

States agreed that no dispute should be settled by the use of force and that the Member States had an obligation to respect the territorial integrity and political independence of other States. It was on the basis of these two principles that the Security Council should proceed to give urgent consideration to the problems before it and seek solutions within the framework of the sovereignty of the States concerned.<sup>389</sup>

The Secretary-General stated that he had been informed by the Chief of Staff that for the Suez sector, his estimated need would be for an additional twenty-five observers.<sup>390</sup>

At the same meeting, the President (Ethiopia) read the following statement<sup>391</sup> which he considered to be a consensus of the views of the members of the Council:

"Recalling Security Council resolutions 233, 234, 235 and 236, and emphasizing the need for all parties to observe scrupulously the provisions of these resolutions, having heard the statements made by the Secretary-General and the suggestions he had addressed to the parties concerned, I believe that I am reflecting the view of the Council that the Secretary-General should proceed, as he has suggested in his statements before the Council on 8 and 9 July 1967, to request the Chief of Staff of UNTSO, General Odd Bull, to work out with the Governments of the United Arab Republic and Israel, as speedily as possible, the necessary arrangements to station United Nations military observers in the Suez Canal sector under the Chief of Staff of UNTSO."

The President stated further that since there were no objections, the consensus was accepted by the Council. In conclusion, the President appealed to the parties concerned to give to the Secretary-General their full support and wholehearted co-operation both in ensuring compliance with the Council's decisions and by extending, wherever necessary, such facilities as the Secretary-General or his personnel might require in the performance of their peace-keeping duties in the area.<sup>392</sup>

#### SITUATION IN THE MIDDLE EAST (II)

**Decision** of 25 October 1967 (1371st meeting):

- (i) *Condemning the violation of the cease-fire;*
- (ii) *Demanding that Member States concerned cease immediately all prohibited military activities in the area and co-operate fully with the United Nations Truce Supervision Organization*

By letter<sup>393</sup> dated 24 October 1967 addressed to the President of the Security Council, the representative of the United Arab Republic complained that an Israeli force had earlier that day started, in violation of the cease-fire, a concentrated shelling of the city of Suez which resulted in extensive loss of human life and severe damage to the city and its inhabited areas, which were almost demolished. It was significant that that operation took place immediately after Israel's Cabinet held its

extraordinary meeting and that the targets chosen in the operation were civilian and industrial installations. As a result, the petroleum refineries in Suez, the Nasr plants for fertilizer and installations in the Suez harbour, and several other industrial complexes were completely or severely damaged. This "pre-planned aggression" by the Israeli Government and armed forces went far beyond a mere violation of the cease-fire resolution of the Security Council. It could not be justified as a retaliatory measure against the United Arab Republic for its sinking of the Israeli destroyer Eilat in the United Arab Republic's territorial waters, since the operation was directed not against military targets but against civilian industrial installations. In view of these developments, an urgent meeting of the Council was requested to consider the situation resulting from Israel's act of aggression with a view to taking prompt action against it in accordance with the relevant Articles of the United Nations Charter.

By letter<sup>394</sup> dated 24 October 1967 addressed to the President of the Security Council, the representative of Israel drew the attention of the Council to the fact that earlier that day, the armed forces of the United Arab Republic opened fire from the west bank of the Suez Canal against Israeli forces on the East Bank, north of Port Tawfiq. The fire was returned, and the United Nations observers were informed of the Egyptian action. One Israeli soldier was slightly wounded. Because the United Arab Republic's artillery was located in the vicinity of civilian installations of Port Ibrahim and Suez, some oil refineries were believed to have been hit. A proposal by United Nations observers for cease-fire to take effect at 1730 hours was agreed to by both parties and since that time, the area had remained quiet. The letter then recalled that the Council had earlier been informed<sup>395</sup> of United Arab Republic's violations of the cease-fire culminating in the sinking of the Israeli destroyer Eilat. An urgent meeting of the Council was requested to deal with the United Arab Republic's acts of aggression and violation of the cease-fire resolutions.

At the 1369th meeting on 24 October 1967, the two letters were included in the agenda under the heading "The situation in the Middle East".

Following the adoption of the agenda, the Council invited the representatives of the United Arab Republic, Israel, Jordan and Syria to participate without vote in the discussion of the item which was considered at the 1369th to 1371st meetings, held between 24 and 25 October 1967.<sup>396</sup>

At the 1369th meeting on 24 October 1967, the representative of the United Arab Republic\* stated that the act of war committed by Israel against the civilian and industrial complexes in the United Arab Republic and confirmed by the report of the Chief of Staff of UNTSO was the most violent since its act of aggression on 5 June. Israel's policy seemed bent on the total destruction of civilian and industrial activities of the United Arab Republic. Moreover, its violation of the cease-fire had been marked by a dangerous escalation against these

<sup>389</sup> 1366th meeting (PV), pp. 67-70.

<sup>390</sup> 1366th meeting (PV), pp. 38-40. For the statement of the Secretary-General, see in chapter I, Case 28.

<sup>391</sup> 1366th meeting (PV), p. 71. See also in chapter I, Case 12.

<sup>392</sup> 1366th meeting (PV), pp. 71-72.

<sup>393</sup> S/8207, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 191, 192.

<sup>394</sup> S/8208, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 192, 193.

<sup>395</sup> S/8145, *OR*, 22nd yr., *Suppl. for July-Sept. 1967*, pp. 229, 232; S/8169, *ibid.*, pp. 311-313; S/8173, *ibid.*, pp. 314-316; S/8188, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 171, 172; S/8203, *ibid.*, p. 188; S/8204, *ibid.*, pp. 188, 189.

<sup>396</sup> 1369th meeting (PV), pp. 6-10.

targets. The attack was unprovoked and premeditated and followed immediately the violation of the territorial waters of the United Arab Republic by the Israeli destroyer Eilat on 21 October, and its attempt to carry out aggression against the city of Port Said. The destroyer which, on 12 July, had sunk two United Arab Republic boats in the territorial waters off Port Said was subsequently sunk in self-defence. The fact that the destroyer was located in the territorial waters of the United Arab Republic had been confirmed by the Israeli side and so reported<sup>397</sup> by the Chief of Staff of UNTSO. Noting that the advance of the destroyer was prohibited under the cease-fire resolutions of the Security Council, he recalled that on the previous day, the Israeli Foreign Minister had publicly refused to resort to the United Nations machinery or to employ the Security Council in the examination of the acts which led to its sinking. Thus, by any standard of objectivity, the Council could not but condemn Israel's policy and compel its leaders to account for their disregard for the authority of the United Nations. In this connexion, the Council was called upon to discharge its responsibilities under Chapter VII of the Charter and employ enforcement measures against Israel<sup>398</sup>

The representative of Israel\* stated that the use of missiles by the United Arab Republic's naval forces in attacking and sinking the Israeli destroyer Eilat was not only "the gravest extension of the Egyptian maritime lawlessness and belligerency on the high seas" but also a deliberate act of military escalation. The resulting casualties were nineteen killed, twenty-eight missing and ninety-one wounded. The clearly premeditated character of that act of aggression was most noticeable in a Government decree whereby the civilian population of the Suez area was evacuated and a general atmosphere of tension deliberately created in the area. Despite the version of the incident given to the Council that evening by the representative of the United Arab Republic, the attack on the Israeli destroyer was not an isolated act but part of a policy designed to undermine the cease-fire. In so doing, the United Arab Republic was reverting to the old technique which it practised under the armistice régime, namely, the right of war for itself and for Israel the obligations of peace. But reciprocity was the essence of the cease-fire; and the attack on the Eilat had placed that obligation in jeopardy.<sup>399</sup>

At the same meeting, the representative of the USSR submitted a draft resolution<sup>400</sup> under which the Security Council would, *inter alia*, condemn Israel for its act of aggression in the area of the city of Suez; demand that Israel compensate the United Arab Republic for the damage caused by that act, and call upon Israel to observe the resolution of the Security Council concerning the cease-fire and the cessation of military activities.<sup>401</sup>

At the same meeting, the representative of the United States submitted a draft resolution<sup>402</sup> whereby the Security Council would, *inter alia*, condemn all violations

of the cease-fire, insist that all Member States concerned scrupulously respect the cease-fire resolution of the Security Council, and call upon the Governments concerned to issue categorical instructions to all military forces to refrain from all firing as required by those resolutions. After expressing his delegation's concern over the fact that the cease-fire decision of the Council had been violated, he recalled that the Council had clearly recognized that if there were to be any progress toward peace in the Middle East, the first step must be a complete cessation of acts of violence between the parties. In this connexion, his delegation was ready to join with the Council in insisting upon that basic point, and to cooperate in any necessary step to strengthen the United Nations machinery in the area so that it might be fully equal to the task of supervising the cease-fire resolution of the Council.<sup>403</sup>

The representative of India, drawing attention to the conflicting accounts of the naval incident leading to the sinking of the Eilat, and to the fact that the report<sup>404</sup> of the Secretary-General provided no conclusive information on that aspect of the matter, suggested that there was a need for further investigation to determine whether or not the destroyer was actually in the territorial waters of the United Arab Republic or on the high seas at the time of the sinking. Determination of that fact was of great importance in the context of Security Council resolution 236 (1967) of 12 June 1967, which specifically prohibited any forward military movements subsequent to the cease-fire. His delegation was of the view that an investigation of the incident with all the circumstances attending it should be ordered by the Secretary-General to enable the Council to come to a conclusion. At the same time, the Council should take further action to resolve the situation in the Middle East. In this connexion, he suggested that the Council should reinforce its call for a cease-fire and immediately order the withdrawal of all armed forces to the positions they occupied before the outbreak of hostilities.<sup>405</sup>

The representative of Ethiopia felt that the Council should ask the Secretary-General to instruct the Chief United Nations Observer, General Bull, to present a full report on all recent incidents in the area, with particular reference to the naval incident of 21 October and the incident of 24 October.<sup>406</sup>

At the 1370th meeting on 25 October 1967, the representative of Nigeria, noting that the two draft resolutions before the Council did not have the support of the generality of the membership and therefore would not have the effect that they should, proposed to the sponsors of those drafts that the Council defer further consideration on them. At the same time, he appealed to the permanent members of the Council to allow the non-permanent members to consult among themselves with a view to providing a compromise draft resolution aimed at bringing immediate relief to the Middle East. To this end, he proposed a short suspension of the proceedings to permit the suggested consultation.<sup>407</sup>

<sup>397</sup> S/7930/Add.43, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 64-65.

