secretary-General to report to the Security Council on the implementation of the present resolution before 15 November 1980.*
7. *Decides to remain seized of this serious situation.*

After the adoption of the resolution, a few delegates expressed satisfaction with the Council's decision as appropriate response to Israel's defiance.⁴⁷²

Arab representatives deplored the muted quality of the Council's reaction to the worsening situation in Jerusalem,⁴⁷³ whereas the representative of Israel announced that his Government would ignore the appeal of the Council and continue to carry out the full integration of the city of Jerusalem within Israel.⁴⁷⁴

⁴⁶⁴ S/14106, *OR, 35th yr., Suppl. for July-Sept. 1980*, pp. 36-37. The draft submitted on 13 August 1980 was not pressed to the vote. The text of S/14113 which had been elaborated in consultations was to a significant degree identical to S/14106.

⁴⁶⁵ S/14113, adopted without change as resolution 478 (1980).

⁴⁶⁶ There were other minor editorial changes which did not affect the thrust of the draft resolution. For the full text, see reference given in footnote 464.

⁴⁶⁷ 2245th mtg., paras. 12-28. For a similar view, *ibid.*: Egypt, paras. 63-86.

⁴⁶⁸ *Ibid.*, paras. 34-44.

⁴⁶⁹ 2245th mtg., paras. 88-99. For a similar view, *ibid.*: USSR, paras. 129-140.

⁴⁷⁰ *Ibid.*, paras. 101-125.

⁴⁷¹ For the vote, *ibid.*, para. 127.

⁴⁷² *Ibid.*: France, paras. 146-152, and the United Kingdom, paras. 141-144.

⁴⁷³ See, for example, *ibid.*: Jordan, paras. 154-168; also PLO, paras. 170-195. See also the short statement by Egypt, *ibid.*, paras. 203-206.

⁴⁷⁴ *Ibid.*: Israel, paras. 197-201.

Decision of 26 November 1980 (2256th meeting): resolution 481 (1980)

At its 2256th meeting on 26 November 1980, the Security Council included the report⁴⁷⁵ of the Secretary-General on the United Nations Disengagement Force (UNDOF) for the period 24 May to 20 November 1980 dated 20 November 1980 in its agenda.

The report described the activities of UNDOF for the period from May to November 1980. The Secretary-General indicated that UNDOF had continued, with the co-operation of the parties, to perform its functions effectively and that the situation in the sector had remained quiet.

Nevertheless, the Secretary-General warned that the situation in the Middle East as a whole continued to be potentially dangerous, unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. In the existing circumstances the Secretary-General considered the continued presence of UNDOF in the area to be essential. He therefore recommended that the Council extend the mandate of the Force for a further period of six months, until 31 May 1981, and pointed out that the Governments concerned had given their assent.

At the 2256th meeting, the President drew the attention of the Council members to a draft resolution⁴⁷⁶ which he immediately put to the vote. It was adopted by 14 votes to none as resolution 481 (1980); one member did not participate in the voting.⁴⁷⁷ The resolution reads as follows:

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

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, that is, until 31 May 1981;

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

Following the adoption of the resolution, the President, on behalf of the Council, made the following complementary statement⁴⁷⁸ regarding resolution 481 (1980):

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/14263) states in paragraph 27 that "despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". This statement of the Secretary-General reflects the view of the Security Council.

Decision of 17 December 1980 (2258th meeting): resolution 483 (1980)

At its 2258th meeting on 17 December 1980, the Security Council included the report⁴⁷⁹ of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period 13 June to 11 December 1980 dated 12 December 1980 in its agenda.

The report contained an account of developments relating to the functioning of UNIFIL from June to December 1980. The Secretary-General indicated that, despite strenuous efforts at all levels during the period under review, UNIFIL had been prevented from making further progress towards implementing fully the objectives of resolution 425 (1978). He stressed that UNIFIL could fulfil its mandate only if it had the full support of all the parties concerned and that the situation in Southern Lebanon could not be isolated from the extremely complex developments in the region. The search for a comprehensive, just and lasting settlement of the Middle East problem continued to be frustrated, affecting the circumstances in which UNIFIL had to function. The Secretary-General pointed out that during the period in question, the activities of armed elements, the *de facto* forces and IDF in and near the UNIFIL area of operation had continued and, in some cases, intensified.

The Secretary-General reported that the Chief of Staff of the United Nations Truce Supervision Organization in Palestine (UNTSO) had continued his efforts towards the reactivation of the Israel-Lebanon Mixed Armistice Commission in accordance with Security Council resolution 467 (1980), and that a first meeting had been convened under his chairmanship at UNIFIL headquarters at Naqoura on 1 December. Efforts continued to convene another meeting.

Although UNIFIL had not been able fully to implement its mandate, the Secretary-General recommended that its mandate be extended for another six months because he had no doubt that it was performing an indispensable service as a vital mechanism for conflict control in an extremely volatile situation. He indicated that the Government of Lebanon had agreed to the extension and urged all sides to make a determined effort to consolidate the UNIFIL area, in particular through removal of the five positions established there by the *de facto* forces and the two established by armed elements.

At the 2258th meeting, the Council invited the representatives of Israel and Lebanon to participate, without vote, in the discussion of the agenda item.⁴⁸⁰ The President drew the attention of Council members to a draft resolution⁴⁸¹ which had been prepared in the course of consultations among the members. As agreed, the President immediately put the text to the vote: it was adopted by 12 votes in favour, none against, with 2 abstentions, as resolution 483 (1980); one member did

⁴⁷⁵ S/14263, OR, 35th yr., Suppl. for Oct.-Dec. 1980, pp. 45-47.

⁴⁷⁶ S/14269, adopted without change as resolution 481 (1980).

⁴⁷⁷ For the vote, see 2256th mtg., para. 2.

⁴⁷⁸ For the statement, *ibid.*, para. 3.

⁴⁷⁹ S/14295, OR, 35th yr., Suppl. for Oct.-Dec. 1980, pp. 113-122.

⁴⁸⁰ For details, see chapter III.

⁴⁸¹ S/14298, adopted without change as resolution 483 (1980).

not participate in the voting.⁴⁸² The resolution reads as follows:

The Security Council.

Recalling its resolutions 425 (1978), 426 (1978), 427 (1978), 434 (1978), 444 (1979), 450 (1979), 459 (1979), 467 (1980) and 474 (1980).

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 December 1980,

Noting the letter dated 15 December 1980 from the Permanent Representative of Lebanon to the Secretary-General,

Convinced that the present situation has serious consequences for peace and security in the Middle East,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

1. Takes note of the report of the Secretary-General on the United Nations Interim Force in Lebanon;

2. Decides to renew the mandate of the Force for a period of six months, that is, until 19 June 1981, and reiterates its commitment to the full implementation of the mandate of the Force throughout its entire area of operation up to the internationally recognized boundaries, according to the terms of reference and guidelines as stated and confirmed in the appropriate Security Council resolutions;

3. Commends the performance of the Force and reiterates its terms of reference as set out in the report of the Secretary-General of 19 March 1978 and approved by resolution 426 (1978), in particular that the Force must be enabled to function as an efficient military unit, that it must enjoy freedom of movement and communication and other facilities necessary for the performance of its tasks and that it must continue to be able to discharge its duties according to the above-mentioned terms of reference, including the right of self-defence;

4. Expresses its support for the Lebanese Government in its efforts to strengthen its authority, both at the civilian and at the military level, in the zone of operation of the Force;

5. Commends the Secretary-General for his efforts to reactivate the Israel-Lebanon Mixed Armistice Commission, takes note of the preparatory meeting that was held on Monday, 1 December 1980, and calls on all parties to continue such efforts as are necessary for the total and unconditional implementation of the General Armistice Agreement;

6. Requests the Secretary-General to take the necessary measures to intensify discussions among all the parties concerned, so that the Force may complete its mandate, and to report periodically on the results of his efforts to the Security Council;

7. Reaffirms its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means to secure the full implementation of resolution 425 (1978).

Following the adoption of the resolution, the representative of Lebanon referred to his letter⁴⁸³ dated 15 December 1980, in which he had transmitted his Government's views regarding the Secretary-General's report, and emphasized that Lebanon wanted to see several issues taken up in a practical manner: these were the security, safety and freedom of movement of the personnel of the Force and of UNTSO; the complete withdrawal of Israel and full deployment of the Force in the total area of operation; the complete cessation of all hostile activities; and the reactivation of the Israel-Lebanon Mixed Armistice Commission. He hoped that resolution 483 (1980), just adopted, would be interpreted in the light of these expectations. His Government would no longer put much trust in UNIFIL if its

extension again failed to bring the fulfilment of such practical needs.⁴⁸⁴

A few members expressed appreciation for the continued functioning of UNIFIL in Lebanon and stated in varying ways their strong wish to see the full implementation of resolution 425 (1978) and the restoration of peace and sovereignty in the area.

B. THE MIDDLE EAST PROBLEM INCLUDING THE PALESTINIAN QUESTION

Decision of 26 January 1976 (1879th meeting): rejection of six-Power draft resolution

In its resolution 381 (1975) of 30 November 1975, extending the mandate of UNDOF, the Security Council had also decided "to reconvene on 12 January 1976, to continue the debate on the Middle East problem including the Palestinian question, taking into account all relevant United Nations resolutions."⁴⁸⁵

In accordance with that decision, the Security Council, at its 1870th meeting on 12 January 1976, included the "Middle East problem including the Palestinian question" in its agenda.⁴⁸⁶ The Security Council considered the issue at its 1870th to 1879th meetings from 12 to 26 January 1976. During its consideration of this item, the Council decided to invite the representatives of Algeria, Bulgaria, Cuba, Czechoslovakia, Democratic Yemen, Egypt, German Democratic Republic, Guinea, Hungary, India, Iraq, Jordan, Kuwait, Mauritania, Morocco, Poland, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen and Yugoslavia to participate, without vote, in the discussion of the question.⁴⁸⁷

At the 1870th meeting, the President of the Council referred to the statement made by the President at the 1856th meeting on 30 November 1975 following the adoption of resolution 381 (1975), in which he had expressed the understanding of the majority of the Council that when it convened on 12 January 1976, the representatives of the PLO would be invited to participate in the debate. Based on that statement the President put forward the proposal that the representative of the PLO be invited to participate in the current debate, pointing out that the proposal was not being made under rule 37 or rule 39 of the provisional rules of procedure, but that if it was adopted, the invitation would confer on the PLO the same rights of participa-

⁴⁸⁴ 2258th mtg., paras. 15-36.

⁴⁸⁵ Among those relevant resolutions were General Assembly resolutions 3375 (XXX) entitled "Invitation to the Palestine Liberation Organization to participate in the efforts for peace in the Middle East", resolution 3376 (XXX) entitled "Question of Palestine", *inter alia* requesting the Council to consider as soon as possible after 1 January 1976 the question of the exercise by the Palestinian people of their inalienable rights recognized in resolution 3236 (XXIX), and resolution 3414 (XXX) entitled "The Situation in the Middle East", *inter alia* requesting the Council to seek the implementation of all relevant resolutions aimed at establishing just and lasting peace in the Middle East.

⁴⁸⁶ For the adoption of the agenda, see 1870th mtg., para. 12.

⁴⁸⁷ For details, see chapter III.

⁴⁸² For the vote, see 2258th mtg., para. 3.

⁴⁸³ S/14296, OR, 35th yr., Suppl. for Oct.-Dec. 1980, pp. 122-123.

tion as were conferred when a Member State was invited to participate under rule 37.⁴⁸⁸

After an extended procedural debate with regard to this proposal focusing in particular on the issue whether or not the Council had decided at its 1856th meeting on 30 November 1975 to invite the PLO to participate at the meeting on 12 January 1976,⁴⁸⁹ the Council decided, by 11 votes in favour to one against, with 3 abstentions,⁴⁹⁰ to issue the invitation to the PLO.

In opening the discussion, the representative of the PLO stated that the willingness of the Security Council specifically to consider the Palestinian question was a welcome sign for the Palestinians that there existed now profound and widespread understanding for their predicament. He submitted that had there not been a question of Palestine there would not have been what was mistakenly termed "the Middle East crisis". He summarized the unfolding of the tragedy affecting the Palestinian people within the framework of the resolutions of the United Nations and the concepts underlying them. In his view the development since the disruption of the unity of Palestine was characterized by unjust resolutions and by resolutions which tried, sometimes partially, to relieve oppression and injustice and were never implemented. He pointed out that the decision of the PLO to resume the armed struggle in 1965 arose from its bitter recognition that the Palestinians could not expect to attain their goals merely through political options.

He suggested that the inclusion of the question of Palestine in the agenda of the General Assembly following the aftermath of the war in October 1973 resulted in the recognition by the international community of the following basic facts: first, that the question of Palestine was the central issue of the Middle East conflict; secondly, that peace in the Middle East was contingent upon the realization of the inalienable rights of the Palestinian people, beginning with their right to return, to self-determination and to sovereignty on their soil; thirdly, that the 1967 war was not a conflict over regional frontiers between the Arab States and Israel, but the inevitable result of the continued usurpation of Palestinian land and violation of Palestinian rights; and fourthly, that resolutions of the Arab Summit Conference in Rabat and General Assembly resolution 3237 (XXIX) confirmed the PLO as the representative of the Palestinian people.

In conclusion, the representative of the PLO stressed that the Palestinian people wanted peace for themselves and for the Jews, that its struggle was directed against the Zionist movement, and that it appealed to the Security Council to bring about forceful measures that would promote the hopes of the Palestinian people for peace with justice for the whole East.⁴⁹¹

At the 1871st meeting on 13 January 1976, the representative of Egypt stated that his Government's policy regarding the Palestinian question was guided by the following six elements: (1) The Council debate should be focused primarily on the political aspects of the Palestinian question, and the Council should resolve that peace in the Middle East must be based on the achievement by the Palestinian people of their national rights. (2) Egypt called for the establishment of an independent Palestinian entity. (3) Egypt expected Israel's complete withdrawal from all Arab territories occupied since 5 June 1967. (4) The Geneva Peace Conference had not yet been given the chance to deal with the situation in the Middle East in a comprehensive and constructive way. (5) The Government of Egypt did not see the Council debate as an alternative but rather a prerequisite to the Peace Conference which should be resumed with the participation of all parties concerned, including the PLO. (6) The Council should support the call for the reconvening of the Peace Conference and request the Secretary-General, the Soviet Union and the United States to issue the invitations.⁴⁹²

At the same meeting, the representative of the Syrian Arab Republic welcomed the new phase in the Council's consideration of the Middle East problem as a whole. He hoped that this would be another step on the road to just and lasting peace in the area. He reiterated his Government's view that resolution 242 (1967) did not supersede other United Nations resolutions adopted previously or subsequently on the Middle East issues and that therefore the search for solutions could not be restricted to the scope of that Council resolution; the Council itself had demonstrated the validity of his argument with the adoption of resolution 338 (1973). He then proceeded to review some General Assembly resolutions containing provisions of direct relevance to the Palestinian question and indicated that the Arab States were willing to talk about peace and its necessary requirements and guarantees as soon as the two preconditions for peace, namely the total Israeli withdrawal from all occupied Arab territories and the recognition of the inalienable national rights of the Palestinian people, were put into implementation.⁴⁹³

At the 1872nd meeting on 14 January 1976, the representative of France suggested that the components of an over-all settlement were obvious: (1) The Arab territories occupied by Israel since 1967 must be evacuated. (2) The rights of the Palestinian people to an independent homeland must be recognized. (3) The right of all States of the area to exist within frontiers which must be recognized, guaranteed and secured should be affirmed. Regarding the procedure to be followed in seeking a settlement, resolution 338 (1973) provided that a settlement could emerge only from genuine negotiations among the parties. The French Government believed that the Palestinians should be able to express their views in those negotiations and

⁴⁸⁸ For the President's statement and proposal, see 1870th meeting, paras. 14 and 15.

⁴⁸⁹ For the statements on the invitation to the PLO, *ibid.*, paras. 11-103, 105-120. For further details, see chapter III.

⁴⁹⁰ For the vote, see 1870th mtg., para. 104.

⁴⁹¹ 1870th mtg., paras. 138-189.

⁴⁹² 1871st mtg., paras. 5-50.

⁴⁹³ *Ibid.*, paras. 53-102.

hoped that everything would be ready for the resumption of negotiations along those lines.⁴⁹⁴

At the 1873rd meeting on 15 January 1976, the representative of the USSR pointed out that the political settlement in the Middle East entailed two key conditions: the withdrawal of Israeli troops from all the Arab territories occupied in 1967 and the satisfaction of the legitimate national rights of the Arab people of Palestine, including their inalienable right to create their own State. His Government remained convinced that a just and lasting peace could be achieved through implementation of the decisions of the Council and of the General Assembly on the Middle East. To facilitate this aim he again urged the resumption of the Geneva Peace Conference with the participation of all parties concerned, including the PLO.⁴⁹⁵

At the same meeting, the representative of the United Kingdom proposed that the aims of the Council should be to assist the resumption of negotiations, with the participation in them of all the parties concerned, to reaffirm the existing resolutions of the Council, in particular resolutions 242 (1967) and 338 (1973), setting out the framework of a lasting settlement, to recognize the fundamental importance of the Palestinian problem and to take account of the legitimate political rights of the Palestinian people.⁴⁹⁶

At the 1876th meeting on 19 January 1976, the representative of the United States underlined the importance of resolutions 242 (1967) and 338 (1973) as the foundation and framework for the required negotiating process which had already taken place and which, if continued, would offer hope for the future. He added that efforts to change the agreed basis for negotiations would not guarantee a solution or even progress and would not be worth the risk. Instead, he argued, the Council should refrain from endangering what had already been achieved and, having succeeded in establishing an agreed framework of procedure and principles for a settlement and in creating conditions for the establishment of the Geneva Conference as a forum in which the implementation of those could be negotiated, the Council should not now seek to prejudge the work of that Conference.⁴⁹⁷

At the same meeting, the representative of India stated that resolutions 242 (1967) and 338 (1973) had so far failed to bring about a just and lasting settlement because the Palestinian question had remained neglected. He expressed hope that the Council, in establishing a suitable framework of principles and procedures for the settlement of the Middle East problem, would stipulate the national right of the Palestinian people to have a State of their own, without prejudice to the rights of the State of Israel.⁴⁹⁸

At the 1877th meeting on 21 January 1976, the representative of Algeria proposed that the Council should consider as non-negotiable the following three

principles: first, that the Palestinian people was an interested party in any settlement; secondly, that the PLO was the genuine representative of the Palestinian people; and thirdly, that as refugees the Palestinians had the right to return to their homes and to recover their properties and that as a people they enjoyed the right to self-determination as far as the definition of their national future was concerned. These principles implied that the Council would have to expand the framework set out in resolution 242 (1967) in order to facilitate progress towards a solution acceptable to all parties.⁴⁹⁹

At the 1879th meeting on 26 January 1976, following long and detailed deliberations during the previous nine meetings, the representative of Pakistan introduced a draft resolution⁵⁰⁰ sponsored by Benin, Guyana, Pakistan, Panama, Romania and the United Republic of Tanzania. He indicated that the draft was the result of two weeks of informal consultations within groups of interested countries and between the sponsors and the remaining members of the Council. The draft did not reflect in full the position of any particular group or even of the sponsors, but offered a much wider consensus of views. The representative of Pakistan suggested that the exclusive focus on the framework contained in resolution 242 (1967) had so far hindered the Council in reviewing other proposals contained in more recent United Nations resolutions. He mentioned that the view of the Palestinian question as merely a refugees problem also was a shortcoming in that Council resolution and expressed the hope that the Council members would be willing to accept the reasoning underlying the draft resolution.

He then described in some detail the provisions of the draft resolution under which the Security Council, in the preamble, convinced that the question of Palestine was the core of the conflict in the Middle East, would express its concern over the continuing deterioration of the situation in the Middle East, deeply deplore Israel's persistence in its occupation of Arab territories and its refusal to implement the relevant United Nations resolutions, reaffirm the principle of inadmissibility of acquisition of territories by the threat or use of force, reaffirm further the necessity of the establishment of a just and lasting peace in the region based on full respect for the Charter of the United Nations as well as for its resolutions concerning the problem of the Middle East including the question of Palestine, and, in the operative part, first, affirm (a) that the Palestinian people should be enabled to exercise its inalienable national right of self-determination, including the right to establish an independent State in Palestine in accordance with the Charter of the United Nations; (b) that the Palestinian refugees wishing to return to their homes and live at peace with their neighbours had the right to do so and those choosing not to return had the right to compensation for their property; (c) that Israel should withdraw from all the Arab territories occupied since June 1967; (d) that appropriate arrangements should be established

⁴⁹⁴ 1872nd mtg., paras. 46-55.

⁴⁹⁵ 1873rd mtg., paras. 23-58.

⁴⁹⁶ *Ibid.* paras. 62-77.

⁴⁹⁷ 1876th mtg., paras. 3-10.

⁴⁹⁸ *Ibid.* paras. 72-84.

⁴⁹⁹ 1877th mtg., paras. 131-146.

⁵⁰⁰ S/1940 OR, 31st yr., Suppl. for Jan.-March 1976, p. 19.

to guarantee, in accordance with the Charter, the sovereignty, territorial integrity and political independence of all States in the area and their right to live in peace within secure and recognized boundaries; secondly, decide that the provisions contained in paragraph 1 above should be taken fully into account in all international efforts and conferences organized within the framework of the United Nations for the establishment of a just and lasting peace in the Middle East; thirdly, request the Secretary-General to take all the necessary steps as soon as possible for the implementation of the provisions of the present resolution and to report to the Security Council on the progress achieved; and fourthly, decide to convene within a period of six months to consider the report by the Secretary-General regarding the implementation of the present resolution, and in order to pursue its responsibilities regarding such implementation.⁵⁰¹

The representative of the United Kingdom repeated his delegations's commitment to the principles and provisions of resolutions 242 (1967) and 338 (1973) and, in order to restore the importance of those resolutions, proposed an amendment consisting of a new operative paragraph which would have the Council reaffirm the principles and provisions of its resolutions 242 (1967) and 338 (1973) and declare that nothing in the foregoing provisions of the resolution superseded them.⁵⁰²

The representative of Pakistan expressed his astonishment that following the detailed consultations among Council members the representative of the United Kingdom now insisted on introducing this amendment. Since the step was completely unexpected, he asked that the meeting be suspended for one hour.⁵⁰³

When the meeting was resumed two hours later, the President announced that the Council would proceed to vote first on the amendment presented by the delegation of the United Kingdom.⁵⁰⁴

Prior to the vote on the amendment, the representative of the United States stated that his delegation would abstain on the amendment, as the draft resolution altered the rights, entitlements and expectations that the amendment sought to reaffirm.⁵⁰⁵

Other statements prior to the vote on the amendment reflected the divergence of views ranging from full acceptance of the text to explicit rejection, as determined by the judgement whether resolutions 242 (1967) and 338 (1973) were crucial to the peace process or had become useless or a hindrance.⁵⁰⁶

The amendment was then put to the vote, received 4 votes in favour, 2 against, and 9 abstentions, and was not adopted, having failed to obtain the required majority.⁵⁰⁷

Then the draft resolution (S/11940) was put to the vote and received 9 votes in favour, one against, and 3 abstentions; China and the Libyan Arab Republic did not participate in the vote. Owing to the negative vote of a permanent member of the Council the draft was not adopted.⁵⁰⁸

Following the vote, the Secretary-General stated that it was his duty to express the general and growing anxiety in the international community that stagnation and stalemate in the Middle East peace process could only lead to further frustration and violence and called upon all the parties concerned to persist in the efforts for peaceful settlement.⁵⁰⁹

Speaking in explanation of vote, the representative of the United States stated that after long and careful examination, his Government had decided that its responsibility to seek further progress towards an overall peace settlement in the Middle East required it, even if it stood alone, to preserve the framework for negotiations established in resolutions 242 (1967) and 338 (1973).⁵¹⁰

The representative of France said that his delegation viewed the draft as complementary to the Council's resolutions 242 (1967) and 338 (1973) and therefore had voted in its favour. Despite the defeat of the draft, he felt that the debate in the Council had been meaningful in that it implied the affirmation of the right of the Palestinian people to an independent State.⁵¹¹

The representative of the USSR indicated that his delegation expressed its deepest regret that, because of the negative vote cast by the United States, the Council could not adopt the draft resolution on such an important question. The inalienable national rights of the Arab people of Palestine had been recognized by members of the Council and by many other Member States in the course of the Council's deliberations. This position had been reflected to a considerable degree in the text of the draft resolution.⁵¹²

The representative of the Syrian Arab Republic joined Council members in conveying his disappointment at the defeat of the draft resolution which, as he explained in some detail, offered a strong reaffirmation of the right of every people to self-determination and thus clear support for the right of the Palestinian people to establish an independent State in its homeland, in conformity with the Charter of the United Nations. He also failed to comprehend how the United States and other Governments could refuse to endorse the Charter principle of the inadmissibility of the acquisition of

⁵⁰¹ For the introduction of the draft resolution, see 1879th mtg., paras. 3-10.

⁵⁰² See 1879th mtg., paras. 12-15. For the text of the amendment see S/11942, *OR, 31st yr., Suppl. for Jan.-March 1976*, p. 21.

⁵⁰³ See *ibid.*, paras. 16-18.

⁵⁰⁴ *Ibid.*, paras. 20 and 21.

⁵⁰⁵ *Ibid.*, paras. 22 and 23.

⁵⁰⁶ France (*ibid.*, paras. 24-26) and Italy (para. 34) fully supported the amendment, the Libyan Arab Republic (paras. 35 and 36) stated its opposition, whereas the representatives of Japan (para. 27), Pakistan (paras. 42-44), USSR (paras. 28-33) and the President (United Republic of Tanzania) (paras. 53-55) stated their varying reasons for abstaining.

⁵⁰⁷ For the vote on the amendment see *ibid.*, para. 56.

⁵⁰⁸ For the vote on the draft resolution see *ibid.*, para. 67.

⁵⁰⁹ See *ibid.*, paras. 69-72.

⁵¹⁰ S/11942, *OR, 31st yr., Suppl. for Jan.-March 1976*, pp. 43-46.

⁵¹¹ *Ibid.*, paras. 79-81.

⁵¹² *Ibid.*, paras. 80-89.

territory by the threat or use of force in the case of the occupied Arab territories. In view of this constellation he suggested that the United Nations and its Secretary-General take up the task of establishing a just and lasting peace in the region with the help of the overwhelming majority of Member States.⁵¹³

C. REQUEST BY THE LIBYAN ARAB REPUBLIC AND PAKISTAN FOR CONSIDERATION OF THE SERIOUS SITUATION ARISING FROM RECENT DEVELOPMENTS IN THE OCCUPIED ARAB TERRITORIES

Decision of 25 March 1976 (1899th meeting): rejection of five-Power draft resolution

By letter⁵¹⁴ dated 19 March 1976, the representatives of the Libyan Arab Republic and Pakistan requested an urgent meeting of the Security Council to consider the serious situation arising from recent developments in the occupied Arab territories. They pointed out that the situation continued to deteriorate in Jerusalem and other parts of the occupied West Bank and was becoming explosive. Under these circumstances, they called on the Security Council to take prompt and effective measures which would halt the deterioration of the situation and put an end to Israeli defiance of its existing decisions on Jerusalem. They also requested that representatives of the PLO be invited to participate in the debate as on previous occasions.

At the 1893rd meeting on 22 March 1976, the Security Council included the letter in the agenda under the title "Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories" and considered the item during its 1893rd to 1899th meetings from 22 to 25 March 1976.

During these meetings the Council decided to invite the representatives of Bangladesh, Egypt, India, Iraq, Israel, Jordan, Mauritania, Saudi Arabia, the Syrian Arab Republic, Tunisia, and Yugoslavia to participate, without vote, in the discussion of the question.⁵¹⁵

At the 1893rd meeting, the Council also decided, by vote, that the representatives of the PLO should be invited to participate in the debate, in accordance with the Council's past practice.⁵¹⁶

At the beginning of the discussion of the question, the President drew the attention of the Council members to two letters⁵¹⁷ dated 1 March and 15 March 1976

⁵¹³ *Ibid.*, pp. 93-102.

⁵¹⁴ S/12012, *Ibid.*, p. 126.

⁵¹⁵ For details, see chapter III.

⁵¹⁶ The vote was 11 votes in favour, 1 against, and 3 abstentions. For relevant statements regarding the proposal to invite the PLO and for the vote, see 1893rd mtg., paras. 4-21. For further details, see chapter III.

⁵¹⁷ The letter dated 1 March 1976 from the representative of the Libyan Arab Republic to the President of the Security Council (S/12000, *OR, 31st yr., Suppl. for Jan.-March 1976*, pp. 108-109) contained as an annex a letter dated 23 February 1976 from the acting representative of the PLO reporting in detail the recent violations by Israel of the Holy Places in Jerusalem and other acts of aggression in occupied Palestine; the letter dated 15 March 1976 from the representative of Saudi Arabia to the Secretary-General (S/12012, *ibid.*, pp. 123-124) transmitted a statement by members of the Islamic Conference concerning those developments in Jerusalem.

containing information regarding the violation of the sanctity of Al Aqsa Mosque in Jerusalem.

At the same meeting, the representative of the Libyan Arab Republic referred to the call for an urgent meeting from the delegation of Pakistan and his own delegation as the situation in Jerusalem and other parts of the occupied West Bank continued to deteriorate. He mentioned the detailed information about widespread protests against the occupation authorities by Palestinians in Jerusalem and other areas and large-scale arrests as well as other repressive measures ordered by the Israeli authorities. He also noted with appreciation the statement of concern by the Secretary-General about these recent clashes which had resulted from the ruling of an Israeli magistrate on 28 January 1976 concerning prayer by Jews in the Al Aqsa Mosque in Jerusalem. The Israeli policy aimed at radically changing the cultural, religious, demographic and political status of the land and undermining the universal sacred character of the Holy City, in violation of Security Council and General Assembly resolutions.

He warned that every time Israel defied the United Nations without receiving the appropriate response, the authority of the Organization was further eroded and demanded that the international community must take effective measures by imposing appropriate sanctions against Israel.⁵¹⁸

The representative of the PLO described in detail the measures of suppression to thwart popular anger against the forces of occupation. He expressed the great appreciation of the Palestinians to the Secretary-General for his genuine concern, but added that he was confident in his assumption that the Council would utilize its powers under the Charter to deal with the situation in Palestine. He specifically urged that faced with the great variety of violations by the Israeli occupiers the Council would invoke its powers under Article 36 of the Charter or any other suitable Article, exercise its authority and seek a decisive, effective resolution in order to bring justice to the Palestinian people.⁵¹⁹

At the same meeting, the representative of Egypt expressed his alarm about the explosive situation in the occupied Arab territories created by Israel's intransigent policy of perpetuating its control over those territories in violation of international law and international standards of civilized behaviour. He added that the Council could no longer acquiesce in the continuation of this illegal occupation. If Israel persisted in its policy of repression and coercion, it would be solely responsible for the disruption of the processes of peace. In view of the dangerous situation that Israel had created in the occupied territories, in flagrant breach of its legal obligations deriving from the norms of international law and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, his Government believed that the Council should adopt a resolution calling for: the exercise by the Palestinian people of the right to self-determination; the condemna-

⁵¹⁸ 1893rd mtg., paras. 25-44.

⁵¹⁹ *Ibid.*, paras. 49-69.

tion by the Council of Israel's brutal and illegal actions in the occupied territories; and the taking of immediate and effective steps with a view to putting an end to these violations and to rescinding all previous measures taken by the occupation authorities in Jerusalem and in the West Bank.³²⁰

At the 1894th meeting on 22 March 1976, the representative of the Syrian Arab Republic expressed the viewpoint that Israel's occupation of Arab territories not only was a flagrant violation of the United Nations Charter and the Universal Declaration on Human Rights but also constituted a continued act of aggression according to the definition of aggression adopted by General Assembly resolution 3314 (XXIX). The right of the Palestinians to resist the Israeli occupation with all means at their disposal was legitimate under the Charter and international law. He called upon the Security Council to adopt the necessary measures to put an end to Israel's violations of the human and national rights of the Arab population in the occupied territories. Israel's persistent violations and repressive measures against the Arab inhabitants could be terminated only with the complete withdrawal of the Israeli occupation forces from the West Bank, the Gaza Strip and the rest of the occupied Arab territories.³²¹

At the same meeting, the representative of Israel criticized the invitation to the PLO to participate in the Council discussion as incompatible with the provisional rules of procedure as the PLO could not be seen as equal to a Member State of the United Nations. He also set out in detail his Government's response to the accusations brought against Israel and stated that its enemies had wilfully misrepresented the facts; while a Jerusalem magistrate had ruled that the penalties of the law could not be applied to some Jews praying in the vicinity of the Al Aqsa Mosque, the Government continued to enforce the law that restricted the access of non-Moslems to that Holy Site of Islam. He therefore rejected the charges against his Government as malicious and unwarranted.³²²

The representative of Yugoslavia called upon the Council to condemn Israel for the acts perpetuated by it recently in the occupied territories and with regard to the civilian population; the Council should further demand that Israel put a stop immediately to the oppression of the civilian Arab and Palestinian population by its occupation forces, that it desist from mass arrests, curfews, administrative detention and trials by military courts, from the persecution of intellectuals, collective punishments, destruction of houses, forcible transfers of population and closing down of stores and commercial establishments. The Council should also condemn the Israeli policy of the establishment of any settlements in the occupied territories.³²³

At the 1895th meeting on 23 March 1976, the representative of the USSR stated that a whole series of

completely impermissible actions by the Israeli occupation forces had aroused mass protests by the Arab population. His delegation condemned the highly arbitrary acts against the Arabs in the occupied territories and considered that an end should be put to such acts once and for all. Israel should be compelled to respect the appropriate decisions of the Security Council and the General Assembly and to withdraw its troops from all the Arab territories occupied since 1967.³²⁴

At the 1896th meeting on 23 March 1976, the representative of the United States welcomed the opportunity to hear the representative of the PLO, but expressed his regret that the Council did not adhere to its rules of procedure in inviting the Palestinians. Regarding the issue under discussion, he pointed out that for his Government the big question was the problem of the occupied territories *vis-à-vis* the right of Israel to be and to be secure to which the Americans were strongly and deeply dedicated. He added that the United States remained committed to the implementation of the bargain embedded in resolution 242 (1967) providing for the withdrawal of Israeli forces in return for termination of all claims or states of belligerency and respect for an acknowledgement of the sovereignty, the territorial integrity and the political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.

He took up the issue of the administration of the holy sites and suggested that the Government of Israel should abide by the standard contained in article 27 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, i.e. preserve the religious practices as they were at the time the occupation began, an attitude maintained by the Israeli Government. With regard to the status of Jerusalem, the United States Government did not regard any of the unilateral measures, including expropriation of land or other administrative action, as anything other than interim and provisional and without effect for the final and permanent status of the city. The situation in the occupied territories should also be seen in the light of the appropriate standards of international law: the occupier had to maintain the territory as intact and unaltered as possible; substantial resettlement of the Israeli civilian population in occupied territories was illegal under article 49 of the fourth Geneva Convention. As far as prospective action of the Security Council was concerned, his delegation would apply three tests: First, would the facts and judgements on which the draft resolution was based correspond to the actual situation? Secondly, would the Council's action in practice advance the proper administration of the areas involved? Thirdly, and most important of all, would the Council's action help or hinder the peaceful settlement process for which resolutions 242 (1967) and 338 (1973) had established the framework?³²⁵

³²⁰ 1893rd mtg., paras. 71-104

³²¹ 1894th mtg., paras. 25-52

³²² *Ibid.*, paras. 56-61; 69-125

³²³ *Ibid.*, paras. 129-137

³²⁴ 1895th mtg., paras. 2-11

³²⁵ 1896th mtg., paras. 52-69

At the 1899th meeting on 25 March 1976, the representative of Pakistan introduced a draft resolution⁵²⁶ sponsored by the delegations of Guyana, Panama, the United Republic of Tanzania and his own delegation, which, in the preambular part, would have the Council express deep concern at the serious situation which had arisen in the occupied Arab territories as a result of continued occupation and at the measures taken by the Israeli authorities leading to the present grave situation, including measures aimed at changing the physical, cultural, demographic and religious character of the occupied territories and, in particular, the city of Jerusalem, the establishment of Israeli settlements in the occupied territories and other violations of the human rights of the inhabitants of those territories, emphasize the inadmissibility of the acquisition of territory by war, recall and reaffirm the resolutions of the General Assembly and the Security Council calling upon Israel to rescind all measures already taken and to desist from taking any further action which would alter the status of the city of Jerusalem and the character of the occupied Arab territories, note that, notwithstanding the aforementioned resolutions, Israel persisted in its policy aimed at changing the physical, cultural, demographic and religious character of the city of Jerusalem in particular, and reaffirm the urgent need for establishing a just and lasting peace in the Middle East; under the operative part of the draft resolution, the Council would (1) deplore Israel's failure to put a stop to actions and policies tending to change the status of the city of Jerusalem and to rescind measures already taken to that effect; (2) call on Israel, pending the speedy termination of its occupation, to refrain from all measures against the Arab inhabitants of the occupied territories; (3) call on Israel to respect and uphold the inviolability of the Holy Places which were under its occupation and to desist from the expropriation of or encroachment upon Arab lands and property or the establishment of Israeli settlements thereon in the occupied Arab territories and to desist from all other actions and policies designed to change the legal status of the city of Jerusalem and to rescind measures already taken to that effect; and (4) decide to keep the situation under constant attention with a view to meeting again should circumstances so require

The representative of Pakistan indicated that in preparing the draft the sponsors had sought to accommodate the viewpoints of the Council members and of the parties in order to ensure unanimous approval of the resolution. The sponsors had attempted to formulate the general concern about what had happened in Jerusalem and in the occupied territories, but if any delegation wished to raise further questions or make additional suggestions, the sponsors stood ready to listen to them and to accept them if at all feasible. The sponsors were convinced that the draft resolution would facilitate the peaceful settlement of the Middle East problem and

would be very unhappy if it could not be approved unanimously.⁵²⁷

Speaking in explanation of vote, the representative of the United States indicated that his Government had carefully measured the draft resolution against the criteria put forward by him at an earlier meeting and had concluded that it failed to meet them, especially because it reflected or implied judgement which on balance did not correspond to the actual situation in the area. In his Government's view Israel had administered the Holy Places in Jerusalem in a way that actively minimized tensions. As the United States was currently involved in an effort to regain the momentum in the negotiating process, his Government felt that the draft before the Council would not facilitate the process of peaceful settlement and had decided to cast a negative vote.⁵²⁸

At the same meeting, the President put the draft resolution to the vote: it received 14 votes in favour and 1 against and failed of adoption, owing to the negative vote of a permanent member of the Council.⁵²⁹

D. THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

Decision of 26 May 1976 (1922nd meeting): adjournment

By a letter dated 3 May 1976,⁵³⁰ the representative of Egypt requested an urgent meeting of the Council to consider the situation that had developed on the West Bank and in the Gaza Strip as a result of the policies and practices that were being applied in those territories by the Israeli authorities. He also requested that the representative of the Palestine Liberation Organization (PLO) be invited to participate in the debate.

At the 1916th meeting on 4 May 1976, the Council included the letter from Egypt in its agenda, without objection,⁵³¹ and considered the matter at seven meetings held from 3 to 26 May 1976. Following the adoption of the agenda the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate. The representative of the PLO was then invited to take a seat at the side of the Council chamber.⁵³² Subsequently the President invited the representatives of Israel and the PLO to take seats at the Council table.⁵³³

In the course of the meeting, the representatives of Egypt, Israel, Jordan, Kuwait, Qatar, Saudi Arabia, Somalia, the Syrian Arab Republic and Yemen were invited, at their request, to participate in the debate without the right to vote.

⁵²⁷ 1899th mtg., paras. 29-42.

⁵²⁸ *Ibid.* paras. 93-97.

⁵²⁹ For the vote, *ibid.* para. 106.

⁵³⁰ S. 12066, *OR, 31st yr., Suppl. for April-June 1976* p. 20.

⁵³¹ See 1916th mtg., para. 1.

⁵³² The proposal to invite the representative of the PLO was carried by 11 votes in favour to one against, with 3 abstentions. For the relevant statements regarding the invitation and for details of the voting, see 1916th mtg., paras. 2-10, as well as chapter III.

⁵³³ See statements by the USSR and the President (1916th mtg., paras. 44-46), as well as chapter III.

⁵²⁶ S. 12022, *OR, 31st yr., Suppl. for Jan-March 1976*, pp. 130-131. The draft resolution was subsequently voted upon and failed of adoption owing to the negative vote of a permanent member.

Opening the debate, the representative of Egypt said that since the Security Council's last consideration of the question in March 1976,⁵³⁴ the situation in the occupied Arab territories had deteriorated further and further as a result of Israel's adamant policy of continued forceful occupation of those territories and its indiscriminate and repressive measures against the Arab population there. He cited press criticism of Israel for its practices and its expansion of Israeli settlements in those territories, often resulting in the displacement of the Arab populations from their land. He also criticized Israel's human rights record in the territories, recalling the resolution⁵³⁵ adopted by the United Nations Commission on Human Rights on 13 February 1976, based on the reports of the Secretary-General and the Special Committee to Investigate Israeli Practices Involving the Human Rights of the Population of the Occupied Territories, deploring Israel's violations of the inhabitants' human rights and condemning certain specific Israeli policies and practices in those territories. He stressed the unshakeable resolve of the Arab inhabitants of the occupied territories to regain their lands and doubted that Israel had the capacity to suppress those aspirations. In any search for a peaceful settlement of the Palestinian question, the indisputable position of the PLO as the sole and legitimate representative of the Palestinian people, its success in that role, and the necessity for full recognition of its position by all the parties concerned would have to be taken into consideration.⁵³⁶

At the 1917th meeting on 5 May 1976, the representative of the PLO said that the success of PLO candidates in the municipal elections conducted in the occupied territories in April 1976 by the Israeli authorities had sent a distressing message to Israel of the patriotism, solidarity and viability of the PLO. Unfortunately, that victory had only served to inflame the Israelis and to harden the attitude of the Israeli Government against the interests of the Palestinians, so that the Government had accelerated the establishment of Jewish settlements and the displacement of Arab inhabitants in the occupied territories in keeping with the surreptitious Zionist design of eradicating all Arabs from the so-called land of Israel. He invited the Council to bear in mind a number of fundamental points, namely: the continued occupation of the Arab territories, the accompanying Israeli practices in those territories, the establishment of Jewish settlements there, the violations of the Arabs' human rights, and the disregard of the purposes and principles of the United Nations Charter by Israel.⁵³⁷

The representative of Jordan said that the intransigence of Israel made it necessary for the Arab countries to resort to the Security Council frequently. Even though no effective measures appeared to follow, it was

important to keep the international community apprised of the plight of the people in the occupied territories. He described recent developments on the West Bank, including mass protests against the Israeli occupation. He also drew particular attention to a reported "master plan" by which Israel intended to annex to Jerusalem vast areas on the West Bank for Jewish settlement and to affect the physical, demographic and cultural composition of the Holy City to the detriment of the Arab sector. He appealed to the Council to act immediately by prevailing upon Israel to respect human rights, to preserve the character of the occupied areas, and, above all, to end its occupation finally and irreversibly.⁵³⁸

The representative of the Syrian Arab Republic charged that there was growing collaboration between Israel and South Africa, as evidenced from the official visit of the Prime Minister of South Africa to Israel in April 1976, and that the two countries were pursuing similar racist policies. He emphasized that the continued illegal occupation of the occupied territories by Israel was the root cause of the Middle East problem. He therefore urged that the Council condemn Israel's repressive practices, demand an end to them, order a halt to any Jewish settlements in the occupied territories and instruct Israel to end its illegal occupation immediately.⁵³⁹