<sup>398</sup> 1369th meeting (PV), pp. 11-17.

<sup>399</sup> 1369th meeting (PV), pp. 17-22.

<sup>400</sup> 1369th meeting (PV), p. 41.

<sup>401</sup> 1369th meeting (PV), pp. 31-41.

<sup>402</sup> 1369th meeting (PV), pp. 49-50.

<sup>403</sup> 1369th meeting (PV), pp. 47-50.

<sup>404</sup> S/7930/Add.43, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1967*, pp. 64-66.

<sup>405</sup> 1369th meeting (PV), pp. 52-55.

<sup>406</sup> 1369th meeting (PV), pp. 73-77.

<sup>407</sup> 1370th meeting (PV), pp. 7-11.

The proposal was adopted without objection.<sup>408</sup>

At the 1371st meeting on 25 October 1967, the President (Japan) stated that as a result of consultations, agreement had been reached on the text of a draft resolution.<sup>409</sup> After it was read out by the President, the draft resolution was put to the vote and adopted<sup>410</sup> unanimously. It read as follows<sup>411</sup>

*"The Security Council,*

*"Gravely concerned over recent military activities in the Middle East carried out in spite of the Security Council resolutions ordering a cease-fire,*

*"Having heard and considered the statements made by the parties concerned,*

*"Taking into consideration the information on the said activities provided by the Secretary-General in documents S/7930/Add.43, Add.44, Add.45, Add.46, Add.47, Add.48 and Add.49,*

*"1. Condemns the violations of the cease-fire;*

*"2. Regrets the casualties and loss of property resulting from the violations;*

*"3. Reaffirms the necessity of the strict observance of the cease-fire resolutions;*

*"4. Demands of the Member States concerned to cease immediately all prohibited military activities in the area, and to co-operate fully and promptly with the United Nations Truce Supervision Organization."*

**Decision** of 22 November 1967 (1382nd meeting):

*Requesting the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contact with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement; and requesting further that the Secretary-General report on the progress of the efforts of the Special Representative as soon as possible*

By letter<sup>412</sup> dated 7 November 1967, addressed to the President of the Security Council, the representative of the United Arab Republic requested an urgent meeting of the Council to consider the dangerous situation resulting from the persistence of Israel's refusal to withdraw its armed forces from all the territories which it occupied as a result of its aggression of 5 June 1967.

At the 1373rd meeting on 9 November 1967, the Council included<sup>413</sup> the letter in its agenda and invited<sup>414</sup> the representatives of the United Arab Republic, Israel and Jordan to participate in the discussion of the item, and at its 1375th meeting, an invitation<sup>415</sup> was extended to the representative of Syria. The Council considered the question at the 1373rd, 1375th, 1377th and 1379th to 1382nd meetings, held between 9 and 22 November 1967.

At the 1373rd meeting on 9 November 1967, following a procedural discussion on the order in which two of the invited representatives would be called upon to speak,<sup>416</sup> the President (Mali) informed the Council of a joint

draft resolution<sup>417</sup> submitted by the representatives of India, Jordan and Nigeria under which the Security Council would, *inter alia*, affirm that a just and lasting peace in the Middle East must be observed within the framework of the Charter and of the principles: (a) that occupation or acquisition of territory by military conquest was inadmissible under the Charter and consequently that Israel's armed force should withdraw from all the territories occupied as a result of the recent conflict; (b) that every State had the right to live in peace and complete security free from threats or acts of war and consequently all States should terminate the state or claim of belligerency and settle their disputes by peaceful means; (c) that every State had the right to be secure within its borders and it was obligatory on all Member States of the area to respect the sovereignty, territorial integrity and political independence of one another; (d) that there should be a just settlement of the question of Palestinian refugees, and (e) that there should be guaranteed freedom of navigation in accordance with international law through international waterways in the area. The draft resolution further requested the Secretary-General to dispatch a special representative to the area who would contact the States concerned in order to co-ordinate efforts to achieve the purposes of the resolution and to submit a report to the Council within thirty days.

The President also drew the attention of the Council to a draft resolution<sup>418</sup> submitted by the representative of the United States whereby the Security Council would, *inter alia*, affirm that a just and lasting peace in the area required the withdrawal of armed forces from occupied territories, termination of claims or states of belligerency mutual recognition and respect for the right of every State in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force, and would further affirm the necessity for: (a) guaranteeing freedom of navigation through international waterways in the area and the territorial inviolability and political independence of every State in the area through measures including the establishment of demilitarized zones; (b) achieving a just settlement of the refugee problem, and a termination of the arms race in the area. It would also request the Secretary-General to designate a special representative to proceed to the Middle East to establish and maintain contacts with the States concerned with a view to assisting them in the working out of a solution in accordance with the purposes of the said resolution and report to the Security Council on the progress of those efforts as soon as possible.

The representative of the United Arab Republic\* stated that the continued occupation of Arab territory posed a serious threat to the United Nations and the Charter, as well as a danger to peace and security in the area. From the moment the Israeli aggression took place on 5 June, it was the duty of the Council to condemn the aggressor, order Israel to withdraw forthwith its forces to the position they held on 4 June, and to determine Israel's responsibility for the damages and losses it inflicted upon the Arab countries and peoples. Due to the Council's failure to take a positive stand on the sub

<sup>408</sup> *Ibid.*, p. 12.

<sup>409</sup> 1371st meeting (PV), p. 2.

<sup>410</sup> 1371st meeting (PV), p. 6.

<sup>411</sup> Resolution 240 (1967).

<sup>412</sup> S/8226, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 208.

<sup>413</sup> 1373rd meeting (PV), pp. 2-5.

<sup>414</sup> 1373rd meeting (PV), pp. 2-5.

<sup>415</sup> 1375th meeting (PV), pp. 2-5.

<sup>416</sup> 1373rd meeting (PV), p. 41.

<sup>417</sup> S/8227, 1373rd meeting (PV), p. 41.

<sup>418</sup> S/8229, 1373rd meeting (PV), p. 41.

stance of the question, the General Assembly was convened in an emergency special session. That session revealed a unanimous sense of commitment on the part of Member States to the principle that military occupation of any part of the territory of one State by another was totally inadmissible. Unfortunately, the General Assembly failed to translate into a resolution its commitment to that principle. This failure was the second setback for the international organization and for the values for which it stood, and an encouragement to Israel to launch further aggression. The Security Council had the duty fully to apply the Charter, to eliminate the aggression against the Arab territories and to initiate a course that would bring about normality in the area. The Council should thus condemn Israel's aggression and in the event Israel refused to withdraw its forces promptly to positions held on 4 June, the Council must apply enforcement measures.<sup>419</sup>

At the same meeting, the representative of India stated that the three-Power draft resolution of which he was a co-sponsor had used as "the basic document of reference" the Latin American draft resolution which had been submitted to the Fifth Emergency Special Session of the General Assembly. At the same time, the three-Power draft was the more comprehensive in that it called for the termination not only of the state of belligerency but also of any claim of belligerency; and on the question of territorial inviolability and political independence, it clearly stated that "every State had the right to be secure within its borders". As far as the question of the refugees was concerned, the provision of the three-Power draft resolution covering that issue comprehended only the Palestinian refugees and not those who had acquired that status as a result of the 1967 conflict. In his view, as soon as Israel withdrew from all the newly occupied territories, the problem of the "so-called new refugees" would cease to exist. In so far as the establishment of demilitarized zones is concerned, the three-Power draft resolution which reaffirmed the right of every State to live in peace and complete security, free from threats or acts of war, would cover the establishment of such zones if, in the light of the Special Representative's report, they were found to be necessary and if the States concerned concurred. Although both drafts had provided for freedom of navigation, he noted that since during the informal consultations, questions had been raised regarding the phrase "in accordance with international law" used in the three-Power draft, the co-sponsors would be prepared to examine any arguments that might be advanced in the Council in respect of that phrase. With regard to the provision requesting the Secretary-General to submit a report within thirty days, if was not the co-sponsor's contention that the work of the Special Representative of the Secretary-General would be concluded in that period. They felt, however, that in view of the urgency of the situation, the Council should receive a report in the very near future. At the same time, other suggestions in that regard would be considered by the co-sponsors. In conclusion, the representative stated that by providing for the adoption of all peaceful means to settle the dispute, the three-Power draft resolution

sought to initiate the process of peaceful settlement<sup>420</sup> of the problem.<sup>421</sup>

The representative of Nigeria observed that the draft resolution which his delegation together with India and Mali had co-sponsored was designed to reach a decision under Chapter VI and not under Chapter VII of the Charter. It might be that at some time in the future, the Security Council would conclude that the situation in the Middle East required action under Chapter VII. It was the hope of his delegation, that that stage would not be reached, and that a decision under Chapter VI as the co-sponsors of the draft resolution were recommending would be complied with generally by both parties. Noting that the joint draft resolution did not provide for unconditional and immediate withdrawal of Israeli forces, or for immediate bilateral talks between the Arabs and Israelis, he explained that its co-sponsors did not believe that such provisions would either be practical at that stage, or would contribute to a lasting peace in the Middle East. Despite the fact that the joint draft resolution did not accord with the position of either party in the controversy, the co-sponsors felt it was the most balanced draft and recommended it on that basis to the Council for its careful consideration.<sup>422</sup>

At the same meeting, the representative of the United States explained that the objective of his draft resolution was to open a new path to a just and lasting peace in the Middle East, in which every State in the area could live in security, justice, honour and dignity. The terms of the draft resolution reflected the conviction that a desirable and reliable peace in the area must entail certain fundamental principles which were set forth by President Johnson in his address of 19 June 1967 and accepted by the principal parties on both sides as the framework for a just and lasting peace. How these objectives were to be achieved in practice, and what the modalities, methods and steps might be, could be worked out only in the consultations which the parties and the Special Representative would undertake. In effect, his draft resolution was an effort to set in motion diplomatic procedures within the framework of the Charter and to establish guidelines and objectives for a peace-making effort through the machinery of the United Nations, in a language which took into account and in no way prejudiced the positions or vital interests of the States concerned.<sup>423</sup>

At the 1375th meeting on 13 November 1967, the President drew the attention of the Council to a draft resolution<sup>424</sup> submitted by the representative of the USSR, under which the Security Council would, *inter alia*, authorize the Secretary-General to increase the number of observers in the Suez Canal sector to ninety and to take the measures proposed in his report<sup>425</sup> of 31 October 1967 concerning the provision of additional technical facilities and means of transportation for the United Nations observer group.