The representative of Israel charged that the Security Council had become an international forum utilized at will by Arab countries, but that the Council did not deal equally with malpractices attributed to those Governments. He mentioned a number of events in that connection, such as the civil strife in Lebanon involving Syria and the PLO, Egypt's record of the treatment of its nationals and the harassment of civilians by the Jordanian authorities. He rejected the allegations of violations of human rights by Israel, pointing to the large number of people, including Arabs, who entered the areas under Israeli administration either as tourists or for medical treatment. He defended the conduct of the recent elections on the West Bank which, despite the expected success of candidates hostile to Israel, had been a free and democratic exercise by Arabs under Israeli administration. He also charged that despite the interim agreement of September 1975 between Egypt and Israel, and the subsequent disengagement agreements with Egypt and the Syrian Arab Republic, his Government's efforts towards an end to hostilities in the Middle East had still elicited no response from the Arab countries. In his delegation's view the complaint under discussion was a frivolous exercise unrelated to the crux of the matter, to wit the failure of the Arab countries to recognize Israel's right of existence as an integral part of the Middle East. He affirmed his Government's determination to continue its efforts in the search for peace.⁵⁴⁰

The representative of Saudi Arabia criticized as untenable Israel's dogmatic stance of basing its claim to

⁵³⁴ See section C above

⁵³⁵ Resolution 2 (XXXII) (see E 5768, *ESCOR 60th Session, Suppl. No. 3*, p. 54)

⁵³⁶ 1916th mtg., paras. 13-14

⁵³⁷ 1917th mtg., paras. 3-17

⁵³⁸ *Ibid.*, paras. 22-35

⁵³⁹ *Ibid.*, paras. 40-59

⁵⁴⁰ *Ibid.*, paras. 64-114

a geographical homeland on the biblical myth of a gift from God, a dogma which, he said, was sustained through utilization of the mass media under Jewish influence. He predicted that in due course Israel's adamant hold over Palestine would come to an end, and urged Israel to adapt its attitudes towards a peaceful change so as to gain acceptance in the area by the Arab world.⁵⁴¹

The representative of the USSR emphasized the position of the PLO as the sole and legitimate representative of the Palestinian people. He quoted from various official Soviet statements which pointed out that failure to solve the Middle East question had already led to four armed conflicts between Israel and the Arab States, and that another similar conflict could not be discounted. It was necessary to end the arms race in the Middle East. Three fundamental and related elements were required for a solution of the problem, namely: the withdrawal by Israel to its pre-1967 borders, the restoration of Palestinian rights, including the right to create their own state, and institution of international guarantees for the security of all States in the area. To that end the Soviet Union favoured a resumption of the efforts under the aegis of the Geneva Conference in which the PLO would participate on an equal basis.⁵⁴²

The representative of China said that in China's view, the question of the situation in the occupied Arab territories was an integral part of the whole Middle East problem, the solution to which was hampered by the super-Power rivalry in the area. It was therefore necessary to eliminate that rivalry and to prevail upon Israel to withdraw from all the occupied Arab territories, objectives that could be achieved by promoting close unity among the Palestinian and other Arab people in their struggle.⁵⁴³

The representative of the Sudan dismissed Israel's claims of humane administration and economic advancement for the people in the areas under its occupation, arguing that Israel regarded those areas as a supplementary market for its trade and a source of supply for unskilled labour. Similar claims of advancement for colonial peoples had been made by the colonial Powers, but in fact, the record of colonial history showed foreign domination to be an evil which retarded political and economic development.⁵⁴⁴

Speakers from other Arab States expressed similar views regarding the Middle East problem as a whole. They denounced Israel's practices in the occupied territories and criticized Israel for attempting to play down or even divert attention from those complaints. They identified, with varying degrees of emphasis, the following elements of the problem: the continued illegal occupation of Arab territories by Israel, Israel's establishment of Jewish settlements in those territories, Israel's violation of the human rights of the inhabitants

there, characterized by some as reminiscent of South Africa's racial injustices; the status of the Holy City of Jerusalem; and the restoration of the Palestinians' rights, including the right to return to their homes and to establish their own state. The speakers pointed out that solutions to the above elements of the problem had already been set out in various United Nations resolutions, and that all that was needed was for the Security Council to find the means of enforcing the relevant decisions. They believed the Security Council to have the capacity in that regard and urged it to have the moral strength to do so.⁵⁴⁵

The representative of Romania urged the Council to explore all possibilities and formulate a decision incorporating a consensus of all the views expressed by the various speakers. For its part, Romania believed that no lasting peace for the area could ever be obtained without finding a solution to the Palestinian problem and without the direct participation of the PLO in the search for such a solution.⁵⁴⁶

The representative of Pakistan urged the Council to initiate appropriate action along the lines already suggested to bring peace in the occupied territories and to resolve the Middle East problem on a permanent basis; otherwise the Council would find itself in the same situation as in March 1976.⁵⁴⁷

At the beginning of the 1922nd meeting on 26 May 1976, the President of the Security Council read out the following statement, which he had been authorized to make following his consultations with all members of the Council:

Following the request submitted by Egypt on 3 May 1976, the Security Council held seven meetings between 4 and 26 May to consider the situation in the occupied Arab territories. After consulting all the members, the President of the Council concludes that the majority of the members agreed on the following:

Grave anxiety was expressed over the present situation in the occupied Arab territories, concern was also expressed about the well-being of the population of those territories.

The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967. The occupying Power was therefore called upon to comply strictly with the provisions of that Convention and to refrain from and rescind any measure which would violate them. In this regard, the measures taken by Israel in the occupied Arab territories which alter their demographic composition or geographical character, and in particular the establishment of settlements, were deplored. Such measures, which cannot prejudice the outcome of the efforts to achieve peace, constitute an obstacle to peace.

The Security Council should continue to follow the situation closely.⁵⁴⁸

The representative of the Libyan Arab Republic said that the statement just read by the President was inadequate in dealing with the central issue of the problem, namely the withdrawal of Israel from the occupied territories, and added that Libya did not

⁵⁴¹ *Ibid.*, paras. 120-146.

⁵⁴² 1918th mtg., paras. 42-66.

⁵⁴³ *Ibid.*, paras. 68-70.

⁵⁴⁴ 1919th mtg., paras. 5-19 and 94-104.

⁵⁴⁵ See in particular the statements by the representatives of Kuwait, 1918th mtg., paras. 5-14; Yemen, *ibid.*, paras. 18-34; Libya, 1920th mtg., paras. 6-24; and Qatar, *ibid.*, paras. 28-37.

⁵⁴⁶ 1921st mtg., paras. 5-19.

⁵⁴⁷ *Ibid.*, paras. 23-34.

⁵⁴⁸ 1922nd mtg., para. 2.

accept the provisions of resolution 242 (1967) as a basis for a solution of the problem.⁵⁴⁹

The representative of the United States said that his delegation had dissociated itself from the President's statement of the view of the majority of the Council because while it contained much that his delegation could accept, it lacked the requisite balance. In particular he criticized the failure to mention the rights accruing to Israel as the occupying Power, under the Geneva Convention, or to recognize the achievements of the Israeli administration in the occupied territories. Nevertheless aspects of Israeli policy, in particular the establishment of settlements, were increasingly a matter of concern.⁵⁵⁰

The representative of Israel criticized the decision of the Council and, referring to decisions of certain other United Nations organs or specialized agencies, complained that the international community did not understand the operation of natural justice in international relations. If it were acting with honour and impartiality, the Council could not ignore the numerous acts of terrorism committed by PLO terrorists in Israel and in the occupied territories. He asserted that the failure to find a solution to the problem lay with the divided Arab States themselves. Israel had accepted Security Council resolutions 242 (1967) and 338 (1973) as a basis for the negotiation of a solution to the Middle East problem.⁵⁵¹

The representative of Jordan replied that the 1967 borders could not be the basis of peace without addressing the question of the rights of the Palestinian people.⁵⁵²

In the absence of objection, the meeting was adjourned.

Decision of 11 November 1976 (1969th meeting): statement by the President on behalf of the members of the Security Council.

By a letter⁵⁵³ dated 20 October 1976, the representative of Egypt requested a meeting of the Council to discuss the situation in the occupied Arab territories resulting from repressive Israeli measures there, despite the action by the Council during the last series of meetings on the subject in May 1976.

By another letter of the same date,⁵⁵⁴ the representative of Egypt requested that the representative of the PLO be invited to participate in the debate.

At the 1966th meeting on 1 November 1976, the Council included the letter from Egypt in its agenda, without objection,⁵⁵⁵ and considered the matter at four meetings held from 1 to 11 November 1976. Following the adoption of the agenda at the 1966th meeting the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate.⁵⁵⁶

In the course of the meetings the representatives of Bangladesh, Egypt, Indonesia, Israel, Jordan, Mauritania, Morocco, Nigeria, Saudi Arabia and the Syrian Arab Republic were invited at their request to participate in the debate without the right to vote.⁵⁵⁷

The representative of Egypt recalled pertinent passages in the statement read out by the President at the 1922nd meeting on 26 May 1976, and charged that instead of heeding the measures called for by a majority of the Council in the statement, Israel had ignored all those measures, and had in fact continued to work methodically and persistently against all the points contained in the statement. He also referred to other Security Council resolutions, such as resolution 298 (1971) concerning the status of the city of Jerusalem and resolution 271 (1969) concerning the holy Al Aqsa Mosque, which he said Israel had flouted, as well as to the Israeli practices condemned by the General Assembly in its resolution of 15 December 1975.⁵⁵⁸ He contended that Israeli policies in the occupied territories were based on well-studied and documented Government guidelines for the eventual annexation of those territories by Israel. In view of those developments Egypt had decided to come to the Security Council again in the hope that the Council would condemn those Israeli policies and declare them to be a threat to peace and security.⁵⁵⁹

The representative of the PLO said that the situation in the occupied Arab territories was deteriorating and that nothing had been done to prevent the recurrence of violence there or to deal with the root cause of the problem. He charged that Israeli practices in the occupied territories were a deliberate Government design to demoralize and subjugate the Arab inhabitants and annex their land, while overlooking or treating with benign disinterest the wrongdoings of the Israeli residents or visitors there.⁵⁶⁰

The representative of Jordan complained in particular about the events in Hebron, where the entire city population of 60,000 had been imprisoned for 16 days. As a result of the increasing construction of Israeli settlements in the occupied territories, there would soon be nothing left of Security Council resolution 242 (1967), which Israel was urging Arab States to heed. He stated two prerequisites for a just peace: the prompt withdrawal by Israel from all occupied Arab territories and restoration of the legitimate national rights for the Palestinians.⁵⁶¹

The representative of the Syrian Arab Republic charged that in preparation for the annexation of the occupied Arab lands, Israel contemplated getting rid of as many Arabs as possible through expulsions, harass-

⁵⁴⁹ 1922nd mtg., paras. 29-32.

⁵⁵⁰ *Ibid.*, paras. 33-36.

⁵⁵¹ *Ibid.*, paras. 49-79.

⁵⁵² *Ibid.*, paras. 82-93.

⁵⁵³ S/12218. *OR, 31st yr., Suppl. for Oct.-Dec. 1976*, p. 13.

⁵⁵⁴ S/12220, *ibid.*, p. 14.

⁵⁵⁵ 1966th mtg., preceding para. 2.

⁵⁵⁶ The proposal to invite the representative of the PLO was carried

by 11 votes in favour to one against, with 3 abstentions. For the relevant statement regarding the invitation and for details of the voting, see 1966th mtg., paras. 2-22, as well as chapter III.

⁵⁵⁷ For details regarding the invitations, see chapter III.

⁵⁵⁸ See General Assembly resolution 3525 (XXX).

⁵⁵⁹ 1966th mtg., paras. 26-78.

⁵⁶⁰ *Ibid.*, paras. 82-117.

⁵⁶¹ *Ibid.*, paras. 120-146.

ment and persecution. He therefore appealed to the Council to invoke the powers available to it under the Charter so as to defuse the explosive situation in the Middle East.³⁶²

The representative of Israel rejected characterization of the situation in the occupied territories as dangerous and explosive, and said that there had been no bloodshed at all in Israel or in the territories under Israeli administration. Actually it was in Lebanon that carnage was taking place, about which the Security Council was doing absolutely nothing. He concluded that the Council's convocation at the request of Egypt was unjustified, and wondered how long it would be willing to let itself be used in that way. In defending his Government's policies in the occupied territories, he said that with regard to the Holy Places Israel would continue to adhere strictly to the fundamental principle of free access to those places by all believers. Contrary to the allegations of previous Arab speakers, Israeli authorities were fostering harmonious religious relations among all the residents in the territories and economic and social gains had accrued to the inhabitants in the occupied territories since they had come under Israeli administration. Rather than engaging in sterile debates it would be more profitable for the parties concerned to engage in direct negotiations, as called for in Security Council resolution 338 (1973), provided that the other parties recognized Israel's right to exist as an integral part of the region.³⁶³

The representative of the USSR said that, since the representative of Israel had brought up the situation in Lebanon, it was worth noting that, according to a recent routine report of the Chief of Staff of the United Nations Truce Supervision Organization (UNTSO),³⁶⁴ Israel had contributed to the chaos there by violating Lebanese airspace with its aircraft, territorial waters with its warships and militarily occupying positions on Lebanese territory.³⁶⁵

At the 1968th meeting on 9 November 1976, the representative of the USSR stated that the situation in the occupied Arab territories resulted from Israel's continued occupation of those territories, a situation which was indicative of Israel's design to annex them. He reaffirmed that, in the view of the Soviet Union, the only way to a just and lasting peace was through a resumption of the Geneva Peace Conference on the Middle East, the Soviet Union was ready to extend its efforts to that end.³⁶⁶

During the course of the debate a number of other speakers appealed, in various terms, for firm action by the Security Council to adopt appropriate measures to ensure compliance with the relevant United Nations resolutions.³⁶⁷

³⁶² *Ibid.*, paras 148-181.

³⁶³ 1967th mtg., paras 6-97.

³⁶⁴ S/11663/Add 32, *OR, 31st yr., Suppl for Oct-Dec 1976*, p. 1.

³⁶⁵ 1967th mtg., paras. 100-103.

³⁶⁶ 1968th mtg., paras 4-20.

³⁶⁷ For example, Mauritania (1967th mtg., paras 108-120), Bangladesh (*ibid.*, paras 122-128), United Republic of Tanzania (*ibid.*, paras 130-136), Morocco (1968th mtg., paras 23-44), Nigeria (*ibid.*, paras 59-70), Pakistan (1969th mtg., paras 11-20).

At the 1969th meeting on 11 November 1976, the representative of China said that his Government condemned Israeli practices in the occupied territories and deeply sympathized with the plight of the people in those territories. He reiterated his Government's firm support for the Palestinian and other Arab people in their struggle against Israeli Zionism and against big-Power machinations in the area.³⁶⁸

The representative of Romania expressed his Government's conviction that since no solution to the Middle East problem could be achieved without resolution of the Palestinian question, it was imperative to resume the Geneva Conference on the Middle East and to ensure that the interests of the Palestinian people were represented there by the PLO. In that connection he expressed his Government's belief that the United Nations, particularly the Security Council and the Secretary-General, must play an important role in the exercise.³⁶⁹

In the course of the 1969th meeting the President of the Security Council, on authority of the members of the Council, read out the following statement, which he said had been agreed following his consultations with all of them:

As a result of consultations over which I presided with all members of the Council, I am authorized as President to make the following statement on behalf of the Council:

Following the request submitted by Egypt on 20 October 1976, the Security Council held four meetings between 1 and 11 November to consider the situation in the occupied Arab territories, with the participation of the representative of the Palestine Liberation Organization. After consulting all the members, the President of the Council states that the Council has agreed:

1. To express its grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of continued Israeli occupation.
2. To reaffirm its call upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the territories and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities.
3. To reaffirm that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. Therefore, the occupying Power is called upon once again to comply strictly with the provisions of that Convention and to refrain from any measure that violates them. In this regard, the measures taken by Israel in the occupied Arab territories which alter their demographic composition or geographical character, and in particular the establishment of settlements, are strongly deplored. Such measures, which have no legal validity and cannot prejudice the outcome of the efforts to achieve peace, constitute an obstacle to peace.
4. To consider once more that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon and the transfer of populations, which tend to change the legal status of Jerusalem, are invalid and cannot change that status, and urgently to call upon Israel once more to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem. In this connection, the Council deplores the failure of Israel to show any regard for Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967.

³⁶⁸ 1969th mtg., paras 2-8.

³⁶⁹ *Ibid.*, paras 23-31.

5. To recognize that any act of profanation of the Holy Places, religious buildings and sites or any encouragement of, or connivance at, any such act may seriously endanger international peace and security.

The Council decides to keep the situation under constant attention with a view to meeting again should circumstances require.⁵⁷⁰

Following the President's statement, the representative of the United States said that his delegation took exception to some of the criticisms levelled against Israel during the debate, particularly those regarding access to the holy sites. With regard to the central problem of the Middle East, he said that a satisfactory solution could be obtained only through negotiations for a just and lasting peace in accordance with Security Council resolutions 242 (1967) and 338 (1973). On its part the United States vowed to stand by its previous commitments regarding those resolutions.⁵⁷¹

The representative of Israel said that his delegation rejected the statement just read by the President as it was biased against Israel, particularly in its failure to condemn equally Arab defilement of the Israeli Holy Scrolls of Law; its disregard of the salient provisions of Security Council resolutions 242 (1967) and 338 (1973), and its failure to address the central issue of the unwillingness of the Arab States to sit down and negotiate with Israel directly.⁵⁷²

Decision of 22 March 1979 (2134th meeting): resolution 446 (1979)

By a letter dated 23 February 1979⁵⁷³ addressed to the President of the Security Council, the representative of Jordan requested a meeting of the Council to consider the status of the city of Jerusalem and the Israeli policy and practice of settlements and colonization in the rest of the occupied Arab territories.⁵⁷⁴

At the 2123rd meeting on 9 March 1979, the Council included the letter from Jordan in its agenda without objection,⁵⁷⁵ and considered the matter at eight meetings held between 9 and 22 March 1979. At the same meeting the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate.⁵⁷⁶ Also at the same meeting the Council decided to extend an invitation under rule 39, at his request, to the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁵⁷⁷

In the course of the meetings the representatives of Democratic Kampuchea, Egypt, German Democratic

Republic, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Lebanon, Mauritania, Pakistan, Qatar, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Viet Nam, Yemen and Yugoslavia were invited, at their request, to participate in the debate without the right to vote.⁵⁷⁸

At the 2123rd meeting the representative of Jordan distributed to members of the Council maps and accompanying notes⁵⁷⁹ indicating what he termed a terrifying record of the continuing establishment of Israeli settlements in the occupied territories, thereby usurping slowly but deliberately more and more of whatever was left of the Palestinian lands, in flagrant disregard of Security Council resolutions 242 (1967) and 338 (1973). The Council was faced with the question of the continued existence of the Palestinians as a people and of their lands as a homeland, since, he stated, the Israeli occupation authorities had so far confiscated Arab land amounting to about 29 per cent of the entire West Bank.⁵⁸⁰ He then described as pretexts the arguments which the Israelis used as justification for such usurpation and gave a detailed account of the location and methods used by the Israelis in that exercise. In addition he alleged that Israel had started an intensive exploitation of water resources on the West Bank partly to cater to the needs of the increasing population in Israel, and partly to deprive the Arab population in the occupied territories of a vital element of subsistence and thereby force them to vacate their lands. With regard to the Holy City of Jerusalem he said that the Israeli authorities were pursuing policies with a similar purpose in mind, turning Arab areas into uninhabitable slums and taking over Arab places of worship or else harassing Arab worshippers there. The representative of Jordan appealed to the Council to impose a moratorium on any further construction of Israeli settlements in the occupied territories and ensure Israel's compliance therewith; send a Security Council commission of inquiry to the area for an on-the-spot investigation into the complaints brought to the Council; and, in the event that the complaints should be confirmed by the commission, exercise its powers under the Charter, including Chapter VII, to ensure compliance.⁵⁸¹

The representative of Israel rejected the statement by the representative of Jordan as being full of inaccuracies and instead asserted Israel's commitment to peace by pointing to the Camp David agreement of September 1978, worked out during negotiations which Jordan had refused an invitation to join. Jordan's request for a meeting was therefore mischievous and obstructive to the course of international peace.⁵⁸²

⁵⁷⁰ 1969th mtg., para. 41

⁵⁷¹ *Ibid.*, paras. 42-47

⁵⁷² *Ibid.*, paras. 67-81

⁵⁷³ S/13115, *OR*, 34th yr., *Suppl.* for Jan.-March 1979, p. 86.

⁵⁷⁴ See also letter dated 2 March 1979 addressed to the President of the Security Council by the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/13132, *ibid.*, p. 95).

⁵⁷⁵ 2123rd mtg., preceding para. 1

⁵⁷⁶ The proposal to invite the representative of the PLO was carried by 10 votes in favour to one against, with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see 2123rd meeting, paras. 5-7, as well as chapter III

⁵⁷⁷ 2123rd mtg., para. 9

⁵⁷⁸ For details regarding the invitations, see chapter III

⁵⁷⁹ Included in Security Council document S/13149 issued at the request of the representative of Jordan (see *OR*, 34th yr., *Suppl.* for Jan.-March 1979, p. 113)

⁵⁸⁰ The representative of Jordan said that Israeli statistics conceded the land so far taken over by the Israelis to amount to 27 per cent of the West Bank

⁵⁸¹ 2123rd mtg., paras. 15-20

⁵⁸² *Ibid.*, paras. 83-90

The representative of the PLO referred to the draft resolution presented to the Council in March 1976,⁵⁸³ vetoed by the United States at the 1899th meeting, and said that action had encouraged Israel's intransigence, as did the enormous American financial assistance to that country. Using the map distributed by the representative of Jordan he gave further details of the Israeli practices and intentions regarding settlements and the effect they were having on the Arab populations in the occupied territories. The representative of the PLO said that the Camp David agreement would, in effect, leave Israeli military authorities in control of the occupied territories and was therefore unacceptable. Instead the PLO would continue to rely only on the formulas set out in the various relevant resolutions of the Security Council and the General Assembly, failing which the Palestinian people would resort to all legitimate means, including the use of force, to resist their elimination.⁵⁸⁴

Other Arab representatives charged that Israel had ignored the actions by the Security Council, the General Assembly and other international bodies regarding its occupation of the Arab territories. Nevertheless, they would continue to advocate eventual termination of Israeli occupation of all the territories, including Jerusalem, which must be preserved as a multi-communal and international Holy City, and the restoration to the Palestinian people of all their inalienable rights. They protested Israel's reported intention to make Jerusalem its capital as well as its diversion to its own benefit of the economic assets of the territories and abuse of the inhabitants, and supported Jordan's request for a Security Council commission of inquiry.⁵⁸⁵

The Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People said that the Arab complaints brought to the Council on the present and previous occasions were similar to complaints against Israel received by that Committee. The Committee considered that a just and lasting peace in the region could be achieved only with a solution to the Palestinian question, including the right of the Palestinian people to return and their right to independence and sovereignty in Palestine, and that, accordingly, no other agreements purporting to promote such peace could be tenable outside the framework of the relevant resolutions and Charter of the United Nations.⁵⁸⁶

The representatives of other Islamic countries noted that the question of Jerusalem touched the most cherished sensibilities of millions of religious adherents in the world and called for the restoration of Arab sovereignty over Jerusalem.⁵⁸⁷

The representative of Bolivia said that while his country had opened its doors to many Jews fleeing from Nazi Germany, it was opposed to territorial conquest.

His delegation therefore appealed to the Council to undertake appropriate remedial action, including that which would restore and maintain the status of the Holy City of Jerusalem.⁵⁸⁸

The representative of Yugoslavia stated that the international community was justified in its indignation at Israel's attempts to dispossess the Arab inhabitants in the occupied territories and to change the character of the city of Jerusalem. It was up to the Security Council to institute the requisite measures to that end.⁵⁸⁹

At the 2125th meeting on 13 March 1979, the representative of Israel complained that the Council was biased in responding to issues raised before it by the Arab States while consistently ignoring Israel's complaints. The current deliberations by the Council had nothing to do with the realities of the situation. Instead, the timing of the Council's meeting was intended to frustrate the ongoing peace efforts, as highlighted by the visit to the Middle East of the President of the United States. In defence of the Israeli settlements programme he argued that some of the settlements complained about had existed in the West Bank for centuries. Furthermore, in view of the Arab States' rejections of peace with Israel, the establishment of the settlements was necessary for Israel's security purposes. With regard to Jerusalem he said that Israel's policy was based on its law on Protection of Holy Places of June 1967, when the city was reunited, which guaranteed unrestricted access to members of all faiths. He also pointed to political and economic advances which he said the Arab inhabitants had achieved in the occupied territories since they had come under Israeli administration.⁵⁹⁰

The representative of India said that Israel's declared rationale for its practices in the occupied territories had no justification in law and must therefore be regarded as a flagrant violation of the fourth Geneva Convention of 1949. Thus, the United Nations, especially the Security Council, had a clear duty to redress the situation.⁵⁹¹

At the 2126th meeting on 14 March 1979, the representative of Jordan responded to Israel's accusation regarding Jordan's refusal to join the Camp David process, and pointed out that his Government rejected both the procedure and substantive results of those talks. The premises upon which the exercise was based fell short of what Jordan considered to be correct and necessary, namely: assurance of the eventual self-determination and sovereignty of the Palestinian people; prospects for a comprehensive settlement that would at once solve the issues of the occupation of Arab territories and Palestinian sovereignty; and assurance against fragmentation of the problem. Unfortunately, he said, the failure to observe those guidelines meant that the United States had already taken sides with Egypt and Israel, and Jordan could not commit itself blindly to a process without a clear idea of the expected result of that process.⁵⁹²

⁵⁸³ See S.12022, *OR, 31st yr., Suppl. for Jan-March 1976*, p. 130.

⁵⁸⁴ 2123rd mtg., paras. 92-135.

⁵⁸⁵ 2123rd mtg., Egypt, paras. 139-152; Lebanon, paras. 155-163; 2124th mtg., Iraq, paras. 5-13; Syrian Arab Republic, paras. 55-87; 2125th mtg., Kuwait, paras. 4-29; 2127th mtg., Qatar, paras. 6-14.

⁵⁸⁶ 2123rd mtg., paras. 165-180.

⁵⁸⁷ 2124th mtg., Pakistan, paras. 17-26; Iran, paras. 90-100; Turkey, paras. 29-35; 2125th mtg., Indonesia, paras. 143-151; 2126th mtg., Senegal, paras. 15-32; 2127th mtg., Bangladesh, paras. 16-39.

⁵⁸⁸ 2124th mtg., paras. 36-51.

⁵⁸⁹ *Ibid.*, paras. 102-112.

⁵⁹⁰ 2125th mtg., paras. 31-99.

⁵⁹¹ *Ibid.*, paras. 103-115.

⁵⁹² 2126th mtg., paras. 34-72.

Many other speakers who participated in the debate⁵⁹¹ identified the central issues of the Middle East problem as the question of the Palestinian people, the continued occupation of Arab territories by Israel, the establishment of Israeli settlements in those territories and the status of the City of Jerusalem. They cautioned that failure by the Council to deal with those issues squarely would leave the Middle East in a state of constant threat to international peace and security. Many of them criticized the Camp David process principally on account of its failure to address those issues comprehensively. The representatives from Arab States in particular denounced the Camp David accord, citing its rejection by the Arab Summit Conference held in Baghdad in November 1978.

At the 2127th meeting on 15 March 1979, the representative of the USSR reviewed Israel's record of disregard for the decisions of the United Nations and, within the context of the Camp David arrangements, said that the so-called autonomy for the people of Gaza and the West Bank was a sham. Moreover, he pointed out, no separate agreement purporting to promote Palestinian interests could have any juridical validity without the full participation by the lawful representatives of the Palestinian people. Consequently, his delegation supported the demands and measures against Israel advocated in the Security Council by Arab and other States.⁵⁹⁴

At the 2128th meeting on 16 March 1979, the representative of China reiterated his Government's position that the Israeli-occupied territories formed an inseparable part of the Middle East problem and decried the fact that prospects for any solution to that problem were hampered by the super-Power rivalry and intervention in the region.⁵⁹⁵

At the same meeting, the representative of Kuwait introduced a draft resolution co-sponsored by Bangladesh, Kuwait, Nigeria and Zambia.⁵⁹⁶ He explained the principal provisions of the draft resolution, which he said did not go beyond what had already been stated and reaffirmed in previous resolutions. He emphasized the urgency of the matter by pointing out that if the resolution were adopted, the proposed commission would be obliged to report to the Council by the end of May 1979.⁵⁹⁷

At the 2131st meeting on 19 March 1979, the representative of Norway said that his Government felt that, all things considered, only a settlement which recognized Israel's right to exist within secure and recognized boundaries and assured the legitimate national rights of the Palestinian people could bring a just

and lasting peace to the Middle East. The provisions and objectives of the Camp David agreement, if carefully implemented, provided an initial step towards such a comprehensive solution.⁵⁹⁸

The representative of Israel rejected the allegations that Israel was plundering the water resources in the occupied territories for its own use, and pointed out that, in fact, it was Israel which supplied water to the Arab towns during shortfalls there. He also denied the applicability of the Geneva Convention of 1949 to Israel's administration in the West Bank and Gaza, and he quoted leading international legal sources to prove that point. He urged the Council not to give way to the opponents of peace, but to recognize the process under way towards the objective of peace, which was based on the Council's own resolution 242 (1967).⁵⁹⁹

The representative of Jordan rejected Israel's attempts not to recognize the applicability of the Geneva Convention of 1949. He stated that Israel had not occupied a non-sovereign territory on the West Bank in 1967: that territory had been under Palestinian occupation for thousands of years—a situation that had been reaffirmed by resolutions of the United Nations—and had been operating under a system of unity with its counterpart on the East Bank. He reiterated his complaints of violations of human rights by the Israeli authorities in the occupied territories and challenged Israel to accept the proposed commission of the Security Council.⁶⁰⁰

At the 2134th meeting on 22 March 1979, the representative of the United Kingdom recalled the statement issued by the Security Council on 11 November 1976 and regretted that its provisions had not been heeded. In his Government's view Israel's settlement policies posed a major obstacle to peace. Meanwhile, in light of the imminent conclusion of the Camp David agreement the United Kingdom delegation expressed reservations on the proposal to send a Security Council commission to the Middle East. Accordingly his delegation intended to abstain on the draft resolution before the Council, although that abstention should not be taken to indicate acquiescence in the Israeli policies in the occupied territories.⁶⁰¹

The President, speaking in his capacity as the representative of Nigeria, said that the historical record of the Israeli leaders indicated a clandestine intention to annex the occupied territories, although Israel pretended to favour a policy of coexistence with the Arab inhabitants there. Israel should not be allowed to formalize its mythical claim to the West Bank as a gift from God. He urged the international community to prevail upon Israel to comply with the relevant United Nations resolutions; otherwise that country must be prepared to face the punitive measures provided under the Charter.⁶⁰²

⁵⁹¹ 2125th mtg.: Somalia, paras 120-138; 2126th mtg.: Czechoslovakia, paras 3-13; Sudan, paras 76-87; 2127th mtg.: Qatar, paras 6-14; German Democratic Republic, paras 43-54; Jamaica, paras 55-63; Hungary, paras 102-110; Yemen, paras 113-129; 2128th mtg.: Ukrainian SSR, paras 39-54; 2131st mtg.: Gabon, paras 10-24; Mauritania, paras 26-53; Tunisia, paras 56-67; Romania, paras 70-84; 2134th mtg.: Saudi Arabia, paras 36-51.

⁵⁹⁴ 2127th mtg., paras 64-84.

⁵⁹⁵ 2128th mtg., paras 14-18.

⁵⁹⁶ S/13171/Rev.1, *OR, 34th yr., Suppl. for Jan.-Mar. 1979*

p. 148.

⁵⁹⁷ 2128th mtg., paras 24-34.

⁵⁹⁸ 2131st mtg., paras 4-9.

⁵⁹⁹ *Ibid.*, paras 96-129.

⁶⁰⁰ *Ibid.*, paras 131-162.

⁶⁰¹ 2134th mtg., paras 52-58.

⁶⁰² *Ibid.*, paras 72-108.

The draft resolution before the Council was put to the vote and was adopted as resolution 446 (1979) by 12 votes to none, with three abstentions.⁶⁰¹ The text of the resolution reads as follows:

The Security Council.

Having heard the statement of the Permanent Representative of Jordan and other statements made before the Council,

Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East.

Affirming once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem.

1. *Determines* that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

2. *Strongly deplors* the failure of Israel to abide by Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971, by the consensus statement made by the President of the Council on 11 November 1976 and by General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, 32/5 of 28 October 1977 and 33/113 of 18 December 1978;

3. *Calls once more upon* Israel, as the occupying Power, to abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories;

4. *Establishes* a commission consisting of three members of the Security Council, to be appointed by the President of the Council after consultation with the members of the Council, to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem;

5. *Requests* the Commission to submit its report to the Security Council by 1 July 1979;

6. *Requests* the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission;

7. *Decides* to keep the situation in the occupied territories under constant and close scrutiny and to reconvene in July 1979 to review the situation in the light of the findings of the Commission.

Speaking after the vote, the representative of the United States criticized the confrontational tenor of the debate, which he said had ignored the positive process under way for a peaceful settlement of the Middle East question that was built upon the foundations of Security Council resolutions 242 (1967) and 338 (1973). In the circumstances he doubted the utility of creating a Security Council commission of inquiry; instead the United States appealed to all members to support the peace process under way.⁶⁰⁴

The representative of Jordan expressed his delegation's gratitude to the Security Council for agreeing to the establishment of a Security Council commission, although he expressed disappointment that three delegations had found it necessary to abstain from the vote.⁶⁰⁵

⁶⁰¹ *Ibid.*, para. 113.

⁶⁰² *Ibid.*, paras. 126-136.

⁶⁰³ *Ibid.*, paras. 145-164.

The representative of Israel said that the real purpose behind the resolution just adopted was to frustrate the peace process under way. Moreover, his delegation despaired of the proposed commission, judging from similar United Nations fact-finding commissions which had come up with predetermined and hostile conclusions.⁶⁰⁶

The representative of the PLO pointed out that the resolution avoided the central issue of the Palestinian people, and said Israel's real intention, declared on several occasions by Government leaders, was never to return to the border of 1967.⁶⁰⁷

In a note dated 3 April 1979⁶⁰⁸ the President of the Security Council stated that, following his consultations with the members of the Council, it had been agreed that the commission established under paragraph 4 of resolution 446 (1979) would be composed of Bolivia, Portugal and Zambia.

Decision of 20 July 1979 (2159th meeting): resolution 452 (1979)

On 12 July 1979, the Commission established under resolution 446 (1979) submitted its report,⁶⁰⁹ which was included in the agenda of the Security Council without objection at the 2156th meeting on 18 July 1979 and was considered at four meetings held between that date and 20 July 1979.

Following the adoption of the agenda at the 2156th meeting the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate.⁶¹⁰ Also at the same meeting the Council decided to extend an invitation under rule 39 to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁶¹¹

In the course of the meetings the representatives of Egypt, Jordan, Israel and Syria were invited, at their request, to participate in the discussion without the right to vote.

At the 2156th meeting the President of the Council invited the members of the Commission to introduce their report.⁶¹²

The representative of Portugal, Chairman of the Commission, described the procedures and methods adopted by the Commission for the proper implementation of its mandate. While all the other Governments in the area concerned had extended assistance and co-operation to the Commission, he reported with regret that the Government of Israel had rejected any collaboration with the Commission. Nevertheless, the Commission had been able to gather useful and pertinent information by taking note of the official information conveyed

⁶⁰⁶ *Ibid.*, paras. 166-172.

⁶⁰⁷ *Ibid.*, paras. 174-188.

⁶⁰⁸ S/13218, *OR*, 34th yr., *Suppl.* for July-Sept. 1979, p. 10.

⁶⁰⁹ S/13450 and Corr. 1 and Add. 1, *ibid.*, p. 16.

⁶¹⁰ The proposal to invite the representative of the PLO was carried by 10 votes to 1, with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see 2156th meeting, paras. 7-8, as well as chapter III.

⁶¹¹ 2156th mtg., para. 4.

⁶¹² *Ibid.*, para. 10.

by the other Governments concerned, by receiving such information from appropriate United Nations bodies and from the PLO, and by hearing individual witnesses in connection with the plight of the Palestinian refugees and the status of the city of Jerusalem. The Commission had analysed all the information thus obtained and drawn the conclusions contained in the report. He emphasized the Commission's conviction that the Israeli settlements were being used as a political weapon to reinforce Israel's presence in the occupied territories, and that Israel's practices in those territories, including Jerusalem, were in violation of the Geneva Convention of 12 August 1949, as well as against international law relative to military occupation.⁶¹³

The representative of Bolivia endorsed the Chairman's statement and emphasized his delegation's view that it was important to respect the territorial sovereignty of States. With regard to Jerusalem, his delegation was convinced that the measures recommended to the Council by the Commission might preserve the status of that city and create there an atmosphere of harmony among the believers in Judaism, Islam and Christianity.⁶¹⁴

The representative of Zambia also associated his delegation with the statement made by the Chairman of the Commission and added his delegation's view that Israel's settlements policy in the occupied Arab territories was a modern form of colonialism. Israel's colonialist policy was the more objectionable because its implementation entailed the expulsion or displacement of the Arab inhabitants. His delegation therefore appealed to the Council to demand that Israel immediately stop the establishment, construction and planning of any future settlements and dismantle the existing ones.⁶¹⁵

The President expressed the appreciation of the Council for the good will and conscientiousness with which the Commission had undertaken the difficult task entrusted to it by the Council.⁶¹⁶

The representative of Israel charged that Jordan's timing for initiating the establishment of the Security Council Commission had been intended to frustrate the progress of the Camp David peace talks, a view that he said was amply vindicated by Jordan's refusal to join in those talks. Noting the input obtained by the Commission from the Committee on the Exercise of the Inalienable Rights of the Palestinian People and by the PLO, he asserted that the Commission's report naturally and predictably presented a one-sided and distorted treatment of its mandate. His Government had rejected Security Council resolution 446 (1979) by which the Commission had been established, and he asserted that the conclusions of the Commission were based on the erroneous premises of that resolution and were contrary to principles of international law. He questioned why the Commission had ignored the position expressed by his delegation during the Council's consideration of the Middle East question in March 1979⁶¹⁷ and wondered

why the Commission had not verified its so-called findings by checking them against readily available sources in the United Nations archives. He said that the population in the West Bank had increased by 16.4 per cent between 1967 and 1978, which showed the falsity of the allegations that the Israeli authorities had expelled or displaced Arab inhabitants therefrom. He also referred to the many Moslem and Christian tourists and pilgrims that had visited Jerusalem since 1967, a fact that, he said, had been conveniently ignored by the Commission. Consequently, his delegation rejected the Commission's report and asserted instead that his Government would continue with the peace talks under way as the best prospect for real peace in the Middle East.⁶¹⁸

The representative of Jordan referred to the Commission's report and noted that the Commission had confirmed the existence of 133 Israeli settlements in the occupied territories, including 17 in and around Jerusalem. His delegation commended the work of the Commission and urged that it pursue its assignment. He added that Israel's talk of reunification of Jerusalem in effect amounted to designs to annex that city altogether.⁶¹⁹

The representative of Egypt commended the Commission's efforts. His delegation deeply regretted Israel's refusal to co-operate with the Commission or to allow it to visit the occupied territories. Nevertheless, his Government fully supported the Commission's conclusions and recommendations, which could serve as a basis for the Council's firm action against Israel's settlements policy in the occupied territories.⁶²⁰

The representative of the PLO expressed his delegation's regret that owing to Israel's refusal to co-operate with the Commission, it had been unable to talk to Palestinians in the occupied territories. Israel's attitude was indicative of that country's real intentions not to vacate the occupied territories. He referred to the Commission's recommendation for a demand for Israel's immediate cessation and dismantling of its settlements in the occupied territories and noted that the recommendation was a mere restatement of a position taken by the Council itself since 1967, to which Israel had paid no heed, and the situation had continued to deteriorate. He hoped that the Council would endorse the Commission's recommendations, if only in appreciation of the Commission's objective efforts.⁶²¹

At the 2157th meeting on 19 July 1979, the representative of Kuwait criticised Israel's attitude as hypocritical, since that Government claimed that it had nothing to hide and yet denied the Commission access to the occupied territories. His delegation accepted and endorsed the recommendations of the Commission and hoped that the Council would make them the basis of measures for fulfilling legitimate expectations, namely: respect for international law, observance of the Geneva

⁶¹³ 2156th mtg., paras. 11-24

⁶¹⁴ *Ibid.*, paras. 28-36

⁶¹⁵ *Ibid.*, paras. 38-56

⁶¹⁶ *Ibid.*, para. 57

⁶¹⁷ See 2125th mtg., paras. 31-99

⁶¹⁸ 2156th mtg., paras. 62-108

⁶¹⁹ *Ibid.*, paras. 112-153

⁶²⁰ *Ibid.*, paras. 157-164

⁶²¹ *Ibid.*, paras. 167-199

Convention, adherence to the United Nations Charter and implementation of the Security Council decisions.⁶²²

The representative of France said that despite Israel's non-co-operation the Commission had presented information that justified the international concerns about that Government's practices in the occupied territories. France was therefore ready to join in any efforts by the Council aimed at remedying the situation on the basis of and within the framework of the Commission's recommendations.⁶²³

The representative of China urged that, on the basis of the Commission's findings, which clearly confirmed the accusations against Israel, the Security Council should adopt a resolution strongly condemning that Government for its aggression and expansionist policies.⁶²⁴

The Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People expressed satisfaction that the Commission had presented findings of Israeli practices in the occupied territories which his Committee had on several occasions drawn to the attention of the Council. It was particularly pertinent to note the Commission's reaffirmation that Israel's settlements policy had no legal validity and constituted a serious obstruction to a comprehensive and lasting peace in the Middle East. Endorsement by the Council of the Commission's recommendations should be a first step towards endorsement of the Committee's own recommendations to the Council.⁶²⁵

The representative of the Syrian Arab Republic said that the Commission's report had provided the Council with irrefutable evidence of Israel's real designs in the occupied territories. Consequently, his delegation felt that the Council had sufficient grounds for invoking the provisions of Chapter VII of the Charter against Israel and also for reprimanding the United States, which his delegation regarded as the overall supporter of Israel.⁶²⁶

The representative of Jordan argued that the Camp David accords were all the more unacceptable because they did not, in his delegation's view, conform to the provisions of either Security Council resolutions 242 (1967) and 338 (1973) or General Assembly resolutions 181 (II) and 194 (III), both of which his delegation considered still binding. He assured the Council that, contrary to Israel's allegations characterizing them as enemies, Jordan, Syria and the Palestinian people were very much committed to the cause of peace.⁶²⁷

At the 2158th meeting on 20 July 1979 the representative of Jamaica rejected Israel's contention that the establishment of settlements in the occupied territories could be justified on security grounds. He fully endorsed the Commission's recommendations and appealed to the

Council to prevail upon Israel to implement the relevant Council resolutions adopted since 1967.⁶²⁸

The representative of Bangladesh drew particular attention to the Commission's findings and conclusions concerning the status of Jerusalem, a city that symbolized the most cherished feelings of the adherents of the three great religions in the world. He therefore urged the Council to take immediate corrective and remedial measures to arrest and reverse the deteriorating situation regarding the holy city of Jerusalem.⁶²⁹

The representative of USSR said that the Commission's findings revealed the true intentions of the ruling circles in Israel to annex the occupied territories and to expel their Arab inhabitants. His delegation dismissed the so-called Camp David accords as a means to a comprehensive and just settlement in the Middle East and supported proposals that the Council consider applying against Israel the sanctions provided for under Chapter VII of the Charter.⁶³⁰

At the 2159th meeting on the same day the President drew the attention of the members of the Council to a draft resolution,⁶³¹ which he said had emerged in the course of consultations among the members.⁶³²

The representative of Portugal introduced the draft resolution, which he said incorporated the conclusions and recommendations of the Commission and took into account the view of the members of the Council that the settlements policy was illegal and that its continuation not only hindered any progress towards a peaceful solution to the Middle East conflict but also violated the Geneva Convention of 12 August 1949.⁶³³

The draft resolution was then put to the vote and was adopted by 14 votes to none with one abstention (the United States) as resolution 452 (1979). The resolution reads as follows:

The Security Council.

Taking note of the report and recommendations of the Security Council Commission established under resolution 446 (1979) of 22 March 1979 to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in document S/13450 and Corr 1 and Add.1.