<sup>420</sup> For discussion of this question, see chapter X, Case 2.

<sup>421</sup> 1373rd meeting (PV), pp. 66-75.

<sup>422</sup> 1373rd meeting (PV), pp. 76-91.

<sup>423</sup> 1373rd meeting (PV), pp. 126-131.

<sup>424</sup> S/8236, 1375th meeting (PV), pp. 2-5.

<sup>425</sup> S/8053/Add.3, O.R., 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 76-79.

<sup>419</sup> 1373rd meeting (PV), pp. 48-63.

At the same meeting, the representative of Israel\* said that Israel would not return to the "shattered armistice régime", or to any other system of relations other than a permanent and contractually binding peace. He felt that the essential issue to be negotiated was the establishment of permanent boundaries, and hoped that the Council would not take any action that would prejudice Israel's position in that "inevitable negotiation". For that reason, he was concerned about the three-Power draft resolution which had been initiated and formulated without consultation with Israel. Its suggestion that Israel should move from the cease-fire line without a peace treaty defining permanent and secure frontiers was unacceptable. Moreover, the statement on maritime freedom in the text was entirely compatible with the United Arab Republic's doctrine of exclusion of Israel's shipping from the Suez Canal and with the definition of the Gulf of Aqaba as an Arab waterway. Had this not been the case, the text would have suggested freedom for the shipping of all States including Israel, in the Suez Canal and in the Gulf of Aqaba. In view of the role of the navigation problem in the wars of 1956 and 1957, that obscurity was perilous to peace. Israel could therefore not support or co-operate with that proposal or any diplomatic processes based upon it.<sup>426</sup>

At the 1377th meeting on 15 November 1967, the representative of the United States, replying to comments on his draft resolution, observed that the language of operative paragraph 1 had been carefully balanced in what it required of the respective parties, namely, that Israel must withdraw and that the Arab States must renounce the state of belligerency and that the States on both sides must terminate the present state of war and mutually recognize each other's rights as defined in Article 2 of the Charter. As regards operative paragraph 2, he maintained that the provisions relating to freedom of navigation for all nations through international waterways in the area, and to the refugee problem were of the first order of importance and could not be left out of a peace settlement. But the key provision of his draft resolution was the appointment of a special representative. His role would be to foster on both sides the frame of mind essential to peace-keeping which could face and overcome the undeniable difficulties in defining mutually accepted terms.<sup>427</sup>

At the 1379th meeting on 16 November 1967, the representative of the United Kingdom submitted a draft resolution<sup>428</sup> which he asserted had taken into account the basic interests of both sides and reflected efforts and proposals put forward by other members of the Council. Noting that under the third operative paragraph, the Council would request the Secretary-General to designate a special representative to proceed to the Middle East, he pointed out that that special representative should be free to decide for himself "the exact means and methods by which he pursued his endeavours in contact with the States concerned to promote agreement and to assist efforts to achieve a peaceful and accepted and final settlement".<sup>429</sup>

At the 1380th meeting on 17 November 1967, at the request<sup>430</sup> of the representative of Bulgaria, the Council adjourned<sup>431</sup> its meeting until 20 November in order to allow members to study the draft resolution of the United Kingdom.

At the 1381st meeting on 20 November 1967, the representative of the USSR introduced a draft resolution<sup>432</sup> under which the Security Council would, *inter alia*, urge that the parties to the conflict should immediately withdraw their forces to positions they held before 5 June 1967, and, in keeping with the principle of inadmissibility of seizing territory by means of war, that all States Members of the United Nations in the area should immediately recognize that each had a right to exist as independent national States and to live in peace and security. Further, that in dealing directly with the parties concerned and making use of the presence of the United Nations, the Council should seek a solution based on the principle: (a) that the threat or use of force in relations between States was incompatible with the Charter of the United Nations; (b) that every State must respect the political independence and territorial integrity of all other States in the area; (c) that there must be a just settlement of the question of the Palestine refugees; and (d) that there must be innocent passage through international waterways in the area in accordance with international agreements. Finally, that all States in the area should put an end to belligerency, take measures to limit the useless and destructive arms race, and discharge the obligations assumed by them under the Charter of the United Nations and international agreements.

At the same meeting at the request<sup>433</sup> of the representative of Bulgaria, the Council adjourned<sup>434</sup> the discussion until 22 November 1967 in order to permit further consultation with a view to reaching a final decision.

At the 1382nd meeting on 22 November 1967, the representative of India observed that in the light of the fact that if adopted the United Kingdom draft resolution would commit the Council to the application of the principle of total withdrawal of Israeli forces from all territories occupied since 5 June 1967, the co-sponsors of the three-Power draft resolution would not press for a vote on that draft resolution at that stage.<sup>435</sup>

The representative of the United States expressed his willingness to give primacy to the United Kingdom draft resolution and stated that if it were adopted, he would not press his draft resolution to the vote.<sup>436</sup>

At the same meeting, after the President had stated that it was his understanding that the representative of the USSR would not press for a vote on his draft resolution (S/8236) at that stage,<sup>437</sup> the United Kingdom

<sup>426</sup> 1375th meeting (PV), pp. 6-36.

<sup>427</sup> 1377th meeting (PV), pp. 6-45.

<sup>428</sup> 1379th meeting (PV), pp. 8-10, subsequently circulated as document S/8249.

<sup>429</sup> 1379th meeting (PV), pp. 2-12.

<sup>430</sup> 1380th meeting (PV), p. 2.

<sup>431</sup> 1380th meeting (PV), p. 3.

<sup>432</sup> 1381st meeting (PV), pp. 11, 12, subsequently circulated as document S/8233.

<sup>433</sup> 1381st meeting (PV), pp. 33-35.

<sup>434</sup> 1381st meeting (PV), p. 36.

<sup>435</sup> 1382nd meeting (PV), pp. 28-30.

<sup>436</sup> 1382nd meeting (PV), p. 32.

<sup>437</sup> 1382nd meeting (PV), pp. 33-35.

draft resolution was put to the vote and was adopted <sup>438</sup> unanimously. It read as follows:<sup>439</sup>

*"The Security Council,*

*"Expressing its continuing concern with the grave situation in the Middle East,*

*"Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,*

*"Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,*

*"1. Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:*

*"(i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;*

*"(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;*

*"2. Affirms further the necessity*

*"(a) For guaranteeing freedom of navigation through international waterways in the area;*

*"(b) For achieving a just settlement of the refugee problem;*

*"(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;*

*"3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;*

*"4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible."*

**Decision** of 24 March 1968 (1407th meeting):

- (i) *Condemning the military action launched by Israel in violation of the Charter and the cease-fire resolutions;*
- (ii) *Deploring all violent incidents in violation of the cease-fire and declaring that military reprisals and other grave violations of the cease-fire cannot be tolerated and the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;*
- (iii) *Calling upon Israel to desist from acts and activities in contravention of resolution 237 (1967)*

By letter <sup>440</sup> dated 21 March 1968 addressed to the President of the Security Council, the representative of Jordan requested an urgent meeting to consider "a most serious situation" resulting from a mass attack by Israeli armed forces against the east bank of the Jordan River. It was further recalled that in a letter <sup>441</sup> of 19 March, the Council had been informed that such an attack was contemplated by the Israeli authorities.

By letter <sup>442</sup> dated 21 March 1968 addressed to the President of the Security Council, the representative of Israel stated that the Government of Israel had on that day taken "localized and limited preventive measures against the training centres and staging bases of the raiders situated on the east bank of the Jordan River". Recalling that in his letter <sup>443</sup> of 18 March 1968, he had warned of the grave situation created by the continuous armed attacks and raids carried out from Jordanian territory in violation of the cease-fire, he requested an urgent meeting of the Council to deal with the continuous acts of aggression and violation of the cease-fire by Jordan.

At the 1401st meeting on 21 March 1968 following the inclusion <sup>444</sup> of the two letters on the agenda, the Council invited <sup>445</sup> the representatives of Jordan, Israel, the United Arab Republic, Iraq and Morocco to participate without vote in the discussion of the question. Invitations were also extended to the representative of Syria <sup>446</sup> at the 1402nd meeting and to the representative of Saudi Arabia <sup>447</sup> at the 1406th meeting. The Council considered the question at its 1401st to 1407th meetings held between 21 and 24 March 1968.

At the 1401st meeting on 24 March 1968, the representative of Jordan\* stated that Israel not only defied United Nations authority but also deliberately engaged in acts in the occupied territory which were intended to undermine the mission of the Special Representative of the Secretary-General. On several occasions, the Council and other appropriate organs had been informed of these developments, particularly when it became apparent that the Israelis were planning a mass attack on the east bank of Jordan. This information had been made available to the members in official documents of the Security Council. Despite all this, Israel had carried out its premeditated plan that morning and had renewed attacks against innocent refugees and other citizens of Jordan. That action, he felt, was intended to terrorize, intimidate and expel the inhabitants of the area. This was clear, for example, from the complete destruction of the Arab quarters called the Magharba quarter and the displacement of over 200 families upon a few hours notice in order allegedly to modernize or improve parts of Arab/Old Jerusalem. In addition, Arab lands outside the city of Jerusalem were being expropriated and new plans were under way to uproot Arab inhabitants and wipe out the Arab national consciousness. In requesting

<sup>440</sup> S/8484, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 278-279.

<sup>441</sup> S/8478, *ibid.*, pp. 274-275.

<sup>442</sup> S/8486, *ibid.*, pp. 280-281.

<sup>443</sup> S/8470, *ibid.*, pp. 267-269 and S/8475, *ibid.*, pp. 272-273.

<sup>444</sup> 1401st meeting (PV), pp. 2-5.

<sup>445</sup> 1401st meeting (PV), pp. 2-6.

<sup>446</sup> 1402nd meeting (PV), p. 2.

<sup>447</sup> 1406th meeting (PV), p. 27.

<sup>438</sup> 1382nd meeting (PV), p. 36.

<sup>439</sup> Resolution 242 (1967).

an urgent meeting of the Council, his Government was thus seeking an adequate and effective remedy to such practices. If Israel's actions were not condemned and checked in accordance with Chapter VII of the Charter, then the whole concept of law and equity established in the Charter would be jeopardized and the efforts of the international community to build a lasting and just peace would not succeed. In this connexion, he recalled that in its resolution 228 of 25 November 1966, the Council emphasized to Israel that if actions of military reprisals were repeated, the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts. In other words, the Council at that time had expressly warned Israel that if more such acts were committed, then the sanctions provided in Chapter VII would be applied. Israel's continued acts of aggression and defiance of the Council's decision should now be met with an effective Security Council response reflected in sanctions. Failure to take such actions would simply render the situation more explosive and pose a more dangerous threat to world peace.<sup>448</sup>

At the same meeting, the representative of Israel\* drew attention to Jordan's violation of the cease-fire with the open admission of the Jordanian Government, particularly during March 1968. In response to these violations, the Government of Israel, on the morning of 21 March 1968, had instructed its defence force to act against terrorist camps near the border. That operation was to have been limited in scope and duration and upon its execution, the Israeli forces were to return to their bases on the same day. The representative then assured the Council that Israel had respected, and would continue to respect, the cease-fire agreement which obliged all parties not only to abstain from military activities by regular armies but also to prevent any acts of aggression and terrorism on the part of any faction within the territory of those States which have agreed to the cease-fire. If, however, Jordan violated its obligation, the Government of Israel would fulfil its duty to defend the security and well-being of its citizens. The Council, however, should call upon the Government of Jordan to abandon its policy of war and put an end to its policy of aggression against Israel.<sup>449</sup>

At the 1403rd meeting on 21 March 1968, the representative of the United Kingdom maintained that the first demand of the Council must be for an end to violence. He added that his Government had issued a call for an immediate return to the cease-fire line of June and for restraint and strict observance of the cease-fire from all sides. This, however, was not enough; a return to the cease-fire line of June must lead to a return to the resolution of November. It was thus the duty of the Council to make it clear that those who broke the United Nations cease-fire forfeited international sympathy and support. While his delegation deplored the acts of violence which preceded the Israeli attack, it agreed with those members who had condemned "the wrong practice of retaliation".<sup>450</sup>

The representative of Canada, after associating his delegation with those who affirmed that the Council could not condone acts of violence but must insist on scrupulous observance of the cease-fire and the cessation of all military activities as required by several Security Council resolutions, appealed both to Israel and Jordan to facilitate the assignment by the Secretary-General of the United Nations observers to supervise the cease-fire. Such a need, he felt, was clearly demonstrated in the report<sup>451</sup> of the Secretary-General. Moreover, by helping to establish conditions of calm, United Nations supervision would assist the efforts of the Special Representative of the Secretary-General to achieve agreement on the application of Security Council resolution 242 of 1967 and hence remove the circumstances which had led to the latest outbreak of violence. Recalling that the aim of the aforementioned resolution was to bring about peace in the area, he felt that the Council had the right to request that every effort be made by the Governments concerned to co-operate with the peace mission authorized in that decision. In this connexion, he suggested that in addition to other measures, members of the Council could consider the possibility of using that opportunity first to reconfirm the Council resolution of 22 November.<sup>452</sup>

At the 1407th meeting on 24 March 1968, the President explained that the delay in calling the meeting to order was due to the negotiations among the members which had resulted in a text that would be read out shortly. After noting that the preamble took note of the contents of the letters of both the permanent representative of Jordan and the permanent representative of Israel, he asked the Secretariat to read out the text of the draft resolution.<sup>453</sup>

At the same meeting, the draft resolution was put to the vote and was adopted unanimously.<sup>454</sup> The resolution read as follows:<sup>455</sup>

*"The Security Council,*

*"Having heard the statements of the representatives of Jordan and Israel,*

*"Having noted the contents of the letters of the Permanent Representatives of Jordan and Israel in documents S/8470, S/8473, S/8478, S/8483, S/8484 and S/8486,*

*"Having noted further the supplementary information provided by the Chief of Staff of UNTSO as contained in documents S/7930/Add.64 and Add.65,*

*"Recalling resolution 236 (1967) by which the Security Council condemned any and all violations of the cease-fire,*

*"Observing that the military action by the armed forces of Israel on the territory of Jordan was of a large-scale and carefully planned nature,*

*"Considering that all violent incidents and other violations of the cease-fire should be prevented and not overlooking past incidents of this nature,*

*"Recalling further resolution 237 (1967) which called upon the Government of Israel to ensure the safety,*

<sup>448</sup> 1401st meeting (PV), pp. 6-20.

<sup>449</sup> 1401st meeting (PV), pp. 21-36.

<sup>450</sup> 1403rd meeting (PV), p. 3. For the consideration of the provisions of Article 2 (4), see chapter XII, Case 4.

<sup>451</sup> S/7930/Add.64, *O.R.*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 18-19.

<sup>452</sup> 1403rd meeting (PV), pp. 13-16.

<sup>453</sup> 1407th meeting (PV), p. 6.

<sup>454</sup> 1407th meeting (PV), p. 6.

<sup>455</sup> Resolution 248 (1968).

welfare and security of the inhabitants of the areas where military operations have taken place,

"1. *Deplores* the loss of life and heavy damage to property;

"2. *Condemns* the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions;

"3. *Deplores* all violent incidents in violation of the cease-fire and declares that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and the the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

"4. *Calls upon* Israel to desist from acts or activities in contravention of resolution 237 (1967);

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

**Decision of 4 April 1968 (1412th meeting):**

*Statement by the President expressing the concern of the members of the Council at the deteriorating situation in the area; and noting that the situation should be kept under close review by the Council*

By letter <sup>456</sup> dated 29 March 1968, the representative of Jordan informed the Council that Israel had resumed its "aggression" against the east bank of Jordan in complete defiance of the resolution adopted unanimously by the Security Council on 24 March 1968 [248 (1968)], in which the Council had warned against grave violation of the cease-fire, and had pledged to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts. An urgent meeting of the Council was thereby requested "to consider a most serious situation resulting from this act of aggression".

By letter <sup>457</sup> dated 29 March 1968 requesting an urgent meeting of the Council, the representative of Israel referred to previous letters <sup>458</sup> of the same date concerning renewed Jordanian acts of aggression and violations of the cease-fire.

At the 1409th meeting on 30 March 1968, the Council decided <sup>459</sup> without vote to include the letters in its agenda and invited <sup>460</sup> the representatives of Jordan and Israel to participate in the discussion of the question. Invitations <sup>461</sup> were also extended to the representative of Syria at the 1410th meeting, to the representatives of the United Arab Republic and Iraq at the 1411th meeting and to the representative of Saudi Arabia at the 1412th meeting. The Council considered the question at the 1409th to 1412th meetings, held between 30 March and 4 April 1968.

At the 1409th meeting on 30 March 1968, the representative of Jordan\* stated that on the previous day, Israeli forces opened fire without provocation and shelled Jordanian positions on the northern part of the east

bank of Jordan. The Israeli air force then went into action and indiscriminately bombarded Jordanian frontier villages inhabited by civilians. Later, the Israelis extended their aerial bombardment to Jordanian positions far beyond the cease-fire area, including some of the most productive agricultural areas in Jordan, and destroying the crops and irrigation facilities. Noting that the Israelis attempted to "justify their aggression" on the grounds that so-called terrorists received support from Jordan, the representative denied that his Government had any connexion with the incidents alleged to have taken place in the Israeli-occupied Arab territories. In any event, the Jordanian Government could not be responsible for the safety and security of Israeli forces which were occupying Jordanian territory. The answer to the resistance of the Palestinian people now under Israel's occupation should be an understanding of their legitimate rights and withdrawal from their territories. The Council should therefore ponder this latter question and consider more effective measures to bring about the immediate and complete withdrawal of all Israeli forces from territories forcibly occupied. Any further delay would lead to more deterioration of an already explosive situation and would undoubtedly result in intensification of the resistance movement. Drawing attention to statements by Israeli officials rejecting the Council's decision, as well as a threat that very morning by the Israeli Minister of Tourism, that the next time "the attack would be wider in scope", the representative asserted that it seemed clear that if no immediate action were taken by the Council, Israel intended to continue its wilful violation of the Security Council resolutions. In this connexion, he hoped that the invocation of Chapter VII of the Charter would not be further delayed, since it had been demonstrated that delay would neither serve the cause of peace, nor ensure stability in the area. As an essential first step to this request, he felt that the Council should call for "an immediate halt to any shipment of arms to Israel . . .". <sup>462</sup>

At the same meeting, the representative of Israel\* recalled that following the adoption of the resolution of 24 March, he had drawn the attention of the Council to the position of Jordan that "it will persist in warfare, that it will take no action to prevent violations of the cease-fire by raids, terror and sabotage, that it does not intend to do anything to prevent the situation from deteriorating even further". He recalled further that no sooner was the resolution adopted than the representative of Jordan announced that the Council had in effect rejected all Israeli claims and allegations concerning so-called individual incidents of terrorism. Furthermore, the day after the Council's decision, the Foreign Minister of Jordan declared, ". . . the condemnation resolution is directed against Israel. The paragraph on cease-fire violations does not concern Jordan". Jordan's "aggression" thus continued. In this connexion, the representative cited a series of incidents between 22 and 29 March which appeared to have been well prepared, militarily and politically by Jordan. These developments were not surprising in the view of Jordan's proclamation that it was still at war with Israel, and that "it does not intend to terminate the acts of aggression, the raids, terror and sabotage against Israel". Jordan however should realise

<sup>456</sup> S/8516, *O.R.*, 23rd yr., *Suppl. for Jan.-March 1968*, p. 307.

<sup>457</sup> S/8517, *ibid.*, p. 307.