Strongly deploring the lack of co-operation of Israel with the Commission,

Considering that the policy of Israel in establishing settlements in the occupied Arab territories has no legal validity and constitutes a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Emphasizing the need for confronting the issue of the existing settlements and the need to consider measures to safeguard the impartial protection of property seized,

Bearing in mind the specific status of Jerusalem and reconfirming pertinent Security Council resolutions concerning Jerusalem, and in particular the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in that city,

⁶²² 2157th mtg., paras. 5-15.

⁶²³ *Ibid.*, paras. 38-42.

⁶²⁴ *Ibid.*, paras. 44-47.

⁶²⁵ *Ibid.*, paras. 50-58.

⁶²⁶ *Ibid.*, paras. 61-76.

⁶²⁷ *Ibid.*, paras. 79-105.

⁶²⁸ 2158th mtg., paras. 4-11.

⁶²⁹ *Ibid.*, paras. 14-24.

⁶³⁰ *Ibid.*, paras. 33-48.

⁶³¹ S/13461, for the text of which see resolution 452 (1979) reproduced below.

⁶³² 2159th mtg., paras. 2 and 3.

⁶³³ *Ibid.*, paras. 4-9.

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a peaceful solution in the Middle East.

1. *Commends* the work done by the Security Council Commission established under resolution 446 (1979) in preparing the report on the establishment of Israeli settlements in the Arab territories occupied since 1967, including Jerusalem;

2. *Accepts* the recommendations contained in the report of the Commission;

3. *Calls upon* the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

4. *Requests* the Commission, in view of the magnitude of the problem of settlements, to keep under close survey the implementation of the present resolution and to report back to the Security Council before 1 November 1979.

Speaking in explanation of vote the representative of the United States said that his delegation had abstained from the vote because the resolution, like the Commission's report, went beyond the question of Israeli settlements, and included such extraneous matters as the status of Jerusalem. Nevertheless, he reaffirmed his delegation's opposition to Israeli settlements in the occupied territories as prejudicial to the outcome of the peace negotiations and contrary to the fourth Geneva Convention of 1949. He repeated his Government's request to Israel to cease the establishment of such settlements in the occupied territories.⁶³⁴

The President of the Council, speaking in his capacity as the representative of the United Kingdom, expressed his delegation's disappointment at Israel's refusal to co-operate with the Commission. Such co-operation would have helped to clear up several uncertainties, such as the statistical data regarding the actual number of Israeli settlers in the occupied territories or the proportion of land used for those settlements. In any case, his delegation was opposed to the policy of Israeli settlements and regarded them as an obstacle to peace in the area.⁶³⁵

Decision of 1 March 1980 (2203rd meeting) resolution 465 (1980)

Between 5 and 22 February 1980 eight communications⁶³⁶ were received in connection with the situation that had developed in the Arab city of Al Khalil (Hebron) following the reported establishment of Israeli settlements there. In its letter of 15 February 1980 Morocco, on behalf of the members of the Islamic Conference, requested an urgent meeting of the Security Council to consider the situation in Al Khalil (Hebron). Similarly, the letter from Jordan referred to the second report of the Security Council Commission established

under resolution 446 (1979)⁶³⁷ and also requested a meeting of the Council to consider Israel's defiance of the Council's decisions and to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

At the 2199th meeting on 22 February 1980 the Security Council included the letters from Jordan and Morocco in its agenda, without objection,⁶³⁸ and considered the matter at five meetings held from 22 February to 1 March 1980.

At the 2199th meeting the Security Council decided to extend an invitation under rule 39, at his request, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁶³⁹

At the same meeting the Council also decided, by vote, to invite, in accordance with past practice, the representative of the PLO to participate in the discussion.⁶⁴⁰

Also at the same meeting the Council decided to extend an invitation under rule 39, at the request of the representative of Tunisia, to Mr. Clovis Maksoud and Mr. Fahd Qawasma.⁶⁴¹ The representative of Tunisia later expressed the hope that in view of the Council's decision, the President of the Council or the Secretary-General of the United Nations would request the local authorities to permit Mr. Qawasma to travel to New York and address the Council.⁶⁴² Later, the Council was informed that Mr. Qawasma's application for permission to travel to New York had been denied by the Israeli administering authorities.⁶⁴³

In the course of the five meetings the representatives of Afghanistan, Algeria, Cuba, Egypt, Indonesia, Israel, Jordan, Kuwait, Lebanon, Morocco, Pakistan, Syrian Arab Republic, Viet Nam and Yugoslavia were invited, at their request, to participate in the discussion without the right to vote.⁶⁴⁴ Comments in connexion with the invitation extended to the representative of Afghanistan were made by representatives of Bangladesh, China, Norway, Portugal, the USSR, the United Kingdom and the United States, speaking on a point of order.⁶⁴⁵

The representative of Portugal, in his capacity as Chairman of the Security Council Commission Established under Resolution 446 (1979), introduced the Commission's second report. He said that the Commission had again failed to secure the co-operation of Israel, despite concerted efforts to that end; nevertheless the Commission had been able to gather information which confirmed its original findings and it stressed the gravity of Israel's adamant policy of establishing settlements, expanding those already in existence and plan-

⁶³⁴ 2159th mtg., paras. 20-23.

⁶³⁵ *Ibid.*, paras. 46-48.

⁶³⁶ Letters dated 5 Feb 1980 from Israel (S/13781, *OR*, 35th yr., *Suppl. for Jan-March 1980*, p. 38), 11 Feb 1980 from Tunisia (S/13791, *Ibid.*, p. 44), 14 Feb 1980 from Egypt (S/13795, *Ibid.*, p. 46), 14 Feb 1980 from Tunisia (S/13798, *Ibid.*, p. 49), 15 Feb 1980 from Jordan (S/13801, *Ibid.*, p. 49), 15 Feb 1980 from Morocco (S/13802, *Ibid.*, p. 50), 20 Feb 1980 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/13811, *Ibid.*, p. 57), and 22 Feb 1980 from Morocco (S/13815, *Ibid.*, p. 58).

⁶³⁷ S/13679, *OR*, 34th yr., *Suppl. for Oct-Dec 1979*, p. 106.

⁶³⁸ 2199th mtg., preceding para. 1.

⁶³⁹ *Ibid.*, paras. 2 and 3.

⁶⁴⁰ The proposal to invite the representative of the PLO was adopted by 10 votes to one with 4 abstentions. For the relevant statements regarding the invitation and for details of the voting, see 2199th mtg., paras. 4-10, as well as chapter III.

⁶⁴¹ 2199th mtg., paras. 11-14.

⁶⁴² *Ibid.*, para. 174.

⁶⁴³ See statement by the representative of Israel, 2200th mtg., paras. 117-120.

⁶⁴⁴ For full details regarding the invitations, see chapter III.

⁶⁴⁵ 2202nd mtg., paras. 108-126.

ning further settlements in the occupied territories. In the circumstances the Commission found it necessary to reiterate the conclusions and recommendations contained in its first report.⁶⁴⁶

The representative of Morocco, in his capacity as Chairman of the Islamic Group, said that the Commission's findings left no doubt about Israel's official designs to colonize and annex the occupied territories. Morocco was particularly concerned at Israel's attempts to transform the character of Jerusalem and its violations of other Holy Places in the occupied territories. He reaffirmed the Moslem world's solidarity with the Palestinian people in their struggle for the restoration of their legitimate rights.⁶⁴⁷

The representative of Jordan reviewed the Commission findings and noted that even after publication of the Commission's first report Israel had defiantly continued to construct new settlements in the occupied territories, thereby displacing more and more Arab inhabitants and confiscating their land. He described the location, size and nature of the new such settlements, particularly those constructed around Jerusalem. With regard to the situation in Al Khalil (Hebron), he stated that following the murder of an Israeli soldier there on 31 January by an unknown assailant, the Israeli occupation authorities had for 11 days imposed a 23-hour curfew on the city's inhabitants, during which their homes had been subjected to abusive and destructive searches, all communications with the outside world had been interrupted, perishable goods had rotted, and Moslems had been prohibited from performing their Friday prayers in a holy mosque while militant Israeli settlers prayed there illegally or harassed the Palestinian population. After drawing the Council's attention to the Commission's recommendations, he urged the Council to apply against Israel the punitive measures provided for under Chapter VII of the Charter.⁶⁴⁸

The representative of Israel said that its peace treaty with Egypt notwithstanding, Israel was entitled to apply appropriate measures to ensure its security, a point which the Council should not ignore. With regard to events in Al Khalil (Hebron), he said that the allegations by the Arab States were a distortion of the true facts. In fact, he said, Israel's policies were applied in such a way as to facilitate and promote good communal relations between the Arab and Jewish inhabitants of that city. Before their brutal liquidation in 1929, Jews had been living in Hebron for many years, and he stressed Israel's position of principle that Jews had the right to live in any part of the land of Israel.⁶⁴⁹

The representative of the PLO expressed satisfaction that the findings of the Commission's second report had vindicated the complaints of his delegation with regard in particular to the deprivation of water resources of the Arab inhabitants, the continued occupation of Arab

lands and establishment of Israeli settlements there, the question of Jerusalem and the destruction of Arab religious shrines.⁶⁵⁰

The representative of Egypt said that as one of the countries that the Commission had visited, his delegation had carefully studied its second report, and he supported its conclusions and recommendations with particular emphasis on the establishment of settlements and the status of the Holy City of Jerusalem. He urged the Council to act in conformity with the Commission's recommendations.⁶⁵¹

At the 2200th meeting on 25 February 1980, Mr. Maksoud said that the international community should grasp Israel's real intentions for the creation of a greater Israel. The league of Arab States had vigorously opposed the Camp David agreements because in the final analysis the so-called autonomy plan was a mere administrative device intended to secure Israel's sovereignty over the West Bank and Gaza in perpetuity. He appealed to the Council to institute punitive measures against Israel.⁶⁵²

The Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People said that Israel's denial of an exit permission to Mr. Qawasma was an implicit admission of guilt for the recent events in Al Khalil (Hebron) which had so shocked the international community. Those events were not isolated incidents but part of a series of systematic violations by Israel of the United Nations Charter and of the fourth Geneva Convention.⁶⁵³

The representative of Syria drew the Council's attention to reported Israeli plans to establish new settlements in the Golan Heights and to transform the demographic composition of that area, in contravention of United Nations resolutions and of the fourth Geneva Convention. Concurring in the findings and recommendations of the Commission's report, he suggested that the Council should apply against Israel the measures provided for in Chapter VII of the Charter.⁶⁵⁴

The representative of Cuba recalled the various conclusions and recommendations of the sixth conference of the Heads of State or Government of the Non-Aligned Countries in Havana in 1979 regarding the situation in the Middle East.⁶⁵⁵ As Chairman of the Group of the Non-Aligned Countries in the United Nations, he appealed to the Council to heed the wishes of the Non-Aligned Countries and of the overwhelming majority of the Member States by applying against Israel without delay the measures provided for in the Charter of the United Nations.⁶⁵⁶

At the 2201st meeting on 26 February 1980, the representative of Zambia said that by its practices in the occupied territories Israel was consolidating the colonization of those territories.⁶⁵⁷

⁶⁴⁶ 2199th mtg., paras. 18-30.

⁶⁴⁷ *Ibid.*, paras. 32-47.

⁶⁴⁸ *Ibid.*, paras. 49-97; 2200th mtg., paras. 140-172, 202-212 and 213-240.

⁶⁴⁹ 2199th mtg., paras. 99-105 and 110-118, 2200th mtg., paras. 117-138, 184-200 and 222-231.

⁶⁵⁰ 2199th mtg., paras. 120-160.

⁶⁵¹ *Ibid.*, paras. 162-173.

⁶⁵² 2200th mtg., paras. 4-31.

⁶⁵³ *Ibid.*, paras. 33-55.

⁶⁵⁴ *Ibid.*, paras. 91-103; 2201st mtg., paras. 145-150.

⁶⁵⁵ See A. 34/342, annex.

⁶⁵⁶ 2200th mtg., paras. 105-115.

⁶⁵⁷ 2201st mtg., paras. 25-37.

The representative of China said that by their recent statements and acts the Israeli authorities had left in no doubt their policy of aggression to perpetuate the occupation of Arab territories. He urged the Council to uphold justice and adopt a resolution strongly condemning Israel as well as practical and effective measures that would put an end to Israel's criminal acts.⁶⁵⁸

The representative of the USSR said the conclusions of the Commission's second report and the facts presented by the representatives of Jordan, the PLO and other Arab States had exposed the Camp David agreements as a camouflage for facilitating continued Israeli occupation of Arab territories. He reiterated that Israel could count on a secure existence within the frontiers of 1967 only if it gave up all the occupied Arab lands and ceased to hinder the exercise of the national rights of the people of Palestine.⁶⁵⁹

The representative of the United Kingdom emphasized the illegality of the Israeli settlements in the occupied territories and the negative effect those policies had on the search for a comprehensive peace in the area. In his Government's view, any unilateral transformation of the demographic and physical nature of the territories in question, including the status of Jerusalem and the Holy Places, was contrary to the fourth Geneva Convention of 1949.⁶⁶⁰

At the 2202nd meeting on 27 February 1980 the representative of Israel denied that the PLO was a moderate organization seeking a peaceful settlement with Israel, as its avowed policy was victory through the destruction of Israel. Israel was naturally concerned for its national security because, he said, the combined military establishment of the Arab countries far exceeded that of NATO. He dismissed the Commission's second report as preconceived, like the first one, and rejected many of its findings and the conclusions based thereupon, which deserved no credence.⁶⁶¹

The representative of Kuwait criticized Israel's claim to the right to settle anywhere in Palestinian territory, a claim that he charged was encouraged by the political support it received from the United States. Owing to the constraints upon the Council which precluded punitive measures against Israel, he suggested that it might be more realistic for the Council to reassure the suffering people of Palestine that the Council and the international community as a whole were aware of their ordeal.⁶⁶²

The representative of Lebanon attacked the Israeli policies in the West Bank which he said caused Palestinians to flee their homes and seek refuge in Lebanon. His Government dreaded the prospect that sooner or later an attempt would be made to establish settlements in Southern Lebanon or to occupy that territory by proxy. If that were allowed to happen the tragic situation in the Middle East would be exacerbated.⁶⁶³

At the 2203rd meeting on 1 March 1980 the President drew the attention of the Council to a letter dated 29 February 1980 from the representative of Tunisia transmitting the statement that Mr. Qawasma had intended to make to the Council. The President also drew attention to the document before it containing a draft resolution prepared in the course of consultations.⁶⁶⁴

The Council then proceeded to vote on the draft resolution, which received 15 votes in favour and was thereby adopted unanimously as resolution 465 (1980),⁶⁶⁵ the text of which reads as follows:

The Security Council,

Taking note of the reports of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in documents S/13450 and Corr.1 and Add.1 and S/13679,

Taking note also of letters from the Permanent Representative of Jordan and the Permanent Representative of Morocco, Chairman of the Islamic Group,

Strongly deploring the refusal by Israel to co-operate with the Commission and regretting its formal rejection of resolutions 446 (1979) and 452 (1979),

Affirming once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Deploring the decision of the Government of Israel officially to support Israeli settlements in the Palestinian and other Arab territories occupied since 1967,

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Taking into account the need to consider measures for the impartial protection of private and public land and property, and water resources,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a comprehensive, just and lasting peace in the Middle East,

Recalling pertinent Security Council resolutions, specifically resolutions 237 (1967), 252 (1968), 267 (1969), 271 (1969) and 298 (1971), as well as the consensus statement made by the President of the Council on 11 November 1976,

Having invited Mr. Fahd Qawasma, Mayor of Al-Khalil (Hebron), in the occupied territory, to supply it with information pursuant to rule 39 of the provisional rules of procedure,

1. *Commends* the work done by the Security Council Commission established under resolution 446 (1979) in preparing the report contained in document S/13679;

2. *Accepts* the conclusions and recommendations contained in the report of the Commission.

3. *Calls upon* all parties, particularly the Government of Israel, to co-operate with the Commission,

4. *Strongly deplors* the decision of Israel to prohibit the free travel of Mayor Fahd Qawasma in order to appear before the Security Council and requests Israel to permit his free travel to United Nations Headquarters for that purpose.

⁶⁵⁸ 2201st mtg., paras. 42-46

⁶⁵⁹ *Ibid.*, paras. 47-62.

⁶⁶⁰ *Ibid.*, paras. 95-100.

⁶⁶¹ 2202nd mtg., paras. 4-55.

⁶⁶² *Ibid.*, paras. 57-79.

⁶⁶³ *Ibid.*, paras. 182-192.

⁶⁶⁴ 2203rd mtg., para. 3.

⁶⁶⁵ S/13827 (see the text of resolution 465 (1980), which follows).

5. *Determines* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

6. *Strongly deplotes* the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem.

7. *Calls upon* all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

8. *Requests* the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution.

9. *Requests* the Commission to report to the Security Council before 1 September 1980 and decides to convene at the earliest possible date thereafter in order to consider the report and the full implementation of the present resolution.

Speaking after the vote the representative of the United States said that his Government regarded the Israeli settlements as illegal under international law and as an obstacle to a just and lasting peace in the Middle East. His delegation had supported the draft resolution just adopted, despite certain reservations; nevertheless, his delegation considered that the basic framework for peace efforts in the area, including the Camp David accords, was resolution 242 (1967).⁶⁶⁶

The representative of the USSR said that his delegation had supported the draft resolution although it did not respond fully to the demands made of the Security Council or express the Council's intention to institute the necessary effective measures in the event of Israel's continued non-compliance.⁶⁶⁷

The representative of Jordan expressed gratitude for the unanimous vote on the resolution which upheld legitimacy and international law although his delegation would have wished a clear warning to Israel in the event of its non-compliance.⁶⁶⁸

The representative of Israel said that his delegation regretted that the resolution just adopted ignored Israel's fundamental right to self-preservation and legitimate concern for its security and defence.⁶⁶⁹

Decision of 8 May 1980 (2221st meeting): resolution 468 (1980)

By a letter dated 8 May 1980,⁶⁷⁰ the representative of Tunisia requested an urgent meeting of the Security Council to consider the expulsion measure taken by the

Israeli authorities against the Mayors of Al Khalil (Hebron) and Halhoul and the Islamic Judge of Al Khalil (Hebron).

At the 2221st meeting on 8 May 1980 the Council included the letter from the representative of Tunisia in its agenda without objection⁶⁷¹ and considered the matter in the course of that meeting.

At the same meeting the Council decided to invite, at their request, the representatives of Israel and Jordan to participate in the discussion without the right to vote.⁶⁷² Also at the same meeting the Council decided, by vote, to invite, in accordance with past practice, the representative of the PLO to participate in the discussion.⁶⁷³

The President drew the attention of the Council to the document before it⁶⁷⁴ containing the text of a draft resolution prepared in the course of consultations. The Council then proceeded to vote on the draft resolution, which received 14 votes in favour to none against with one abstention (the United States) and was adopted as resolution 468 (1980), the text of which reads as follows:

The Security Council,

Recalling the Geneva Convention of 1949,

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhoul and of the Sharia Judge of Hebron,

1. *Calls upon* the Government of Israel, as the occupying Power, to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

2. *Requests* the Secretary-General to report upon the implementation of the present resolution.

Speaking after the vote the representative of the United States said that while the United States held the expulsions of the two Mayors and the Judge to be contrary to the fourth Geneva Convention of 1949, it considered that the failure of the Council to condemn the murder of Israeli citizens showed the Council's deliberations could not achieve a balanced result. Moreover, the United States had to take into consideration the peace negotiations it was participating in.⁶⁷⁵

The representative of the USSR said that although his delegation had voted for the draft resolution, he was disappointed that it did not condemn Israel for its illegal acts against the three Palestinian leaders.⁶⁷⁶

The representative of Israel referred to recent atrocities committed against Jewish residents, including the attack against a group of Jewish worshippers in Hebron on 2 May 1980 in which six had been killed; an issue to which the Security Council had chosen not to respond. He justified Israel's action against the three Palestinian personalities because they abused their offices, on instructions from the PLO and the Arab rejectionist

⁶⁷¹ 2221st mtg., para. 5.

⁶⁷² *Ibid.*, para. 3.

⁶⁷³ The proposal to invite the representative of the PLO was adopted by 10 votes to one with 4 abstentions. For the relevant statement by the representative of the United States and for details of the voting, see 2221st mtg., paras. 7 and 8, as well as chapter III.

⁶⁷⁴ S/13930 (see the text of resolution 468 (1980), which follows).

⁶⁷⁵ 2221st mtg., paras. 12-17.

⁶⁷⁶ *Ibid.*, para. 20.

⁶⁶⁶ 2203rd mtg., paras. 15-22.

⁶⁶⁷ *Ibid.*, paras. 23-30.

⁶⁶⁸ *Ibid.*, paras. 32-45.

⁶⁶⁹ *Ibid.*, paras. 47-52.

⁶⁷⁰ S/13932. For the full text of the letter, see 2221st mtg., para. 4.

States, by inciting the local Arab population to acts of violence and subversion against Israel and the Israelis. The deportation of the three individuals had been validly ordered under legislation carried over from the British Mandatory authorities.⁶⁷⁷

Decision of 20 May 1980 (2223rd meeting): resolution 469 (1980)

Pursuant to paragraph 2 of resolution 468 (1980) of 8 May, the Secretary-General submitted a report⁶⁷⁸ in which he relayed information received from the representative of Israel to the effect that for the reasons already indicated to the Council by the representative of Israel,⁶⁷⁹ the Government of Israel was unable to rescind the expulsion orders against the Mayors of Hebron and Halhoul and the Islamic Judge of Hebron. The Secretary-General also noted reports that the three individuals had been denied re-entry to the West Bank by the Israeli authorities.

By a letter dated 16 May 1980,⁶⁸⁰ the representative of Jordan requested a meeting of the Council to consider what he called Israel's defiance of resolution 468 (1980).

At the 2222nd meeting on 20 May 1980 the Council included the letter from the representative of Jordan in its agenda without objection⁶⁸¹ and discussed the matter at two meetings held on 20 and 22 May 1980.

At the 2222nd meeting the Council decided to invite, at their request, the representatives of Israel and Jordan to participate in the discussion without the right to vote. At the same meeting the Council decided, by vote, to invite, in accordance with past practice, the representative of the PLO to participate in the discussion.⁶⁸²

Also at the same meeting⁶⁸³ the Council decided to extend invitations under rule 39, at the request of the representatives of Tunisia, to Messrs. Fahd Qawasma, Mohamed Milhem and Rajab Attamini.

Opening the debate at the 2222nd meeting, the representative of Jordan said that the illegal deportation of the three Palestinian individuals concerned was indicative of Israel's genocidal design against the Palestinian people, which could be traced back to that country's reneging on the implementation of General Assembly resolutions 181 (II) and 194 (III). He welcomed the presence of the three individuals concerned, who would plead personally for the implementation of their right to return as mandated by the Security Council in its resolution 468 (1980).⁶⁸⁴

The representative of Israel defended his Government's deportation of the three individuals and non-compliance with Security Council resolutions 465

(1980) and 468 (1980), because they had repeatedly advocated a holy war (jihad) against Israel and had even called for an oil boycott against the United States. He cited provisions of the fourth Geneva Convention of 1949 and of The Hague Regulations of 1907 which permitted the occupying Power to maintain the existing local penal law and to take all measures to restore and assure public order and safety.⁶⁸⁵

At the 2223rd meeting on 20 May 1980, Mr. Milhem addressed the Council saying, as Mayor of Halhoul, that the persecution of Arab inhabitants had intensified over the last 13 years of Israeli occupation; the persecution was indiscriminate, including the razing of town buildings and Arabs' houses, the expulsion of Arab inhabitants, the confiscation of their lands, and the killing of young and innocent children. The real reason the Israelis had moved against the two Mayors and the Judge was that the three leaders had spoken out against Israeli tortures, had opposed the conversion of the Holy Mosque of Abraham, had opposed the imposition of heavy taxation and above all because they had categorically opposed Israel's continued occupation of their territory. He declared that he and his colleagues would never accept any autonomy programme such as was being discussed under the Camp David framework since it would amount to fraudulent autonomy. Instead, he pledged that he and his colleagues were prepared to work together for genuine peace under the umbrella of the United Nations and its resolutions for the benefit of all future generations in the area, including Israelis.⁶⁸⁶

Mr. Qawasma said that he came from Al Khalil, the second oldest city. He charged that following the establishment of Israeli settlements in Al Khalil, peaceful protests by the Arab inhabitants had been ignored by the Israeli military forces, who had instead protected the Jewish perpetrators of excesses. Israel's decision to expel him had nothing to do with the violent events in Al Khalil, but occurred because he and his colleagues had dared to oppose the Camp David accords. The Palestinians were puzzled, he said, as to how they could be expected to have confidence in the United States when that country made public declarations of the illegality of the Israeli settlements and at the same time disbursed billions of dollars to Israel every year for the establishment of Israeli settlement on Arab lands.⁶⁸⁷

At the same meeting the President put to the vote the draft resolution before the Council in document S/13949,⁶⁸⁸ which had been prepared in the course of consultations. The draft resolution received 14 votes in favour to none against with one abstention (the United States) and was adopted as resolution 469 (1980), the text of which reads as follows:

The Security Council

Having considered the report submitted by the Secretary-General on 13 May 1980, under Security Council resolution 468 (1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular

⁶⁷⁷ *Ibid.*, paras. 38-71.

⁶⁷⁸ S/13938, OR, 35th yr., Suppl. for April-June 1980, p. 48.

⁶⁷⁹ See 2221st mtg., paras. 25-49.

⁶⁸⁰ S/13941, OR, 35th yr., Suppl. for April-June 1980, p. 50.

⁶⁸¹ 2222nd mtg., preceding para. 1.

⁶⁸² The proposal to invite the representative of the PLO was adopted by 10 votes to one with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see S/PV. 2222nd mtg., paras. 2-6, as well as chapter III.

⁶⁸³ 2222nd mtg., para. 7.

⁶⁸⁴ *Ibid.*, paras. 13-36.

⁶⁷⁷ 2221st mtg., paras. 25-49.

⁶⁷⁸ S/13938, OR, 35th yr., Suppl. for April-June 1980, p. 48.

⁶⁷⁹ See 2221st mtg., paras. 25-49.

⁶⁸⁰ S/13941, OR, 35th yr., Suppl. for April-June 1980, p. 50.

⁶⁸¹ 2222nd mtg., preceding para. 1.

⁶⁸² The proposal to invite the representative of the PLO was adopted by 10 votes to one with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see S/PV. 2222nd mtg., paras. 2-6, as well as chapter III.

⁶⁸³ 2222nd mtg., para. 7.

⁶⁸⁴ *Ibid.*, paras. 13-36.

⁶⁸⁵ *Ibid.*, paras. 38-71.

⁶⁸⁶ 2223rd mtg., paras. 3-34.

⁶⁸⁷ *Ibid.*, paras. 36-54.

⁶⁸⁸ For the text of the draft resolution, see the text of resolution 469 (1980) which follows.

article 1, which reads "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances", and article 49, which reads "Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive".

1. *Strongly depl*ores the failure of the Government of Israel to implement resolution 468 (1980);

2. *Calls again upon* the Government of Israel, as the occupying Power, to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron and Halhoul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

3. *Commends* the Secretary-General for his efforts and requests him to continue his efforts in order to ensure the immediate implementation of the present resolution and to report to the Security Council on the result of his efforts at the earliest possible date.

On 24 May 1980 the Secretary-General submitted a report⁶⁸⁹ pursuant to Security Council resolution 469 (1980) in which he relayed the response of the Israeli Government to his appeal regarding the three Palestinian deportees. The report stated that the Government of Israel, while deploring the failure of the Security Council resolutions to mention the attack on Jewish worshippers in Hebron, would abide by the decision of the High Court of Israel to which a petition in behalf of the three individuals concerned had been submitted for consideration.

Decision of 5 June 1980 (2226th meeting): resolution 471 (1980)

By a letter dated 3 June 1980⁶⁹⁰ the representative of Bahrain, in his capacity as Chairman of the Arab Group for the month of June, requested the convening of an urgent meeting of the Security Council to consider the assassination attempts against the elected Mayors of Nablus, Ramallah and Al Bireh and the detention of several Palestinian students in occupied Palestinian territory.

By another letter of the same date,⁶⁹¹ the representative of Bahrain, in the same capacity, transmitted the text of a letter from the Chairman of the Executive Committee of the PLO, charging that certain actions of the Israeli authorities in the occupied Palestinian territories constituted an attempt to deprive those territories of their national leaders.

At the 2226th meeting on 5 June 1980 the Council included the letter (S/13977) from the representative of Bahrain in its agenda without objection,⁶⁹² and considered the matter in the course of that meeting.

At that meeting the Council decided to invite the representatives of Bahrain, Egypt, Israel and Jordan, at their request, to participate in the discussion without the right to vote. At the same meeting the Council decided to invite, by vote, in accordance with past practice, the representative of the PLO to participate in the discussion.⁶⁹³

⁶⁸⁹ S/13960, *OR*, 35th yr., *Suppl* for April-June 1980, p. 67

⁶⁹⁰ S/13977, *Ibid.*, p. 83

⁶⁹¹ S/13983, *Ibid.*, p. 85

⁶⁹² 2226th mtg., preceding para. 1.

⁶⁹³ The proposal to invite the representative of the PLO was adopted by 10 votes to one against with 4 abstentions. For the relevant statement

Also at the same meeting the President drew attention to a document before the Council⁶⁹⁴ containing the text of a draft resolution prepared in the course of consultations.

The representative of Bahrain alleged that the criminal acts perpetrated against the elected Mayors in the West Bank by fanatical Israeli elements were intended to uproot and annihilate the Palestinian people so that the occupied Arab territories might forever be kept in Israeli hands. His delegation held the United States accountable for Israel's intransigence through its supply of conventional and sophisticated weapons to Israel, permitting continued occupation of the Palestinian homeland, and being a party to the Camp David negotiations, which his delegation regarded as intended to perpetuate and legalize that occupation.⁶⁹⁵

The representative of Israel described the explosions on 2 June 1980 in which the Mayors of Nablus, Ramallah and Al Bireh and an Israeli technician had been injured. The Government and people of Israel had been outraged by those criminal acts, and while the identity of the perpetrators of the crimes was still unknown an investigation was already under way.⁶⁹⁶

The Council proceeded to vote on the draft resolution before it, which received 14 votes in favour to none against with one abstention (the United States) and was adopted as resolution 471 (1980).⁶⁹⁷ The resolution reads as follows:

The Security Council,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 27, which reads,

"Protected persons are entitled, in all circumstances, to respect for their persons . . . They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof . . ."

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also its resolutions 468 (1980) and 469 (1980),

Reaffirming its resolution 465 (1980), by which the Security Council determined "that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East" and strongly deplored the "continuation and persistence of Israel in pursuing those policies and practices";

Shocked by the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh.

Deeply concerned that the Jewish settlers in the occupied Arab territories are allowed to carry arms, thus enabling them to perpetrate crimes against the civilian Arab population.

by the representative of the United States concerning the invitation and for details of the voting, see 2226th mtg., paras. 2-6, as well as chapter III

⁶⁹⁴ S/13984; for the text of the draft resolution see resolution 471 (1980).

⁶⁹⁵ 2226th mtg., paras. 10-27.

⁶⁹⁶ *Ibid.*, paras. 29-44.

⁶⁹⁷ *Ibid.*, para. 56.

1. *Condemns* the assassination attempts against the Mayors of Nablus, Ramallah and Al Birah and calls for the immediate apprehension and prosecution of the perpetrators of these crimes;

2. *Expresses deep concern* that Israel, as the occupying Power, has failed to provide adequate protection to the civilian population in the occupied territories in conformity with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

3. *Calls upon* the Government of Israel to provide the victims with adequate compensation for the damages suffered as a result of these crimes;

4. *Calls again upon* the Government of Israel to respect and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, as well as with the relevant resolutions of the Security Council;

5. *Calls once again upon* all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

6. *Reaffirms* the overriding necessity to end the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

7. *Requests* the Secretary-General to report on the implementation of the present resolution.

Speaking after the vote the representative of the United States stressed his Government's condemnation of the brutal crime perpetrated in the West Bank on 2 June 1980 and any other kind of violence, but explained that his delegation could not support the draft resolution because it contained unacceptable or incomplete provisions. For its part the United States delegation regarded resolution 242 (1967), as the best basis for a just settlement of the conflict and upon which the Camp David accords had been based.⁶⁹⁸

A number of speakers after the vote denounced the assassination attempts against the three Mayors in particular and all violence in general which they regarded as a hindrance to the search for a lasting peace in the area.⁶⁹⁹

The representative of Israel criticized the resolution just adopted as the Council had over the years failed to show similar sentiments with regard to the numerous atrocities committed against the Jewish people by the PLO terrorists. His delegation regarded the adoption of the resolution as a cynical and hypocritical measure which did not enhance the image of the Council or of the United Nations organization.⁷⁰⁰

Decision of 19 December 1980 (2260th meeting): resolution 484 (1980)

At the 2259th meeting on 19 December 1980, the Council included in its agenda without objection⁷⁰¹ the item entitled: "The situation in the occupied Arab territories" and discussed the matter at two meetings held on that day.

At the 2259th meeting the Council decided to invite, at their request, the representative of Egypt, Israel and

Kuwait to participate in the discussion without the right to vote.⁷⁰²

At the same meeting the Council decided, by vote, to invite, in accordance with previous practice, the representative of the PLO to participate in the discussion.⁷⁰³ Also at the same meeting the Council decided to extend invitations under rule 39, at the request of the representative of Tunisia, to Messrs. Clovis Maksoud, Fahd Qawasma and Mohamed Milhem.⁷⁰⁴

The President of the Council indicated that agreement had been reached among the members that the meeting would be devoted to the question of the expulsion of the Mayors of Al Khalil and Halhoul and the Sharia Judge of Al Khalil.

The Secretary-General made a statement in which he reviewed the developments regarding the three expelled officials since the submission of his report⁷⁰⁵ on 24 May, indicating that according to information received from the Permanent Mission of Israel to the United Nations, the appeals against the expulsion orders had been dismissed by both the Israeli military review board and the Supreme Court. Thereafter the Israeli Government had effected the expulsions despite his representations pursuant to the relevant Security Council resolutions on the matter.⁷⁰⁵

The representative of Kuwait said the measures taken against the two Mayors and Judge were illegal and immoral and should be condemned.⁷⁰⁶

The representative of Israel said that his Government's policies were dictated by the responsibility accruing to every Government to preserve law and order and to maintain human life. He asserted that the expulsion orders had been effected after exhaustion of the last legal recourse available to the appellants under Israel's principles of the rule of law and independence of the judiciary.⁷⁰⁷

Mr. Milhem said that a just decision would hardly be expected from an Advisory Military Tribunal composed of three members personally appointed by the Israeli commander of the West Bank. He expressed great disappointment that their hopes to return to their homes and duties had been dashed, and challenged Israel to show genuine intentions for peace by allowing them to return and stay. He appealed to the Council to ensure that Israel implemented its two resolutions.⁷⁰⁸

Mr. Qawasma dismissed the hearings conducted by the Advisory Military Tribunal to consider their case as farcical and blatantly lacking in justice, although the Deputy President of the High Court of Israel had dissented from upholding the expulsion order and declared that the fourth Geneva Convention of 1949 was

⁷⁰² For details regarding these invitations, see 2259th mtg., paras. 1, 9 and 10, as well as chapter III.

⁷⁰³ The proposal to invite the representative of the PLO was adopted by 10 votes to one with 4 abstentions. For the relevant statement by the representative of the United States concerning the invitation and for details of the voting, see 2259th mtg., paras. 2-8, as well as chapter III.

⁷⁰⁴ See document S/13960 referred to above.

⁷⁰⁵ 2259th mtg., paras. 14-22.

⁷⁰⁶ *Ibid.*, paras. 24-36.

⁷⁰⁷ *Ibid.*, paras. 38-60.

⁷⁰⁸ *Ibid.*, paras. 62-78.

⁶⁹⁸ 2226th mtg., paras. 57-64.

⁶⁹⁹ See statements by the representative of the United Kingdom (2226th mtg., paras. 65 and 66); France (*ibid.*, paras. 67-70); USSR (*ibid.*, paras. 71-80); Egypt (*ibid.*, paras. 82-91); Jordan (*ibid.*, paras. 93-99); and PLO (*ibid.*, paras. 101-129).

⁷⁰⁰ *Ibid.*, paras. 131-150.

⁷⁰¹ 2259th mtg., preceding para. 1.

applicable to the occupied territories. The High Court had also recommended a review of the expulsion order since it was a political rather than a legal decision. Nevertheless the Israeli Government had remained adamant in defying the decisions of the Security Council.⁷⁰⁹

At the 2260th meeting, many members of the Council⁷¹⁰ noted that the Council was meeting for the fourth time in a year to hear the same complaints against Israel and to learn again of Israel's defiance of the Council's decisions. Some of the speakers noted that Israel's attitude was in fact a direct violation of Article 25 of the Charter of the United Nations. They therefore advocated the institution of any effective measures that would divert Israel from its obduracy.

The President of the Council, in his capacity as the representative of the United States, announced his delegation's intention to support the draft resolution before the Council but pointed to the necessity of taking into account the problem of the occupied territories as a whole, which his delegation held could be resolved only through negotiations based on Security Council resolutions 242 (1967) and 338 (1973).⁷¹¹

The Council then proceeded to vote on the draft resolution before it, which received 15 in favour and was thereby adopted unanimously as resolution 484 (1980).⁷¹² The text of the resolution reads as follows:

The Security Council,

Recalling its resolutions 468 (1980) and 469 (1980),

Taking note of General Assembly resolution 35/122 F of 11 December 1980,

Expressing its grave concern at the expulsion by Israel of the Mayor of Hebron and the Mayor of Halhoul.

1. *Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the Arab territories occupied by Israel in 1967;*

2. *Calls upon Israel, the occupying Power, to adhere to the provisions of the Convention;*

3. *Declares it imperative that the Mayor of Hebron and the Mayor of Halhoul be enabled to return to their homes and resume their responsibilities;*

4. *Requests the Secretary-General to report on the implementation of the present resolution as soon as possible.*

E. THE QUESTION OF THE EXERCISE BY THE PALESTINIAN PEOPLE OF ITS INALIENABLE RIGHTS

Decision of 29 June 1976 (1938th meeting): rejection of four-Power draft resolution

At its 1924th meeting on 9 June 1976, the Security Council included the report of the Committee established under General Assembly resolution 3376 (XXX)⁷¹³ in its agenda under the title "The question of the exercise by the Palestinian people of its inalienable rights".

⁷⁰⁹ *Ibid.*, paras. 80-98.

⁷¹⁰ See statements by the representatives of Tunisia (2260th mtg., paras. 2-8), Bangladesh (*ibid.*, paras. 9-18), the USSR (*ibid.*, paras. 19-27), Zambia (*ibid.*, paras. 28-32), and the German Democratic Republic (*ibid.*, paras. 39-42).

⁷¹¹ *Ibid.*, paras. 87-89.

⁷¹² *Ibid.*, para. 91.

⁷¹³ S/12090, dated 29 May 1976. For the text of the report, see GAOR, 31st session, Suppl. No. 35.

Under General Assembly resolution 3376 (XXX) of 10 November 1975,⁷¹⁴ the Assembly had established a Committee on the Exercise of the Inalienable Rights of the Palestinian People and requested that the Committee consider and recommend to the Assembly a programme of implementation, designed to enable the Palestinian people to exercise the rights recognized in paragraphs 1 and 2 of the same resolution. The Assembly also requested that the Security Council consider as soon as possible after 1 June 1976 the question of the exercise by the Palestinian People of its inalienable rights, based on the report to be prepared by the new Committee no later than 1 June 1976 and to be submitted to the Council by the Secretary-General.⁷¹⁵

By letter dated 28 May 1976, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People submitted to the Secretary-General the report requested by the General Assembly in resolution 3376 (XXX) and asked that the report be transmitted to the Security Council for its consideration.⁷¹⁶

In its report, the Committee stressed the inalienable right of Palestinians to return to their homes and proposed a two-phase programme to implement the exercise of that right. The first phase would involve the return of Palestinians displaced in the June 1967 war. The Committee recommended that the Security Council should request the immediate implementation of its resolution 237 (1967) *inter alia* calling upon the Government of Israel to facilitate the return of those inhabitants who had fled the areas of conflict since the outbreak of hostilities and that such implementation should not be related to any other conditions. It further recommended that the resources of the International Committee of the Red Cross and/or the United Nations Relief and Works Agency for Palestine Refugees in the Near East might be employed in the solution of any logistical problems involved in the resettlement of those Palestinians returning to their homes. For the second phase, dealing with Palestinians displaced between 1948 and 1967, the Committee recommended that the United Nations, in co-operation with the States directly involved and the PLO, should proceed to make the necessary arrangements to enable those Palestinians to exercise their right to return to their homes and property or to receive just compensation in accordance with General Assembly resolution 194 (III).

In order to implement the right of the Palestinian people to self-determination, national independence and sovereignty, the Committee recommended that a timetable should be established by the Security Council for the complete withdrawal, no later than 1 June 1977, of the Israeli forces from the areas occupied in 1967. If necessary, temporary peace-keeping forces should be provided by the Council to facilitate the process of withdrawal. It also recommended that the Council should request Israel to desist from the establishment of

⁷¹⁴ General Assembly resolution 3376 (XXX), paras. 3 and 4.

⁷¹⁵ *Ibid.*, paras. 7 and 8.

⁷¹⁶ For the letter, see GAOR, 31st session, Suppl. No. 35, p. 17.

new settlements and to withdraw during that period from settlements established since 1967 in the occupied territories. Israel was also to be requested to abide by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to declare its recognition of the applicability of that Convention. The evacuated territories should be taken over by the United Nations, with the co-operation of the League of Arab States, and subsequently handed over to the PLO as the representative of the Palestinian people. The Committee also recommended that, as soon as the independent Palestinian entity had been established, the United Nations, in co-operation with the States directly involved and the Palestinian entity, should make further arrangements, taking into account General Assembly resolution 3375 (XXX), for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions.

At its 1924th meeting on 9 June 1976, the President of the Security Council read out the text of a letter dated 9 June 1976 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People requesting to address the Security Council in his capacity as Chairman of the Committee, together with the Rapporteur of that Committee, and to participate in the deliberations of the Council.⁷¹⁷ With the consent of the Council, the President extended an invitation under rule 39 of the provisional rules of procedure to the Chairman, the Rapporteur and other members of the Committee.⁷¹⁸

The President also read out the text of a letter of the same date from the representatives of the Libyan Arab Republic and Pakistan requesting that the PLO be invited, in accordance with the past practice of the Council. Following a brief statement by the Representative of the United States opposing the request, the Council decided, by vote, to issue the invitation to the PLO.⁷¹⁹

During the consideration of the item at its 1924th, 1928th and 1933rd to 1938th meetings on 9 to 29 June 1976, the Council also decided to invite the representatives of Afghanistan, Algeria, Bahrain, Bulgaria, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, German Democratic Republic, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Lao People's Democratic Republic, Mauritania, Morocco, Oman, Poland, Qatar, Saudi Arabia, Somalia, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates and Yugoslavia to participate, without vote, in the discussion of the question.⁷²⁰

At the 1933rd meeting on 24 June 1976, the Council decided to extend an invitation to Mr. Amin Hilmy II under rule 39 of the provisional rules of procedure.⁷²¹

At the 1924th meeting on 9 June 1976, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People opened the Council's discussion and introduced the report prepared by his Committee. He pointed out that the Palestine question had come before the United Nations for the first time in 1947 and since then had been a constant subject of major concern to the international community as a whole. The adoption of resolution 181 (II) on 29 November 1947 led to a series of tragic events resulting in four wars as well as the displacement of an entire people deprived of its fundamental civic and national rights. He suggested that the erroneous approach of dealing with the Palestinian problem only from the humanitarian aspect of aid to the refugees was the basic cause of the aggravation of the Israel-Arab conflict. The determination of the Palestinians in recent years helped to correct this error and overcame the indifference of the world community leading to the adoption of a number of United Nations resolutions reaffirming and spelling out the inalienable rights of the people of Palestine.