<sup>458</sup> S/8510, *ibid.*, pp. 303, 304; S/8511, *ibid.*, p. 304.

<sup>459</sup> 1409th meeting (PV), pp. 2-5.

<sup>460</sup> 1409th meeting (PV), pp. 2-5.

<sup>461</sup> 1410th meeting (PV), p. 6; 1411th meeting (PV), pp. 2-5, 1412th meeting (PV), pp. 37-40.

<sup>462</sup> 1409th meeting (PV), pp. 6-17.



that if it continued to wage and encourage aggression, the Government of Israel, like any other government, would not remain passive; nor would it forgo its right to self-defence. "If Israel is not to take military security measures Jordan must cease its warfare . . .". With regard to the argument advanced by the Arab States that despite their obligations under the cease-fire, they remained free to aid and abet armed attacks against Israel through terrorism and sabotage, the representative asserted that such activities constituted a continuation of warlike action and were the responsibility of the Governments concerned. Noting that the last time Israel appealed to the Council it had failed to raise its voice strongly and unequivocally in favour of ending the war by whatever means it was conducted, the representative expressed the hope that it would not "fail again" and that it would realize that in the outcome of the debate, the forces of war would either see further encouragement, as they did after the 24 March resolution, or find in it a clear warning not to persist in their acts of aggression in violation of the cease-fire.<sup>463</sup>

The representative of the United States noted that in evaluating the statements previously made by the parties concerned, the Council as well as the Secretary-General and his Representative were handicapped by the absence of impartial international observers in the area. Citing the report<sup>464</sup> of the Secretary-General of 30 March 1968 to this effect, he suggested that it was high time for the Council to heed the Secretary-General's advice to consider the stationing of United Nations observers in the Israel-Jordan cease-fire sector as soon as possible. The absence of such observers, he felt, created a serious deficiency in the cease-fire machinery, but it was within the Council's power to remedy that deficiency.<sup>465</sup>

The representative of the USSR noted that neither the demand of the Security Council for strict compliance with the cease-fire, nor the Council's condemnation of Israel's acts of aggression committed the previous week against Jordan, nor the strict warning issued to Israel at that time that the Council would be forced to consider further and more effective steps envisaged in the Charter to ensure against repetition of such acts, have had the desired effect.<sup>466</sup>

In exercise of his right of reply, the representative of Jordan,\* noting that the representative of Israel had referred to his statement that the war was not over, observed that the cease-fire was not a final settlement. With regard to the question of stationing observers in the Israel-Jordan sector, he recalled that Israel had expelled the United Nations machinery from the west bank just as it had expelled 450,000 Jordanian citizens. It was thus not in the interest of the Security Council to look for new machinery with a new status and a new mandate, but to insist that the same machinery be stationed in the same area to work for the aim of implementing the only existing United Nations mandate, that is the Armistice Agreement. He recalled that the Secretary-General had said that that machinery was still valid, and that no one had a veto concerning the revocation of

the Armistice Agreement. Consequently, it was still binding on both Israel and Jordan. The representative also drew attention to the fact that in his report, the Secretary-General did not advocate the stationing of United Nations observers in the area but simply stated that "... the presence of United Nations observers in the area can be helpful", thereby leaving the door open for the revival and reactivation of the armistice machinery.<sup>467</sup>

At the 1410th meeting on 1 April 1968, the representative of Israel\* informed the Council that acts of aggression against Israel were continuing. Citing a series of incidents which had occurred on that day and the day before, he remarked that Israel had been subjected to war for twenty years; that far from being terminated by action of the Arab Governments, that war was continuing by raids and sabotage, the method most readily available to the Arab States following their defeat "in June of the previous year". In this connexion, he appealed to the Council to view the situation in all its gravity and take a clear stand on the dangers of continued Jordanian warfare by raid, terror and murder and thus advance Israel and the Arab States towards peace.<sup>468</sup>

The representative of France, recalling the recent decision of the Council concerning violations of the cease-fire resolutions, maintained that the Council could not permit its authority to be flouted or its decisions ignored. It must demand respect for them and, in particular, respect for resolutions 242 (1967) and 248 (1968). In seeking to ensure that its decisions are implemented, however, the Council must be fully and accurately informed. But whereas the presence of United Nations observers, as suggested by the Secretary-General, might be helpful, this need not be understood to mean the taking of action "which in any way might appear to be condoning conquest or military occupation, which is something we do not recognize, or as fixing the positions at which the adversaries found themselves at the time of the cease-fire". Bearing this in mind, a mobile unit under the command of the Chief of Staff of UNTSO could be established which would be capable of intervening anywhere it might be necessary in the Israel-Jordan sector in order to expose and prevent military concentrations, and in order to stay military actions as soon as they break out.<sup>469</sup>

At the 1412th meeting on 4 April 1968, the representative of Jordan\* reminded the Council that in its resolution 237 (1967), it called upon Israel to, *inter alia*, ensure the safety, welfare and security of the inhabitants who remained in the occupied territories, and had also requested the Secretary-General to ensure the implementation of the said resolution. Drawing attention to the inability of the Secretary-General to submit to the Council a helpful report on Israeli violation of that resolution "because the Israelis would not permit the Secretary-General to have observers so as to be on the spot and able to report on all acts of destruction and oppression", he suggested that the establishment of a United Nations presence in these territories would be the first step in

<sup>463</sup> 1409th meeting (PV), pp. 17-30.

<sup>464</sup> S/7930/Add.66, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 19-20.

<sup>465</sup> 1409th meeting (PV), pp. 31-37.

<sup>466</sup> 1409th meeting (PV), pp. 37-41.

<sup>467</sup> 1409th meeting (PV), pp. 63-68.

<sup>468</sup> 1410th meeting (PV), pp. 7-20.

<sup>469</sup> 1410th meeting (PV), pp. 38-42.

stopping Israeli crimes and reporting to the Council thereon.<sup>470</sup>

The representative of Israel\* informed the Council that even while the Council proceeded with its deliberations, Arab aggression against Israel continued, and warlike pronouncements were being made daily in the Arab capitals. He reiterated that Israel's policy was to abide fully by its obligations under the cease-fire on the basis of reciprocity.<sup>471</sup>

At the same meeting, the President (USSR) advised the Council that as a result of the consultation which had taken place on the item, he wished to make the following statement:<sup>472</sup>

"Having heard the statements of the parties in regard to the renewal of the hostilities, the members of the Security Council are deeply concerned at the deteriorating situation in the area. They, therefore, consider that the Council should remain seized of the situation and keep it under close review."

**Decision** of 27 April 1968 (1417th meeting):

- (i) *Calling upon Israel to refrain from holding the military parade in Jerusalem which was contemplated for 2 May 1968; and*
- (ii) *Requesting the Secretary-General to report to the Security Council on the implementation of that resolution*

**Decision** of 2 May 1968 (1420th meeting):

*Deploring the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the Council's decision of 22 April 1968*

**Decision** of 21 May 1968 (1426th meeting):

- (i) *Deploring the failure of Israel to comply with General Assembly resolutions 2253 (ES-V) and 2254 (ES-V);*
- (ii) *Considering that all legislative and administrative measures and actions taken by Israel to alter the status of Jerusalem were invalid;*
- (iii) *Calling upon Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tended to change the status of Jerusalem*

By letter<sup>473</sup> dated 25 April 1968 addressed to the President of the Security Council, the representative of Jordan\* stated that since the adoption of General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) concerning the status of Jerusalem, Israel had continued to implement its plans for the annexation and the illegal expropriation of Arab lands in Jerusalem. Instead of heeding the Security Council and the General Assembly directives, the Israeli authorities had persisted in carrying out projects calculated to bring about drastic changes in the national and historical character of the holy city. Culminating these illegal actions, Israel was planning a military parade to be held in Jerusalem on 2 May 1968. The nature of the contemplated parade and the heavy equipment to be used would be a breach of the General Armistice Agreement, a violation of Security Council and General Assembly resolutions and a serious provoca-

tion which would add to further deterioration of an already explosive situation. An urgent meeting of the Security Council was therefore requested to consider these developments and the status of Jerusalem and to take effective measures to remedy the situation.

At the 1416th meeting on 27 April 1968, following the adoption of the agenda, the Council decided to invite<sup>474</sup> the representatives of Jordan and Israel to participate in the discussion, and considered the question at its 1416th to 1426th meetings, held between 22 April and 21 May 1968.

At the 1416th meeting on 27 April 1968, the President (USSR) drew attention to a note<sup>475</sup> by the Secretary-General informing the Members of the Council of a communication he had addressed to the Government of Israel expressing his concern about plans to hold a military parade on 2 May to mark Israel's independence day, much of which "will be on the east side of the Armistice Demarcation Line and a part of which is known as the Old City of Jerusalem".

At the same meeting, the representative of Jordan\* stated that his Government had requested an urgent meeting of the Council to forestall the situation fraught with danger which might have repercussions far beyond the immediate area. He noted that in view of the unprecedented scale of the preparations by Israel, his Government had reason to believe that the contemplated parade reflected yet another aspect of Israel's plans to annex Jerusalem in defiance of General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967, which had considered the measures taken by Israel to change the status of that city as invalid and which had called upon Israel to rescind such measures and to desist from any further action of that nature. Moreover, as indicated by the personal representative of the Secretary-General, Israel was taking every step to place under its sovereignty those parts of the city which it did not control before June 1967, and that the process of integration was irreversible and non-negotiable. It was thus clear that Israeli authorities were busy consolidating their gains by all means available to them including drastic measures to stop the free flow of information between the Arab inhabitants and forcing them to rely solely on the Israeli media of information. After describing a series of measures employed by Israel to break the will of the Arab inhabitants and destroy their institutions, he noted that in order to limit the Arab population in Jerusalem to a minimum, the Israeli authorities had refused to comply with Security Council resolution 237 (1967), which called upon Israel to facilitate the return of the inhabitants who had fled the area. Moreover, it had even been reported in the Israeli press that the Israeli Minister of Justice planned legislation to grant Israeli citizenship to the Arabs in Israel. As a consequence, those who refused Israeli citizenship would find themselves foreigners in their own homes and would be expelled and their property would be confiscated as the property of absentees. Despite these and other attempts, Israel had no valid claim to Jerusalem. As regards some of the religious shrines claimed by Israel, the representative drew the attention of the Council to the report<sup>476</sup>

<sup>470</sup> 1412th meeting (PV), pp. 6-15.

<sup>471</sup> 1412th meeting (PV), p. 22.

<sup>472</sup> 1412th meeting (PV), p. 66.

<sup>473</sup> S/8560, O.R., 23rd yr., Suppl. for April-June 1968, pp. 139-140.

<sup>474</sup> 1416th meeting (PV), p. 2.

<sup>475</sup> S/8561, O.R., 23rd yr., Suppl. for April-June 1968, pp. 140-141.

<sup>476</sup> S/8427/Add.1, O.R., 23rd yr., Suppl. for Jan.-March 1968, pp. 195-198.

of the Commission of Jurists appointed by Britain with the approval of the League of Nations, which had denied the validity of those claims. The recent Israeli moves in Jerusalem were not, in fact, simply administrative measures, but outright aggression, and the contemplated parade was simply a new act of provocation aimed at the complete annexation of Jerusalem. Moreover, the parade constituted a breach of the Armistice Agreement and a violation of Security Council resolution 162 (1961) of 11 April 1961, which endorsed the decision of the Mixed Armistice Commission of 20 March 1961 condemning such Israeli acts and calling upon Israel to refrain in the future from bringing into Jerusalem any equipment in excess of that specified under the terms of the Armistice Agreement. Noting that the Israeli parade came at a time when genuine efforts were being made to implement Security Council resolutions and to bring peace to the area, he urged the Council to adopt measures to have those resolutions implemented and that failure to take adequate steps would reflect on the effectiveness of the Council.<sup>477</sup>

At the same meeting, the representative of Israel\* denied that its independence day parade would aggravate the situation in the area and queried whether the real cause of aggravation was not a continuation of the war against Israel by the Arab States and their refusal to make peace with Israel as well as the official declaration that Israel must be destroyed. Noting that Jordan had based its arguments on the Armistice Agreement, he maintained that that agreement was a provisional agreement valid as "a transition to permanent peace", that it was judged by the Council to be incompatible with belligerent rights and that the Government of Jordan had flouted it for nineteen years by invoking the rights of war and repudiating the Agreement's central provisions, particularly articles 1, 3, 8 and 12. Moreover, the 1949 Armistice Agreement which would have been succeeded in 1950 by a peace treaty, had been, by 1967, "a formula for belligerency and a cover for armed attacks and incursions, and an alibi for the refusal to make peace". In any event, it was destroyed by Jordan in June 1967 when that Government opened its military onslaught against Israel. "The Armistice is no more because the Arabs have destroyed it. The relations between Israel and the Arab States are now founded upon and regulated by the cease-fire—a cease-fire established by the Security Council and consecrated in a series of Security Council resolutions". Under this cease-fire, Israel defence forces were free to move within the areas where they were stationed and to act and to parade as they saw fit. Military movements within the cease-fire area were unrestricted and would not violate the General Assembly resolutions of 4 and 14 July 1967, which, in any event, were not aimed at prohibiting a military parade in the city of Jerusalem or paralyzing construction in that city. With regard to Jordan's allegations concerning housing development in Jerusalem, most of the land involved in the reconstruction programme was not Arab but Jewish land or public domain.<sup>478</sup>

At the 1417th meeting on 27 April 1968, the representative of Pakistan introduced a draft resolution,<sup>479</sup> jointly sponsored with India and Senegal, under which the Council would call upon Israel to refrain from holding the military parade planned for 2 May 1968, and would request the Secretary-General to report to the Security Council on its implementation.

At the request of the representative of the United States, the meeting was suspended for 30 minutes for the holding of consultations.<sup>480</sup>

At the resumed 1417th meeting on 27 April 1968, the President stated that as a result of the consultations, certain changes had been introduced in the draft resolution submitted by the three Powers.<sup>481</sup>

At the same meeting, the draft resolution, as modified, was put to the vote and adopted<sup>482</sup> unanimously. It read as follows:<sup>483</sup>

*"The Security Council,*

*"Having heard the statements of the representatives of Jordan and Israel,*

*"Having considered the Secretary-General's note (S/8561), particularly his note to the Permanent Representative of Israel to the United Nations,*

*"Considering that the holding of a military parade in Jerusalem will aggravate tensions in the area and will have an adverse effect on a peaceful settlement of the problems in the area,*

*"1. Calls upon Israel to refrain from holding the military parade in Jerusalem which is contemplated for 2 May 1968;*

*"2. Requests the Secretary-General to report to the Security Council on the implementation of this resolution."*

At the 1418th meeting on 1 May 1968, the representative of Algeria, noting that the Council was about to consider the entire question of Jerusalem as requested by the representative of Jordan, recalled that paragraph 3 of General Assembly resolution 2254 (ES-V) of 14 July 1967 had requested the Secretary-General to report to the Council and to the General Assembly. He noted further that pursuant to that resolution, the Secretary-General's report had appeared in document S/8146 on 12 September 1967. In this connexion, he suggested that that report be included in the provisional agenda.<sup>484</sup>

The proposal by the representative of Algeria was adopted<sup>485</sup> without objection and the agenda was amended to read:

*"Letter dated 25 April 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8560);*

*Report of the Secretary-General under General Assembly resolution 2254 (ES-V) relating to Jerusalem (S/8146)."*

At the same meeting, the representative of Jordan\* informed the Council that there was irrefutable evidence

<sup>477</sup> 1416th meeting (PV), pp. 2-31.

<sup>478</sup> 1416th meeting (PV), pp. 32-50.

<sup>479</sup> 1417th meeting (PV), p. 33.

<sup>480</sup> 1417th meeting (PV), pp. 77-80.

<sup>481</sup> 1417th meeting (PV), p. 86.

<sup>482</sup> 1417th meeting (PV), pp. 86, 87.

<sup>483</sup> Resolution 250 (1968).

<sup>484</sup> 1418th meeting (PV), p. 11.

<sup>485</sup> 1418th meeting (PV), pp. 12-15.

that Israel was intent on going ahead with its military display in Jerusalem in defiance of the Council's decision of 27 April. Its rejection of that decision was not only evidenced by the fact that it had already held a full dress rehearsal of the planned parade but was also confirmed in a letter sent to the Secretary-General by the Foreign Minister of Israel. His Government hoped that the Council would take the adequate steps to remedy the new situation created as a result of Israel's disregard of the Council's decision.<sup>486</sup>

At the same meeting, the representative of Israel\* read out the text of a letter<sup>487</sup> dated 30 April 1968 addressed to the Secretary-General, in which his Government expressed its confidence that the "ceremony of 2 May need not and would not have the adverse effects which have been predicted in some quarters". He was of the view that the Council should attach greater significance to its own and the General Assembly resolutions on the vital question of peace and security in the Middle East which Jordan and the other Arab States had refused to implement.<sup>488</sup>

At the 1419th meeting on 2 May 1968, the Secretary-General reported that "the parade in Jerusalem which was the subject of Security Council resolution 250 (1968) of 27 April has been held today as scheduled", and that a further report on the details of that action would be presented to the Council that afternoon.<sup>489</sup>

At the 1420th meeting on 2 May 1968, the President stated that after full consultation with the members of the Council, he was able to present to the Council the text of a draft resolution.<sup>490</sup>

At the same meeting, the draft resolution was voted upon and adopted<sup>491</sup> unanimously. It read as follows:<sup>492</sup>

*"The Security Council,*

*"Noting the Secretary-General's reports of 26 April (S/8561) and 2 May 1968 (S/8567),*

*"Recalling resolution 250 (1968) of 27 April 1968,*

*"Deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968".*

At the 1421st meeting on 3 May 1968, the President (United States) drew attention to a letter<sup>493</sup> dated 2 May 1968 from the representative of Jordan requesting that under rule 39 of the provisional rules of procedure, Mr. Rouhi El-Khatib, mayor of Jerusalem, be invited to make a statement before the Council. After a procedural discussion on the capacity in which he was to be invited, the Council decided<sup>494</sup> without vote, to invite Mr. Rouhi El-Khatib to make a statement.

The representative of Israel,\* citing the report<sup>495</sup> of the Secretary-General on the situation in Jerusalem

shortly after the cease-fire, rejected the charges made by Mr. El Khatib that his Government had practised a policy of terror and destruction against the Arab population in Jerusalem. That report, he stated, showed that life was functioning normally and that "the Arab personnel of the old city was absorbed in the equivalent departments in Israeli municipality". After denying charges of expropriation of Arab properties in order to develop the Jewish quarter, the representative described the plans for urban development in the area and stressed his Government's aim to live at peace with its Arab neighbours.<sup>496</sup>

At the same meeting, the representative of Jordan\* maintained that the Council was meeting "to determine rights" and that the central issue was whether Israel could acquire territory by force. He reminded the Council that in its resolution of 22 November, it had emphasized the inadmissibility of acquisition of territory by war.<sup>497</sup>

At the 1425th meeting on 20 May 1968, the President called attention to a draft resolution<sup>498</sup> jointly submitted by Pakistan and Senegal.<sup>499</sup>

The representative of Pakistan observed that the draft resolution which he had co-sponsored was intended as an interim measure which sought to do no more than reaffirm the General Assembly resolutions on Jerusalem. Because of its limited scope, it had not called for the withdrawal of the Israeli forces and other personnel from that city but simply sought to preclude any measures or action which constituted an attempt to change the status of that city. At a time when the Council still had reason to hope that its efforts toward a political settlement of the problem might succeed, it was imperative that the Council prevent any action or occurrence which would further complicate that conflict and render its resolution more difficult.<sup>500</sup>

At the 1426th meeting on 21 May 1968, the President drew attention to a revised text<sup>501</sup> of the draft resolution previously submitted by Pakistan and Senegal.<sup>502</sup>

At the same meeting, the revised draft resolution was put to the vote and adopted<sup>503</sup> by 13 votes in favour, none against with 2 abstentions. It read as follows:<sup>504</sup>

*"The Security Council,*

*"Recalling General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,*

*"Having considered the letter of the Permanent Representative of Jordan on the situation in Jerusalem (S/8560) and the report of the Secretary-General (S/8146),*

*"Having heard the statements made before the Council,*

*"Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures and actions in contravention of those resolutions,*

<sup>486</sup> 1418th meeting (PV), pp. 22-25.