The Chairman of the Committee then offered a detailed description of the relevant resolutions as they referred explicitly or implicitly to the principal rights of the Palestinian people, including the right to self-determination without external interference; the right to national independence and sovereignty and the right to return to their homes and property from which they had been displaced and uprooted. He stated that the work of the Committee had been carried out under the impact of the resurgence of the Palestinian movement and that all its recommendations had their basis in resolutions and decisions adopted by the General Assembly or the Security Council. The Committee had focused on the right of return of Palestinians and their right to self-determination, independence and national sovereignty. It felt that the return of the Palestinians should immediately and unconditionally be made possible in accordance with Council resolution 237 (1967) of 14 June 1967. Moreover, the Committee had decided to submit the following recommendations to the Council for consideration and adoption: (1) the Council should set a time-table for the complete withdrawal of Israeli occupation forces, with a deadline of 1 June 1977; (2) the Council should establish temporary peace-keeping forces; (3) a temporary United Nations administration should be set up and charged with handing over the evacuated territories to the Palestine Liberation Organization. Pending completion of the evacuation of those territories, Israel should refrain from any violation of human rights in the occupied territories and from its policy of establishing Jewish settlements. The Chairman concluded by pointing out that the Committee's proposals required in-depth involvement by the United Nations

⁷¹⁷ For the President's statement and the text of the letter, see 1924th mtg., para. 2.

⁷¹⁸ For the invitation, *ibid.*, para. 4.

⁷¹⁹ The vote was 11 votes in favour, 1 against, with 3 abstentions. For the statements of the President and of the representative of the United States and for the vote, see 1924th mtg., paras. 5-13. For details see chapter III.

⁷²⁰ For details, see chapter III.

⁷²¹ The request was made by the Libyan Arab Republic. For details, see chapter III.

and that the Council's reaction to these proposals was eagerly awaited.⁷²¹

At the 1934th meeting on 25 June 1976, the representative of the United Kingdom explained that his delegation had voted against General Assembly resolution 3376 (XXX) which was the basis for the report of the Committee and for the Council's current meeting, because, as had been explained by the representative of Italy speaking on behalf of the nine members of the European Community, that resolution had taken no account of the Council resolutions 242 (1967) and 338 (1973) which provided the principles for a peaceful settlement and the framework for negotiations. He added that the British delegation also had abstained in the vote on resolution 3236 (XXIX) concerning Palestinian rights because it did not take into account all the essential elements for a just and lasting peace in the Middle East, in particular, the need to recognize the right of all States in the region, including Israel, to live within secure and recognized boundaries.

The representative of the United Kingdom then summarized his Government's views regarding the situation in the Middle East and in particular the Palestine question. He emphasized that the problem had to be resolved through negotiations and not through war, that the solution involved Israeli withdrawal from territories occupied in June 1967, respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries, and the recognition of the right of the Palestinian people to the expression of their national identity. The last element, the recognition of the Palestinian right to a national identity, had to be added to the principles of resolution 242 (1967) without supplanting the Council's decision. His Government welcomed the fact that the Committee had based its recommendations on resolutions commanding a wide degree of support in the United Nations. The settlement of the problem of Palestinian refugees could only be brought about within the context of negotiations for a comprehensive settlement and remained a most urgent problem. He regretted that the right of all States to live in peace within secure and recognized boundaries had not been mentioned at all in the concluding section of the Committee's report. He suggested that the Council's aim should be to get the negotiations going again instead of setting arbitrary time-tables and he called upon the Council to try to check the dangerous polarization in the positions of the two sides.⁷²²

At the same meeting, the representative of Pakistan stated that the Israelis wished the world to forget that General Assembly resolution 181 (II) of 1947 which brought their State into existence, also recognized the continued existence of the Palestine State. He also addressed criticism by some against the Committee report and pointed out that if the views of those critics were not reflected in the report, it was due to their

systematic boycott of the Committee and their failure to extend to it the necessary co-operation.⁷²⁴

The representative of France put forward his Government's position which entailed the reaffirmation of the right of the Arab States to recover the territories lost in 1967, the right of the Palestinian people to an independent country, and the right of every State in the area to live in peace within secure and recognized boundaries, and expressed regret that the Committee had dealt with the first two elements, but disregarded the third. His Government acknowledged the right of the Palestinian people to a homeland and maintained its clear support for the rights of the State of Israel; it called upon the international community to take the same position. He added that in his Government's judgement, based on Council resolution 338 (1973), a settlement could only result from genuine negotiations between the parties and that the Palestinians must be given a voice in the negotiations. To advance this objective, the Council should lay down the principles and recommend to the parties the terms of an appropriate settlement. The Council should not issue deadlines and time-tables, but direct all its efforts towards the resumption of genuine negotiations.⁷²⁵

The representative of the USSR stated that his Government's position regarding the principles of settlement in the Middle East differed substantially from the viewpoint presented by the representative of the United Kingdom, although the latter had tried to claim an identity of the two. While the USSR called for the withdrawal of Israeli troops from all Arab territories, the United Kingdom did not include the word "all"; the USSR also endorsed the legitimate national demands of the Arab people of Palestine, including their inalienable right to establish their own State, whereas the United Kingdom in a nebulous formula supported the right of the Palestinian people to the expression of their national identity; lastly, the Government of the USSR called for international guarantees for the security and inviolability of the frontiers of all Middle Eastern States, whereas the United Kingdom did not refer to such international guarantees.⁷²⁶

The representative of the United Kingdom replied that the intention of his delegation had been to draw attention to the wide agreement on the three principles as an integrated whole without suggesting that the view held by the USSR of these three principles was identical to that of the United Kingdom.⁷²⁷

At the 1935th meeting on 28 June 1976, the representative of the USSR stressed the importance of the Council addressing as an independent political problem the question of the exercise by the Palestinian people of its inalienable rights. This was especially noteworthy since the representatives of the Palestinian people participated directly in this detailed discussion of the question. The Soviet delegation believed that the exercise of the inalienable rights by the Palestinians and the

⁷²¹ *Ibid.*, paras 24-41

⁷²² *Ibid.*, paras 44-55

⁷²³ *Ibid.*, paras 115-121

⁷²⁴ *Ibid.*, paras 123-125

⁷²¹ 1934th mtg., paras 18-48

⁷²² 1934th mtg., paras 6-21

solution of the Palestine problem were key elements for a just and lasting settlement in the Middle East. Only an all-embracing solution could lead to lasting peace in the area, and a majority of Council members opposed therefore separate steps which often created additional difficulties. He set out the Soviet view regarding the solution of the problem and made special mention of the call for the resumption of the Geneva Peace Conference. He expressed full support for the recommendations of the Committee, in particular the call for equal and full participation of the representatives of the Palestinian people in all peace efforts under the aegis of the United Nations.⁷²⁸

At the same meeting, the representative of Guinea spoke in favour of the Committee's recommendations and proposed that in Jerusalem, for which the people of Guinea felt particular concern, a 45-member legislative body representing the three religious communities and an executive organ under a United Nations commissioner appointed by the Secretary-General should replace the current Israeli control. He appealed to Israel to refrain from any act intended to alter the legal status of Jerusalem. He also called for the abandonment of the Jewish settlements in the occupied territories and for the unconditional withdrawal of Israeli citizens who had been settled in those territories since 1967. He urged the Council to consider all measures that might lead Israel to implement the recommendations proposed by the Committee, but suggested that the full responsibility be left to the General Assembly in the event of a total lack of co-operation on the part of Israel.⁷²⁹

The representative of Italy suggested that the only realistic way to deal with the Palestinian problem was within the established negotiating framework comprehending all the aspects of the broader issue of the Arab-Israeli conflict; this approach had not been taken sufficiently into consideration in the report of the Committee. Since the Committee had not offered in clear terms the framework for a territorial solution of the Palestinian problem, but had referred to a possibility of the Council members, assisted by the Secretary-General, either in closed session or through informal consultations, searching for those moves which would contribute to an overall settlement, he believed that what was needed most at this point would be an effort to bring up to date and supplement the provisions of resolution 242 (1967) in order to grasp the Palestinian issue in the larger context of the whole Middle East problem.⁷³⁰

At the 1936th meeting on 28 June 1976, the representative of China stated that the essence of the Palestine question and the whole Middle East issue lay in Israeli Zionist aggression and the contention between the two super-Powers for hegemony in that region. He called upon the Security Council unequivocally to recognize the complete restoration to the Palestinian people of their national rights free from external interference and to recognize that the Palestinian people were entitled to

resort to all means to regain the above rights. This would also require that the Council demanded the immediate, unconditional and complete Israeli withdrawal from all the occupied territories.⁷³¹

At the same meeting, the representative of Japan indicated that the problem of Palestine was a crucial issue requiring solution together with the other issues of the Middle East problem. His Government had studied the report of the Committee carefully, but felt that some of the recommendations contained in the report could hardly be implemented either legally or politically. Under these circumstances, his delegation would not be in a position to support those recommendations. He urged the adoption of some concrete steps including the resumption of the Geneva Conference with the participation of the Palestine Liberation Organization in an attempt to achieve an early agreement.⁷³²

At the 1937th meeting on 29 June 1976, the representative of the Syrian Arab Republic expressed strong support for the report and recommendations of the Committee, stressed the urgency of enabling the Palestinian people to exercise its inalienable rights to self-determination and restoration of its national independence and sovereignty and called upon the Security Council to implement all of the Committee's recommendations without further delay. He remarked with particular reference to the provisions of resolutions 242 (1967) and 338 (1973) that the principle of the inadmissibility of the acquisition of territory by war did not allow for any exceptions and that therefore the Israelis would have to withdraw from the occupied territories completely and unconditionally.⁷³³

At the beginning of the 1938th meeting also held on 29 June 1976, the President drew the attention of the Council members to a draft resolution⁷³⁴ which had been submitted the same morning and was sponsored by Guyana, Pakistan, Panama and the United Republic of Tanzania.⁷³⁵

At the same meeting, the representative of the United Republic of Tanzania stated that the report of the Committee contained four important elements: (a) the right to self-determination, national independence and sovereignty of the Palestinians; (b) the right of the Palestinians to return to their homes; (c) the withdrawal by Israel from all occupied Arab territories; and (d) the right of all States in the region to exist in peace within recognized boundaries. He then introduced the draft resolution which was sponsored by the delegations of Guyana, Pakistan, Panama and by his own delegation: Under this draft, in the preamble, the Council would have referred to its consideration of the report of the Committee, expressed deep concern that no just solution to the problem of Palestine had been achieved, and that this problem therefore continued to aggravate the Arab-Israeli conflict, of which it was the core, and to endanger international peace and security, and recog-

⁷²⁸ 1935th mtg., paras. 11-32

⁷²⁹ *Ibid.*, paras. 35-46

⁷³⁰ *Ibid.*, paras. 50-65

⁷³¹ 1936th mtg., paras. 48-55

⁷³² *Ibid.*, paras. 58-64

⁷³³ 1937th mtg., paras. 20-42

⁷³⁴ S/12119, *OR, 31st yr., Suppl. for April-June 1976*, p. 73

⁷³⁵ 1938th mtg., para. 4

nized that a just and lasting peace in the Middle East could not be established without the achievement *inter alia* of a just solution of the problem of Palestine on the basis of the recognition of the inalienable rights of the Palestinian people; in the operative part of the draft resolution, the Council would have taken note of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and would have affirmed the inalienable rights of the Palestinian People to self-determination, including the right of return and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations.⁷³⁶

At the same meeting, the representative of the United States criticized the report of the Committee in its basic approach as misguided, since in the view of his Government the issues in the Middle East were of a complexity that defied resolution by committees but required serious negotiations by the parties. His delegation maintained its support for the framework contained in resolutions 242 (1967) and 338 (1973). With regard to the draft resolution, he indicated that his delegation judged the draft as totally devoid of balance, stressing the rights and interests of one party, and rejected in particular the affirmation of specific political rights for the Palestinians because his Government remained convinced that those rights and interests must be negotiated by the parties before they could be defined in resolutions of the Council. For those reasons, his delegation intended to vote against the draft resolution.⁷³⁷

The representative of the PLO stressed that it was high time that the Council address itself to the question of the Palestinian rights and expressed full support for the resolutions adopted by the General Assembly and the recommendations contained in the report of the Committee and explained the significance of the recommendations for the people of Palestine. He concluded by appealing to the Council and its members to confront the core of the Middle East problem, to promote the implementation of the General Assembly resolutions, not to fall victim to procedures and modalities which would not be appropriate to the questions of Palestine and to adopt measures that would contribute significantly to the restoration of justice and peace in Palestine.⁷³⁸

During the same meeting, the draft resolution was put to the vote: it received 10 votes in favour, 1 against, and 4 abstentions and was not adopted owing to the negative vote of a permanent member.⁷³⁹

In explanation of the vote, the representative of France suggested that in regard to operative paragraph 1 of the draft resolution, the Council's taking note of the report of the Committee did not justify having recourse to a draft resolution. Instead, the Council could have

left it to the President to draw conclusions from the debate at a stage when the report was still a provisional document to be reviewed by the Committee before being transmitted to the General Assembly.⁷⁴⁰

Decision of 27 October 1977 (2041st meeting): adjournment

In a letter⁷⁴¹ dated 13 September 1977 addressed to the President of the Security Council, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People referred to his previous letter⁷⁴² dated 8 June 1977 calling attention to paragraph 4 of General Assembly resolution 31/20 of 24 November 1976, in which the Assembly had urged the Security Council to consider once again as soon as possible the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in order to take the necessary measures to implement them, and requested that the President hold consultations with a view to convening a meeting of the Security Council on the subject at a suitable date. He added that in the Committee's opinion the meeting should be held before the General Assembly considered item 30 of its provisional agenda, entitled "Question of Palestine", so that the Committee could submit its conclusions concerning the discussion in the Council to the Assembly. He attached to his letter a copy of the report⁷⁴³ of the Committee which the Council had reviewed in 1976 and which the General Assembly subsequently had taken note of and endorsed.

At its 2041st meeting on 27 October 1977, the Security Council included the letter in its agenda and considered the item at that meeting. At the beginning of the meeting, the President informed the Council members that in a letter dated 24 October 1977 the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People had requested to be invited to address the Council on the agenda item. The President recalled the previous decision in this respect and proposed to follow the same practice. In accordance with this proposal the Council decided to invite, under rule 39 of its provisional rules of procedure, the Chairman of the Committee.⁷⁴⁴

The President also informed the Council that on 25 October 1977 the representative of Senegal, by letter, had requested that the representative of the Palestine Liberation Organization be invited to participate in accordance with the previous decisions of the Council in that matter. Following a short intervention by the representative of the United States criticizing the proposed invitation as inappropriate and asking that it be put to the vote, the Council decided, by vote, to invite the representative of the PLO to take part in the debate in accordance with past practice.⁷⁴⁵

⁷⁴⁰ *Ibid.*, paras. 125-128

⁷⁴¹ S/12399, *OR*, 32nd yr., *Suppl. for July-Sept. 1977*, p. 81

⁷⁴² S/12345, *ibid.*, *Suppl. for April-June 1977*, pp. 55 and 56

⁷⁴³ See note 713 above

⁷⁴⁴ For the President's statement and the invitation, see 2041st mtg., paras. 1 and 2

⁷⁴⁵ For the decision to invite the PLO, see 2041st mtg., paras. 3-7. For further details, see chapter III

⁷³⁶ For the statement and the introduction of the draft resolution, *ibid.*, paras. 23-33

⁷³⁷ *Ibid.*, paras. 61-65

⁷³⁸ *Ibid.*, paras. 67-79

⁷³⁹ For the vote see *ibid.*, para. 119

The Security Council further decided to invite the representatives of Egypt and the Syrian Arab Republic to participate, without vote, in the discussion of the question.⁷⁴⁶

The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People opened the discussion of the Council and recalled the decision of the General Assembly at its thirty-first session to take note of the report of the Committee and to endorse the recommendations contained therein; the Assembly had also urged the Council to consider once again those recommendations so as to achieve early progress towards a solution of the problem of Palestine. His Committee had been charged by the Assembly with the task of promoting the implementation of its recommendations and of reporting back to the Assembly at its thirty-second session.

The Chairman of the Committee reported that in the debate of the General Assembly on the question of Palestine a vast majority of delegations supported the Committee report and agreed in seeing the question as the central element in the Middle East conflict which could be brought to a lasting peace settlement only if the legitimate rights and aspirations of the Palestinian people were taken into account. Most of the speakers in the Assembly debate had stressed that a satisfactory solution to the Palestinian question could not be achieved outside the framework of an overall settlement of the Middle East problem.

He pointed out that the task of the Committee consisted, above all, in righting the basic imbalance which had characterized the various United Nations approaches to the Palestine question, and in giving the Palestinian issue its true dimension. He mentioned various suggestions which the Committee had made to the Council to help facilitate the Council's work towards a positive approach in the Palestine problem. The main concern now should be the implementation of decisions that had been adopted by the United Nations. He noted with satisfaction the joint Soviet-American statement of 1 October 1977 putting forward common views regarding the resolution of the Middle East conflict including the realization of the legitimate rights of the Palestinian people and the revival of the Geneva Conference with participation of all the parties.

He concluded his statement by posing the question whether Israel could calmly continue with its policy of territorial expansion, injustice and obstruction of the exercise of the Palestinian rights and emphasized once again that by adopting the recommendations of the Committee, the Council would considerably increase the chances of a peaceful settlement in the Middle East.⁷⁴⁷

The representative of the Libyan Arab Jamahiriya stated his strong support for the Palestinian cause and the work of the Committee and warned that the Council was confronted with an extremely serious and dangerous situation in the Middle East which threatened world

peace and security, the Palestine question being the essence of the whole problem. He commented on the Soviet-American statement of 1 October and mentioned that after the issuance of the joint statement the United States Government had insisted to delete the phrase "national rights" from the text because that expression would include the right to self-determination and the right to establish a State; the United States and Israel had also issued a joint statement, a week later, which made the first joint statement meaningless, as it reiterated the view that resolutions 242 (1967) and 338 (1973) remained the basis for the resumption of the Geneva Peace Conference and that the acceptance of the Joint US-USSR statement of 1 October 1977 by the parties was not a prerequisite for the reconvening and conduct of the Geneva Conference.⁷⁴⁸

The representative of the USSR renewed his Government's support for the Palestinian people and for its representative, the Palestine Liberation Organization, and expressed the conviction that opportunities for progress towards the establishment of a just and lasting peace in the Middle East were now taking shape. This would require the earliest reconvening of the Geneva Peace Conference. In this connection he noted the joint Soviet-American statement on the Middle East.⁷⁴⁹

At the end of the 2041st meeting, the President stated that, after prior consultations with members of the Council, it had been agreed to adjourn the debate on the question. The next meeting of the Council on that issue would be fixed after consultations among members.⁷⁵⁰

Decision of 29 June 1979 (2155th meeting): invitation to the PLO

By letter⁷⁵¹ dated 13 March 1979 the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People informed the President of the Security Council that the Committee had authorized him to bring to the attention of the Security Council General Assembly resolution 33/28 A of 7 December 1978, in which the Assembly once again urged the Council to consider and take a decision on the recommendations of the Committee endorsed in three earlier Assembly resolutions. The new Assembly resolution also requested the Committee, in the event that the Council failed to consider or to take a decision on those recommendations by 1 June 1979, to consider that situation and to make suggestions. In the light of the renewed mandate to the Committee to make further suggestions to the Assembly or the Council, as provided for in General Assembly resolution 33/28 B, the Chairman of the Committee emphasized that concrete action by the Council on the basis of the implementation of the Committee's recommendations would without any doubt lead to the achievement of tangible progress towards a solution to the question of Palestine.

⁷⁴⁶ *Ibid.*, paras 48-77

⁷⁴⁷ *Ibid.*, paras 97-106

⁷⁴⁸ *Ibid.*, para 134

⁷⁴⁹ S/13164, *OR, 34th yr., Suppl. for Jan-March 1979*, pp 145-146

⁷⁴⁶ For details, see chapter III.

⁷⁴⁷ See 2041st mtg., paras 13-47

In a further letter⁷⁵² dated 27 June 1979 addressed to the President of the Security Council the Chairman of the Committee referred to a letter⁷⁵³ dated 24 May 1979 from the President of the Council informing him that the Council had held consultations with the members of the Council concerning the meeting of the Council on the question of Palestine and conveyed to the President the conclusion of his Committee that the Council should resume the consideration of the Committee's recommendations as soon as possible, since considerable time had elapsed since the last discussion of these issues at the 2041st meeting of the Council on 27 October 1977.

At the 2155th meeting on 29 June 1979, the Council included the two letters from the Chairman of the Committee in its agenda and considered the question at its 2155th and 2160th to 2163rd meetings on 29 June, 27 July, 23 and 24 August 1979.