<sup>487</sup> S/8565, 1418th meeting, pp. 31-35.

<sup>488</sup> 1418th meeting (PV), pp. 27-36.

<sup>489</sup> 1419th meeting (PV), p. 11.

<sup>490</sup> 1420th meeting (PV), p. 2.

<sup>491</sup> 1420th meeting (PV), pp. 3-5.

<sup>492</sup> Resolution 251 (1968).

<sup>493</sup> S/8570, OR, 23rd yr., Suppl. for April-June 1968, p. 147.

<sup>494</sup> 1421st meeting (PV), p. 26. For discussion of this question in terms of rule 39, see chapter III, Case 3.

<sup>495</sup> S/8146, OR, 22nd yr., Suppl. for July-Sept. 1967, pp. 232-286.

<sup>496</sup> 1421st meeting (PV), pp. 62-83.

<sup>497</sup> 1421st meeting (PV), pp. 86-87.

<sup>498</sup> S/8590, 1425th meeting (PV), pp. 2-5.

<sup>499</sup> 1425th meeting (PV), pp. 2-5.

<sup>500</sup> 1425th meeting (PV), pp. 6-15.

<sup>501</sup> S/8590/Rev.2, 1426th meeting (PV), p. 2.

<sup>502</sup> 1426th meeting (PV), p. 2.

<sup>503</sup> 1426th meeting (PV), p. 27.

<sup>504</sup> Resolution 252 (1968).

"*Bearing in mind* the need to work for a just and lasting peace,

"*Reaffirming* that acquisition of territory by military conquest is inadmissible,

"1. *Deplores* the failure of Israel to comply with the General Assembly resolutions mentioned above;

"2. *Considers* that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status;

"3. *Urgently calls upon* Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem;

"4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution."

**Decision of 16 August 1968 (1440th meeting):**

*Condemning the further military attacks launched by Israel in flagrant violation of the Charter, and warning that if such attacks were to be repeated, the Council would duly take account of the failure to comply with the present resolution*

By letter <sup>505</sup> dated 5 June 1968 addressed to the President of the Security Council, the representative of Jordan recalled his letter <sup>506</sup> of 4 June, in which he had charged that Israeli forces had bombed certain areas in Jordan, causing heavy casualties. He was therefore requesting an urgent meeting of the Council to consider the grave situation resulting from that Israeli aggression.

By letter <sup>507</sup> dated 5 June 1968, the representative of Israel, referring to his letter <sup>508</sup> of 4 June, requested an urgent meeting of the Security Council to consider the grave and continued violation of the cease-fire by Jordan, which had initiated the shelling of Israeli villages and the armed infiltration, and terrorist acts from Jordanian territory with the connivance and encouragement of the Jordanian Government and armed forces.

By letter <sup>509</sup> dated 5 August 1968 addressed to the President of the Security Council, the representative of Jordan, referring to his letters of 4 and 5 June, repeated his request for an urgent meeting of the Secretary Council to consider the grave situation resulting from the continued acts of aggression by Israel against Jordan.

By letter <sup>510</sup> dated 5 August 1968 addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to resume consideration "of the Israeli complaint submitted in my letter of 5 June (S/8617), namely, the grave and continued violation of the cease-fire by Jordan".

At the 1434th meeting on 5 August 1968, the President (Brazil) stated that the meeting had been convened on the urgent requests of Jordan and Israel (S/8721, S/8724) and that the provisional agenda also listed two previous requests (S/8616, S/8617) placed on the provisional agenda

of the 1429th meeting on 5 June, but which was not adopted in view of the Council's decision to adjourn its meeting as a tribute to the late Senator Robert Kennedy.<sup>511</sup>

At the same meeting, the Council included <sup>512</sup> the complaints in its agenda and considered the question at its 1434th to 1440th meetings, held between 5 and 16 August 1968.

At the 1434th meeting, the representatives of Jordan, Israel, the United Arab Republic and Iraq were invited <sup>513</sup> to participate in the discussion of the question. Invitations were also extended <sup>514</sup> to the representatives of Syria and Saudi Arabia at the 1436th meeting.

At the 1434th meeting on 5 August 1968, the representative of Jordan\* stated that as a result of new premeditated attacks by Israeli forces against unarmed civilian population in Jordan, the Council was again confronted with a situation fraught with danger. He noted that like the attack of 4 June against civilian centres in the city of Irbid and its surrounding villages, the attack of the previous day was directed against civilians in the city of Salt and its neighbouring area. It was clear that the Israeli aggression was pre-planned at the highest level and was aimed at destroying the agriculture in the east bank of Jordan and at terrorizing and expelling the inhabitants of that area. The fact that the attack was made against successful projects in irrigation and farming in Jordan proved beyond doubt that Israel's aim was to destroy civilian life in the area which was among the most productive in Jordan and on which that country depended for its agricultural needs. In view of the fact that the recent Israeli act of aggression was not an isolated military operation and in view of the Council's repeated warnings to Israel against actions of military reprisals, he expected further and more effective measures as envisaged in Chapter VII of the Charter.<sup>515</sup>

The representative of Israel\* stated that his delegation had repeatedly requested effective action by the Council to stop Jordan's violation of the cease-fire. The cease-fire could not be a screen for Arab aggression and Israel must defend itself against attack. Despite the Security Council resolution of 24 March 1968 which deplored all violent incidents in violation of the cease-fire, Jordan promptly interpreted it as being non-applicable to Arab acts of hostility against Israel and on 4 April when the Security Council expressed its concern at the deteriorating situation, Jordan again ignored that decision. Since then, military attacks and armed incursions from Jordanian territory had continued unabated. In fact, Jordan had become the principal base for continued Arab aggression against Israel. On the morning of 4 June, a large-scale assault was renewed from Jordanian territory resulting in extensive damage to the village and to the central part of Beit-Shean, as well as civilian casualties. In view of the persistence and intensification of the Jordan artillery barrage, it became necessary for Israeli aircraft to take action of self-defence and silence the sources of the fire. Because the Jordanian Government had used inhabited

<sup>505</sup> S/8616, *OR*, 23rd yr., *Suppl. for April-June 1968*, p. 186.

<sup>506</sup> S/8613, *ibid.*, p. 184.

<sup>507</sup> S/8617, *ibid.*, p. 187.

<sup>508</sup> S/8614, *ibid.*, pp. 184-185; S/8615, *ibid.*, pp. 185-186.

<sup>509</sup> S/8721, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 113.

<sup>510</sup> S/8724, *ibid.*, pp. 115-116.

<sup>511</sup> 1434th meeting (PV), p. 11.

<sup>512</sup> 1434th meeting (PV), p. 11.

<sup>513</sup> 1434th meeting (PV), pp. 11-12.

<sup>514</sup> 1436th meeting (PV), pp. 2, 48-50.

<sup>515</sup> 1434th meeting (PV), pp. 12-25.

centres as locations for their artillery positions, it was inevitable that civilian casualties would result. He appealed to the Security Council "to consider the situation in the Middle East as it is" and to raise its voice against the acts of aggression which were continuing against Israel. The Council should thus impress upon Jordan the necessity to abide by its cease-fire obligations and to terminate acts of aggression from its territory against Israel.<sup>516</sup>

At the 1440th meeting on 16 August 1968, the President stated that as a result of consultations, a draft resolution had emerged which, as he understood it, reflected the views of the members of the Security Council on the course to be adopted by the Council on the item under consideration. Thereupon, the text of the draft resolution was read out to the Council.<sup>517</sup>

At the same meeting, the draft resolution was put to the vote and adopted<sup>518</sup> unanimously. It read as follows:<sup>519</sup>

*"The Security Council,*

*"Having heard the statements of the representatives of Jordan and Israel,*

*"Having noted the contents of the letters of the representatives of Jordan and Israel in documents S/8616, S/8617, S/8721 and S/8724,*

*"Recalling its previous resolution 248 (1968) condemning the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions and deploring all violent incidents in violation of the cease-fire,*

*"Considering that all violations of the cease-fire should be prevented,*

*"Observing that both massive air attacks by Israel on Jordanian territory were of a large scale and carefully planned nature in violation of resolution 248 (1968),*

*"Gravely concerned about the deteriorating situation resulting therefrom,*

*"1. Reaffirms its resolution 248 (1968), which, inter alia, declares that grave violations of the cease-fire cannot be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;*

*"2. Deplores the loss of life and heavy damage to property;*

*"3. Considers that premeditated and repeated military attacks endanger the maintenance of the peace;*

*"4. Condemns the further military attacks launched by Israel in flagrant violation of the United Nations Charter and resolution 248 (1968) and warns that if such attacks were to be repeated the Council would duly take account of the failure to comply with the present resolution."*

**Decision of 5 September 1968 (1447th meeting):**

*Adjournment*

By letter<sup>520</sup> dated 2 September 1968, addressed to the President of the Security Council, the representative of

Israel requested an urgent meeting of the Council to consider the military attack by the United Arab Republic against Israeli forces on 26 August in violation of the cease-fire. The seriousness of the attack was aggravated by the negative reply of the United Arab Republic to representations made by Israel to the Chief of Staff of UNTSO to return a kidnapped soldier, to take effective steps against those responsible for the attack and to give assurance that it would not be repeated.

At the 1446th meeting on 4 September 1968, the Council decided<sup>521</sup> without vote, to include the item in its agenda and considered the question at its 1446th and 1447th meetings on 4 and 5 September 1968. Following the adoption of the agenda, the Council invited<sup>522</sup> the representatives of Israel and the United Arab Republic to participate without vote in the discussion.