At the beginning of the 2155th meeting, the President informed the Council that the Chairman of the Committee had requested by letter to be invited to address the Council, in accordance with the provisions of rule 39 of the provisional rules of procedure. The Council decided, in accordance with past practice in this matter, to extend an invitation to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁷⁵⁴

At the same meeting, the Council also decided, by vote, to invite the representative of the PLO to participate in the debate, in accordance with the Council's past practice.⁷⁵⁵

During the deliberations on the issue of Palestinian rights, the Council further invited the representatives of Afghanistan, Cuba, Egypt, the German Democratic Republic, Iraq, Israel, Jordan, the Lao People's Democratic Republic, Morocco, Senegal, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey and Yugoslavia, at their request, to participate in the debate without the right to vote.⁷⁵⁶

At the 2155th meeting on 29 June 1979, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People reminded the members of the Council of the endorsement of the Committee's recommendations by the General Assembly and of the Assembly's recurrent request that the Council consider and adopt those recommendations with a view to facilitating the ongoing attempts to solve the Palestinian question. The Council had been seized of this question since October 1977, but certain members of the Council had succeeded in suspending the examination of the Committee's report, but the members of the Committee felt that they could not accept further delay. The Chairman pointed to the Assembly's recent

resolution 33/28 of 7 December 1978, in which a deadline of 1 June 1979 had been set for the Council's renewed consideration of the issue. He added that at various points in time members of the Security Council had expressed support for the national legitimate rights of the Palestinian people, deplored the deepening crisis in Lebanon requiring the dispatch of a United Nations Force and submitted evidence that Israel continued to deny the national rights of the Palestinians, especially through its provocative policy of establishing settlements in the occupied Arab territories. He restated the basic aims as set by his Committee, pointed to the congruence between these and the objectives set by the Ministers for Foreign Affairs of the European Community in their statement of 18 June 1979 and appealed once more to the Security Council to assist in achieving progress in the issues of the Middle East and in particular of the Palestinian question.⁷⁵⁷

At the same meeting, the representative of Israel stated that the only basis for peace in the Middle East was the framework spelled out in Council resolution 242 (1967) which had resulted in the first treaty between an Arab state and Israel. He warned against the adoption of the recommendations issued by the Committee as they were designed to subvert the principles of resolution 242 (1967).⁷⁵⁸

The representative of the PLO recalled the suffering of the Palestinian people since 1947 when they were driven out of their homeland and stressed their determination to continue the struggle in order to attain and freely exercise their inalienable rights. He pointed out in detail what he perceived as shortcomings of the Camp David accords of September 1978, in particular the exclusion of Palestinian representation in the agreement itself, as the parties usurped that right for themselves; he also noted that the accords envisaged a final resolution of the Palestine problem which would preclude the exercise of the inalienable national right of the Palestinian people to self-determination and statehood in Palestine, the right of return for the Palestinian refugees and the right of the Palestinians to choose their own representatives. The provisions of the Camp David accords and the relevant General Assembly resolutions were not compatible, and the divergence between them would further hamper the prospects for a solution of the Palestinian question.⁷⁵⁹

At the close of the same meeting, the representative of Kuwait mentioned that it had been agreed in informal consultations that the beginning of the debate on the report of the Committee on Palestine would be confined to a few speakers so as to make the atmosphere conducive to serious negotiations with a view to arriving at a constructive document. The hope was to resume the deliberations at the end of July or beginning of August. He confirmed that his delegation was clearly committed to the resumption of the debate at the end of July.⁷⁶⁰

⁷⁵² S/13418, *ibid.*, *Suppl. for April-June 1979*, p. 213

⁷⁵³ S/13349, *ibid.*, p. 150

⁷⁵⁴ For details, see chapter III. At the 2160th meeting, the Rapporteur of the Committee was also invited

⁷⁵⁵ The vote was 10 votes in favour, 1 against and 4 abstentions. For the vote and the statement of the representative of the United States, see 2155th mtg., paras. 7-8. For further details, see chapter III.

⁷⁵⁶ For details, see chapter III.

⁷⁵⁷ 2155th mtg., paras. 11-33

⁷⁵⁸ *Ibid.*, paras. 72-83

⁷⁵⁹ *Ibid.*, paras. 85-126

⁷⁶⁰ *Ibid.*, paras. 134-137

The President also referred to the understanding reached in the course of consultations and added that the members of the Council would be informed of the date of the next meeting in accordance with that understanding.⁷⁶¹

At the 2160th meeting on 27 July 1979, the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People suggested that over the years, a quasi-unanimous international consensus had laboriously been devised on the essential parameters of an equitable solution in the Middle East. These parameters had not yet been incorporated in a unanimous Security Council pronouncement. He rejected charges that the Committee had specifically been set up to by-pass Council resolution 242 (1967); the Committee had never ignored the importance of that resolution, but had tried to put it in the proper perspective. If justice were to prevail in the Middle East issue, a matter in which the United Nations had a clear responsibility, the Committee felt that its recommendations should be taken into account in all negotiations.⁷⁶²

At the same meeting, the representative of the Palestine Liberation Organization set out in detail the historical and political significance of the basic Palestinian rights and concluded that the international community, including the United Nations, had never given its consent to the Zionist concept of Israel; that on the contrary, the United Nations, in its partition recommendation, like the League of Nations before it, prohibited the actions which led Israel to approximate its own Zionist conception of itself; under these circumstances, the United Nations was under no obligation to protect or safeguard the Zionist character of Israel, particularly in its demographic aspect, but, on the contrary, was under an obligation to the Palestinian Arabs to restore their rights and to undo the actions of Israel which led to the denial of those rights.⁷⁶³

In accordance with the understanding reached in consultations on 30 July 1979, the Council continued its consideration of the issue at its 2161st meeting on 23 August 1979.⁷⁶⁴

At that meeting, the representative of Egypt confirmed the basic quality of resolution 242 (1967) which enjoyed universal support and suggested to the Council that the recognition of the legitimate rights of the Palestine people by Israel in the Camp David accords constituted a break-through that should be utilized and expanded in further steps, on the way to a solution of the Middle East problem. In view of this development the Council should consider formally recognizing the legitimate rights of the Palestinians in the same way that it had recognized the right of all States in the area, including Israel, to exist.⁷⁶⁵

At the same meeting, the representative of Cuba criticized the continuing blockage by Israel and the

United States of measures that would promote the solution of the Palestine question and reported that the Committee had prepared a draft resolution to be presented to the Council, which was based on the Charter of the United Nations and on international principles recognized by all Member States and stated the minimum of elements essential to state the case for the inalienable rights of the Palestinian people. He added that his delegation would have preferred to issue an explicit condemnation of Israel and to invoke measures under Chapter VII of the Charter, but that the members of the Committee wanted to submit a draft that would be acceptable to all Council members. He deplored that the United States refused to accept even that minimal draft resolution, thus maintaining its policy of ignoring the rights of the people of Palestine.⁷⁶⁶

The representative of the Palestine Liberation Organization expressed his regret about the resignation of the President as representative of the United States due to his public acknowledgement of having met with the PLO representatives and deplored that the acceptance of the Palestinian question as a just cause and the recognition of the rights of the Palestinian people were reprimanded and punished by the Government of the United States. This inflexible position taken by the United States made it utterly difficult for the Palestinians to reach their legitimate goals of self-determination and statehood.⁷⁶⁷

At the beginning of the 2162nd meeting on 24 August 1979, the President drew the attention of the Council to the text of a draft resolution⁷⁶⁸ sponsored by Senegal.⁷⁶⁹

At the same meeting the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, speaking also in his capacity as representative of Senegal, introduced the draft resolution which his Committee had prepared. The draft was sober and prudent, reflecting the provisions of the Charter and recalling principles on which there already existed an international consensus. The Committee had to make major sacrifices regarding its basic positions in order to accommodate if possible, all the members of the Council, but this was done in the desire to work for peace. The Chairman added that certain members of the Council refused to co-operate with the Committee on the pretext that they had not voted in favour of the resolution setting up that body.

He then introduced in detail the draft resolution which, in its preambular part, would have the Council, convinced that the question of Palestine was the core of the conflict in the Middle East, reaffirm the urgent necessity of the establishment of a just and lasting peace through a comprehensive settlement based on full respect for the principles and purposes of the Charter of the United Nations, as well as for its resolutions concerning the problem of the Middle East and the

⁷⁶¹ 2155th mtg., para. 138.

⁷⁶² 2160th mtg., paras. 7-28.

⁷⁶³ *Ibid.*, paras. 30-87.

⁷⁶⁴ See the president's statement at the opening of the 2161st mtg., para. 5.

⁷⁶⁵ 2161st mtg., paras. 9-21.

⁷⁶⁶ *Ibid.*, paras. 86-97.

⁷⁶⁷ *Ibid.*, paras. 99-129.

⁷⁶⁸ S/13514, OR, 34th yr., Suppl. for July-Sept. 1979, p. 117.

⁷⁶⁹ 2162nd mtg., para. 3.

question of Palestine, express its concern over the continuing deterioration of the situation in the Middle East, and deeply deplore Israel's persistence in its occupation of the Arab territories, including Jerusalem, and its refusal to implement the relevant United Nations resolutions, reaffirm the principle of the inadmissibility of acquisition of territories by the threat or use of force, reaffirm also its resolutions on the Middle East and the question of Palestine, particularly resolutions 232 (1967), 242 (1967), 252 (1968), 338 (1973) and other relevant resolutions. In the operative part, the Council would have (1) affirmed (a) that the Palestinian people should be enabled to exercise their inalienable rights of self-determination, national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations and relevant resolutions of the Security Council and the General Assembly; (b) the right of Palestinian refugees wishing to return to their homes and live at peace with their neighbours to do so and the right of those choosing not to return to receive compensation for their property, in accordance with the Universal Declaration of Human Rights, and General Assembly resolutions, in particular resolution 194 (III) of 11 December 1948; and (2) decided that the provisions contained in paragraph 1 above should be taken fully into account in all international efforts and conferences organized within the framework of the United Nations for the establishment of a just and lasting peace in the Middle East.

In conclusion, the Chairman of the Committee pointed out that the members of his Committee had agreed to omit any mention of a "Palestinian State", to mention one example of the flexibility shown, and urged the Council to decide quickly and in the interest of the Palestinian people.⁷⁷⁰

At the 2163rd meeting on 24 August 1979, the representative of Kuwait emphasized that the only aim of the draft resolution submitted to the Council was the recognition of the right of the people of Palestine to self-determination. He deplored that a memorandum issued by the United States Secretary of State in 1975 to the effect that there should be no recognition of or negotiation with the PLO disqualified the United States from any constructive role concerning the right of the Palestinians to the achievement of a comprehensive peace.⁷⁷¹

The representative of the United Kingdom reaffirmed his Government's adherence to the Council's resolutions 242 (1967) and 338 (1973) as the framework for a negotiated settlement of the Middle East issue and called upon the PLO to accept without qualification Israel's right to exist and the commitment to a negotiated settlement on that basis.⁷⁷²

The President, speaking in his capacity as representative of the United States, stated that it was his Government's policy to bring the Palestinian people into the peace process and summarized the basic approach to

securing a comprehensive peace in the Middle East: (1) the current stage of the peace process, centred on negotiations between Egypt, Israel and the United States, needed a chance to succeed; (2) the basis of making peace was Security Council resolutions 242 (1967) and 338 (1973) in their entirety; (3) the right of Israel and its neighbours to live in peace, within secure and recognized borders, was fundamental; and (4) the legitimate rights of the Palestinian people, including their right to participate in determining their future, must be realized. He added that his Government appreciated the significance of the Council debate and the statesmanship shown throughout.⁷⁷³

The representative of Kuwait remarked, in explaining why the Council had not voted on the draft resolution submitted by the representative of Senegal, that lengthy consultations had been held so that the image of the President would not be blemished with a veto on the issue of Palestinian rights.⁷⁷⁴

The President announced that the date and time of the next meeting of the Council for further consideration of the agenda item would be fixed following consultations among the members of the Council and adjourned the meeting.⁷⁷⁵

Decision of 30 April 1980 (2220th meeting): rejection of draft resolution

In a letter⁷⁷⁶ dated 6 March 1980, the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People drew the attention of the President of the Security Council to paragraphs 7 and 8 of General Assembly resolution 34/65 A, entitled "Question of Palestine", in which the Assembly once again urged the Council to consider the recommendations of the Committee and to act on them and also reiterated its request that, if the Council failed to act by 31 March 1980, the Committee consider the situation and make appropriate suggestions. The Acting Chairman furthermore restated the basic principles as formulated by his Committee for the pursuit of a comprehensive settlement of the Middle East issue including the Palestinian question. Since the Council had not voted upon the draft resolution which had been presented during its deliberations in August 1979, it was still seized of the question. He asked that the Council take practical measures with a view to implementing the Committee's recommendations designed to restore to the Palestinian people their inalienable rights.

By letter⁷⁷⁷ dated 24 March 1980, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People requested that the President convene the Council urgently since the developments in the occupied Palestinian and other occupied Arab territories, including Jerusalem, constituted continuing violation by Israel of the inalienable rights of the

⁷⁷⁰ *Ibid.*, paras. 5-15.

⁷⁷¹ 2163rd mtg., paras. 9-37.

⁷⁷² *Ibid.*, paras. 78-86.

⁷⁷³ *Ibid.*, paras. 152-161.

⁷⁷⁴ *Ibid.*, paras. 179-186.

⁷⁷⁵ *Ibid.*, para. 187.

⁷⁷⁶ S/13832, OR, 35th yr., Suppl. for Jan.-March 1980, pp. 71-72.

⁷⁷⁷ S/13855, *ibid.*, p. 87.

Palestinian people, and since the date envisaged in paragraph 8 of resolution 34/65 A was imminent.

At the 2204th meeting on 31 March 1980, the Security Council included the two letters in its agenda and considered the issue at its 2204th to 2208th, 2219th and 2220th meetings on 31 March to 9 April and 29 to 30 April 1980. During its deliberations the Council decided to invite the representatives of Algeria, Bahrain, Bulgaria, Cuba, Democratic Yemen, Egypt, Guyana, Hungary, India, Iraq, Israel, Jordan, Lebanon, Madagascar, Morocco, Qatar, Saudi Arabia, Somalia, the Syrian Arab Republic, Ukrainian SSR, United Arab Emirates, Viet Nam, Yemen and Yugoslavia to participate, without vote, in the discussion of the item.⁷⁷⁸

At the 2204th meeting, the Council also decided to extend invitations, under rule 39 of the provisional rules of procedure, to the Chairman and the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁷⁷⁹

At the same meeting, the Council further decided, by a vote, that an invitation should be accorded to the representative of the PLO to participate in the debate, in accordance with the Council's past practice.⁷⁸⁰

At the same meeting, the Council also decided, at the request of the representative of Tunisia, to extend an invitation to Mr. Clovis Maksoud under rule 39 of the provisional rules of procedure.⁷⁸¹

The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, as the first speaker in the debate, reminded the Council members that the Palestinian issue had been on the Council's agenda since 1976 and that the Committee's recommendations were all based on previous Council and General Assembly resolutions. He also pointed out that the Committee had clearly refused a *sine die* postponement of the discussion of the question of Palestine in the Council, but noted with regret that certain Council members continually requested further delay and thus prevented the Council from acting. He warned that the Council's inaction allowed Israel to present the world with further *faits accomplis* that made progress towards peace ever more difficult and encouraged it to persist in its delinquency. He reaffirmed on behalf of the Committee Israel's right to exist, but added that, on the pretext of its desire for absolute security, Israel could not totally deny the existence of the Arab Palestine and of the legitimate and inalienable rights of the Palestinian people.⁷⁸²

The Rapporteur of the same Committee pointed out that the solution proposed by the United Nations was objective and comprehensive and contained a legal endorsement of the right of Israel to exist within secure borders; this opinion had been repeatedly confirmed by

the present United Nations membership and accepted by the PLO, through its support of the Committee's recommendations.⁷⁸³

At the same meeting, the representative of Israel reaffirmed his Government's position that Jordan was the national home of the Palestinian Arabs and that the long-term solution of the Middle East problem was feasible only in the framework of the Camp David accords.⁷⁸⁴

At the 2208th meeting on 9 April 1980, the representative of Algeria stated that the Camp David agreements lacked validity for several reasons: no State had a right to conclude an international treaty that would abrogate elementary principles of international law, but that was exactly what had been done in those agreements in that the contracting parties had eliminated the right of the Palestinian people to self-determination. Moreover, the Government of Egypt had actually usurped the right of the Palestinians to conclude a treaty for themselves by signing the Camp David agreements providing for the abrogation of the inalienable rights of the people of Palestine.

He proposed instead that the Geneva Conference should be reconvened, with the participation of the PLO, in order to start peace negotiations under the auspices of the United Nations. The world community should reject the Camp David agreements as a plan for the liquidation of Palestinian national rights and the disruption of the territorial integrity of neighbouring Arab States.⁷⁸⁵

At the beginning of the 2219th meeting on 29 April 1980, the President drew to the attention of the Council members the text of a draft resolution,⁷⁸⁶ sponsored by Tunisia.⁷⁸⁷

At the same meeting, the representative of Tunisia introduced the draft resolution which had been prepared by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and reproduced, in their essence, its recommendations dating back to 1976. Under the preambular part of this draft resolution, the Council would have taken note of General Assembly resolution 34/65; stated its conviction that the question of Palestine was the core of the conflict in the Middle East; reaffirmed the urgent necessity of the establishment of a just and lasting peace through a comprehensive settlement based on full respect for the principles and purposes of the Charter of the United Nations, as well as for its resolutions concerning the problem of the Middle East and the question of Palestine; expressed its concern over the continuing deterioration of the situation in the Middle East, and deeply deplored the persistence of Israel in its occupation of the Palestinian and other Arab territories, including Jerusalem, and its refusal to implement the relevant United Nations resolutions; and reaffirmed the principle of the inadmissibil-

⁷⁷⁸ For details, see chapter III.

⁷⁷⁹ For further details, see chapter III.

⁷⁸⁰ The vote was 10 votes in favour, 1 against and 4 abstentions. See 2204th mtg., paras. 5-7, for the statement of the representative of the United States and for the vote. For further details, see chapter III.

⁷⁸¹ For further details, see chapter III.

⁷⁸² 2204th mtg., paras. 12-37.

⁷⁸³ *Ibid.*, paras. 39-65.

⁷⁸⁴ *Ibid.*, paras. 67-121.

⁷⁸⁵ 2208th mtg., paras. 26-72.

⁷⁸⁶ S/13911, OR, 35th yr., Suppl. for April-June 1980, pp. 30-31.

⁷⁸⁷ 2219th mtg., para. 3.

ity of acquisition of territory by the threat or use of force. In the operative part of the draft resolution, the Council would have, first, affirmed (a) that the Palestinian people, in accordance with the Charter of the United Nations, should be enabled to exercise its inalienable national right of self-determination, including its right to establish an independent State in Palestine; (b) the right of Palestinian refugees wishing to return to their homes and live at peace with their neighbours to do so, and the right of those choosing not to return to receive equitable compensation for their property; secondly, reaffirmed that Israel should withdraw from all the Arab territories occupied since June 1967, including Jerusalem; thirdly, decided that appropriate arrangements should be established to guarantee, in accordance with the Charter, the sovereignty, territorial integrity and political independence of all States in the area, including the sovereign independent State of Palestine as envisaged in paragraph 1 (a) of the resolution and the right to live in peace within secure and recognized boundaries; fourthly, decided that the provisions contained in paragraphs 1, 2 and 3 of the present resolution should be taken fully into account in all international efforts and conferences organized within the framework of the United Nations for the establishment of a just, lasting and comprehensive peace in the Middle East; fifthly, requested the Secretary-General to take all the necessary steps as soon as possible for the implementation of the provisions of the present resolution and to report to the Security Council on the progress achieved; and sixthly, decided to convene within a period of six months to consider the report of the Secretary-General regarding the implementation of the resolution and in order to pursue its responsibilities regarding such implementation.⁷⁸⁸

Prior to the vote, at the same meeting, the representative of the United States indicated that his delegation would oppose the draft resolution as his Government was committed to the approach embedded in the Camp David accords as the only workable framework for a Middle East settlement and did not view the draft resolution as an acceptable alternative.⁷⁸⁹

The President then put the draft resolution to the vote; it received 10 votes in favour, 1 against, and 4 abstentions and was not adopted owing to the negative vote of a permanent member of the Council.⁷⁹⁰

After the vote, the representatives of France and the United Kingdom noted that their delegations had abstained on the draft resolution, because the review of the Palestinian question by the Council of Ministers of the European Community had not been completed.⁷⁹¹ The representative of the PLO called the vote of 10 in favour against a single negative vote a victory and recognition of the inalienable rights of the Palestinian people.⁷⁹²

⁷⁸⁸ 2220th mtg., paras. 80-84. The draft resolution failed of adoption since one permanent member cast a negative vote.

⁷⁸⁹ *Ibid.*, paras. 139-150.

⁷⁹⁰ *Ibid.*, para. 151.

⁷⁹¹ *Ibid.*, France, paras. 154-158; United Kingdom, paras. 153-158.

⁷⁹² *Ibid.*, paras. 174-192.

THE SITUATION IN NAMIBIA

Decision of 6 June 1975 (1829th meeting): rejection of draft resolution

By letter⁷⁹³ dated 24 April 1975 addressed to the President of the Security Council, the President of the United Nations Council for Namibia transmitted the text of a press statement of the Council for Namibia in which it expressed shock and dismay over an incident that had taken place on 23 April in the black township of Katutura (Windhoek) when the South African police had opened fire on unarmed workers, killing one Namibian and seriously wounding 10 others. The Council for Namibia demanded the immediate and unconditional release of another 295 Africans arrested in connection with the incident.

By letter⁷⁹⁴ dated 27 May 1975 addressed to the Secretary-General, the representative of South Africa transmitted the text of a letter from the Minister for Foreign Affairs of South Africa and excerpts from a speech made at Windhoek by Prime Minister Vorster on 20 May which stated that the basis of the South African Government's approach to the question of South West Africa was that it was for the peoples of South West Africa themselves to determine their own political and constitutional future in accordance with their own freely expressed wishes, without interference from South Africa, the United Nations or any other outside entity.

The meeting of the Security Council was called in accordance with resolution 366 (1974)⁷⁹⁵ by which the Council had decided to meet before 30 May 1975 for the purpose of reviewing South Africa's compliance with the terms of that resolution.

At the 1823rd meeting on 30 May 1975 the Council adopted its agenda⁷⁹⁶ and considered the item at the 1823rd to 1829th meetings from 30 May to 6 June 1975.

In the course of its deliberations the Council invited the representatives of Algeria, Bulgaria, Burundi, Cuba, Dahomey, the German Democratic Republic, Ghana, India, Liberia, Nigeria, Pakistan, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, the United Arab Emirates, Yugoslavia and Zambia, at their request, to participate, without vote, in the discussion of the item.⁷⁹⁷

The Council also extended invitations as requested under rule 39 of the provisional rules of procedure to the President and other members of the United Nations Council for Namibia, to Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO) and his delegation, to the Reverend Canon Burgess Carr of the All-Africa Conference of Churches and to Mr. Abdul Minty of the Anti-Apartheid Movement of London.⁷⁹⁷

⁷⁹³ S/11709, mimeographed. For the text of the statement, see A/AC.131/L.24.

⁷⁹⁴ S/11701, *OR*, 30th yr., *Suppl. for April-June 1975*, pp. 35-38.

⁷⁹⁵ Resolutions and decisions of the Security Council, 1974, *OR*, 29th yr., pp. 12, 13.

⁷⁹⁶ 1823rd mtg., preceding para. 1.

⁷⁹⁷ For details, see chapter III.