At the 1446th meeting on 4 September 1968, the representative of Israel\* stated that on 26 August, an Egyptian military force of approximately thirty men had crossed the Suez Canal, dug itself in on the east bank, planted mines on the patrol track and ambushed the Israeli patrol along the Canal. An enquiry which was carried out the following morning by United Nations military observers could not be extended to the west side of the Canal because of Egyptian objections. The facts, however, were quite clear. In violation of the cease-fire established by the Security Council, in breach of the arrangements prohibiting military actions in the area, well-planned military attack was perpetrated against Israel by Egyptian forces from the west bank. Israel would therefore expect the Council to arrest any further deterioration of the situation, condemn the military attack and impress upon Egypt the need to abide by its obligations and prevent the recurrence of such attacks and further ensure the return of the captive soldier.<sup>523</sup>

The representative of the United Arab Republic\* considered the Israeli allegation to be groundless. He stated that since the news concerning the alleged incident had reached his Government, an enquiry was ordered. Findings of that enquiry which were transmitted to the Chief of Staff of UNTSO disclosed that no United Arab Republic forces had taken part in any action in territories east of the Suez Canal. His Government had assured him of continued observance of the cease-fire in conformity with Security Council resolutions. As regards the missing soldier, his Government had no knowledge of the matter. Noting that Israel's claims and allegations of the involvement of the United Arab Republic armed forces in the incident had not been substantiated by observers in the area, he drew attention to the fact that the report of the Chief of Staff of UNTSO<sup>524</sup> of 29 August 1968 lent no credence to the Israeli fabrication.<sup>525</sup>

At the 1447th meeting on 5 September 1968, the President (Canada) proposed an adjournment of the meeting in order to give the members of the Council a further opportunity to undertake consultations with one another

<sup>516</sup> 1434th meeting (PV), pp. 27-42.

<sup>517</sup> 1440th meeting (PV), pp. 2-5.

<sup>518</sup> 1440th meeting (PV), pp. 2-5.

<sup>519</sup> Resolution 256 (1968).

<sup>520</sup> S/8794. O.R., 23rd yr., Suppl. for July-Sept. 1968, p. 236.

<sup>521</sup> 1446th meeting (PV), p. 6.

<sup>522</sup> 1446th meeting (PV), pp. 7-10.

<sup>523</sup> 1446th meeting (PV), pp. 11-16.

<sup>524</sup> S/7930/Add.74, O.R., 23rd yr., Suppl. for July-Sept. 1968, pp. 3-6.

<sup>525</sup> 1446th meeting (PV), pp. 17-26.

on what should be done with regard to the matter on the agenda.<sup>526</sup>

The Council decided without objection to adjourn the meeting.<sup>527</sup>

**Decision of 8 September 1968 (1448th meeting):**

*Statement by the President.*

**Decision of 18 September 1968 (1448th meeting):**

- (i) *Insisting that the cease-fire ordered by the Security Council in its resolutions be rigorously respected;*
- (ii) *Reaffirming its resolution 242 (1967) and urging all parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution*

By letter<sup>528</sup> dated 8 September 1968 addressed to the President of the Security Council, the representative of Israel charged that a flagrant and unprovoked violation of the cease-fire had occurred that day by the armed forces of the United Arab Republic in the Suez Canal sector. Despite appeals by the military observer for a cease-fire to which Israel had agreed and with which it had complied, the Egyptian attack continued, resulting in Israeli casualties, the wounding of a United Nations Military Observer, and damage to two observer's posts. The letter thereupon requested an immediate resumption of the meeting of the Council adjourned on 5 September.

By letter<sup>529</sup> dated 8 September 1968 addressed to the President of the Security Council, the representative of the United Arab Republic complained that Israel had committed another premeditated act of aggression by opening fire that day against the cities of Port Tawfiq, Suez, Ismailia and Kantara. In view of the gravity of the situation, an urgent meeting of the Security Council was requested.

At the 1448th meeting on 8 September 1968, following a procedural<sup>530</sup> discussion as to whether the Council was meeting to consider a new item at the request of the United Arab Republic or a resumption of the Israeli complaint of 2 September, the Council adopted<sup>531</sup> without objection its agenda which included the letters of Israel of 2 and 8 September 1968 and the letter of the United Arab Republic of 8 September 1968.

Following the adoption of the agenda, the Council invited<sup>532</sup> the representatives of Israel and the United Arab Republic to participate in the discussion and considered the question at the 1448th, 1449th, 1451st and 1452nd meetings, held between 8 and 18 September 1968.

At the 1448th meeting, the Secretary-General stated that during the course of the afternoon, the Chief of Staff of UNTSO had informed him by three brief cable messages of a heavy and prolonged exchange of fire along the Suez Canal during the day of 8 September. He immediately asked General Bull to expedite, to the extent possible, the transmission of his report on the latest breach of the Security Council cease-fire demand. In

view of the fact that no messages about further firing had been received from him, he thought it safe to conclude that the cease-fire arranged by the United Nations observers had been holding since it became effective at 1630 hours GMT on 8 September. The Secretary-General then read out the text of a report<sup>533</sup> he had just then received from the Chief of Staff of UNTSO, which gave details of the exchange of fire and accounts of damage to UNTSO installations as well as the wounding of a United Nations Military Observer. A full report on the extent of the damage would be submitted at a later stage.<sup>534</sup>

Following the statement of the Secretary-General, the representative of the USSR<sup>535</sup> requested clarification of the report which had just been read. The Secretary-General explained that he was not in a position to elaborate on that report or to clarify any aspect of it. For the moment, he was prepared simply to "submit the report as it is".<sup>536</sup>

The representative of Israel\* stated that the Egyptian attacks in violation of the cease-fire had assumed in the course of the day such dimensions that an immediate meeting of the Security Council became essential. The report of the Secretary-General emphasized the gravity of those developments and the responsibility of the United Arab Republic for initiating fire repeatedly throughout the afternoon. After giving an account of developments throughout the day and the losses suffered by Israel, he recalled his statement of 4 September in which he had expressed his Government's concern that the Egyptian attack of 26 August might be a prelude to a renewed campaign of violence along the cease-fire line. Developments throughout the day had strengthened that concern and the repeated planting of anti-vehicle mines in the same area a short distance from Egyptian army positions left no doubt about the origin and well-planned nature of those operations. It was thus obvious that the United Arab Republic was trying to undermine the cease-fire and create a situation of gross danger to the area. Whatever Egypt's motives for such a policy, the Council should act immediately and effectively to stop Egyptian acts of aggression and help maintain the cease-fire.<sup>537</sup>

The representative of the United Arab Republic\* stated that in his statement of 4 September, he had observed that despite its membership in the United Nations and verbal acceptance of the Charter, "Israel had reserved for itself the right to take the law into its own hands" and that in this regard, Israel seldom resorted to the Council, preferring to rely on naked force to achieve its ends. This had been borne out by the latest events, for although the Council was still discussing Israel allegations, Israel had on that day opened fire in the areas of Port Tawfiq and Suez, using artillery and tank fire, and continued to escalate the fire by extending it to the cities of Ismailia and Kantara. Moreover, according to the report of the Secretary-General, there was reason to believe that missiles were used by Israel. The armed force of the United Arab Republic was obliged to

<sup>526</sup> 1447th meeting (PV), p. 47.

<sup>527</sup> 1447th meeting (PV), p. 47.

<sup>528</sup> S/8805, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 240-241.

<sup>529</sup> S/8806, *ibid.*, pp. 241-242.

<sup>530</sup> 1448th meeting (PV), pp. 2, 3; For discussion of this question, see chapter II, Case 8.

<sup>531</sup> 1448th meeting (PV), pp. 4-5.

<sup>532</sup> 1448th meeting (PV), p. 6.

<sup>533</sup> Subsequently circulated as document S/7930/Add.78, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 9-11.

<sup>534</sup> 1448th meeting (PV), Secretary-General, pp. 6-15.

<sup>535</sup> 1448th meeting (PV), pp. 16, 17-20.

<sup>536</sup> 1448th meeting (PV), pp. 16, 17-20.

<sup>537</sup> 1448th meeting (PV), pp. 21-22.

return the fire in self-defence. The attack caused heavy loss of civilian life as well as wide damage and destruction to buildings and public installations in both cities.<sup>538</sup>

At the resumed 1448th meeting on 8 September 1968, the President (Canada) stated that after extensive consultations, he had been authorized to make the following declaration:

"The Security Council, having not urgently to consider the item on its agenda contained in document S/1448/Rev.1, having heard the reports of General Odd Bull presented by the Secretary-General, and having heard the statements of the representatives of Israel and of the United Arab Republic, deeply regrets the loss of life, and requires the parties strictly to observe the cease-fire called for by the Security Council's resolutions."

At the 1449th meeting on 10 September 1968, the President drew the attention of the Council to the "supplemental information"<sup>539</sup> dated 9 September from the Chief of Staff of UNTSO.

At the 1451st meeting on 11 September 1968, the President drew attention to a report<sup>540</sup> from the Chief of Staff of UNTSO regarding the latest incidents in the Suez Canal sector.

At the same meeting, the President drew attention to a supplementary report<sup>541</sup> from the Chief of Staff of UNTSO dated 11 September which would be circulated during the course of the meeting.<sup>542</sup>

At the 1452nd meeting on 18 September 1968, the President drew attention to further supplementary reports<sup>543</sup> submitted by the Chief of Staff of UNTSO. The President stated further that the Secretary-General had provided him with three sets of photographs taken by United Nations military observers in the Suez Canal area relating to the enquiry into the mining incident of 10 September described in document S/7930/Add.81, and to the damage suffered by United Nations installations reported in document S/7930/Add.83, paras. 3 and 4. The photographs would be passed along the table during the meeting.<sup>544</sup>

The President subsequently stated that as a result of consultations which he had held with members of the Council since the previous meeting, he was then in a position to present to the Council the draft resolution which reflected the agreement obtained at that time.<sup>545</sup>

At the same meeting, after the President had read out the text of the draft resolution, it was voted upon and adopted<sup>546</sup> by 14 votes in favour, none against, with 1 abstention. It read as follows:<sup>547</sup>

"The Security Council,

"Recalling the declaration of the President of the Security Council of 9 September 1968, as made at the 1448th meeting of the Council,

"Gravely concerned about the deteriorating situation in the Middle East,

"Convinced that all Members of the United Nations should co-operate towards a peaceful settlement in the Middle East,

"1. Insists that the cease-fire ordered by the Security Council in its resolutions must be rigorously respected;

"2. Reaffirms its resolution 242 (1967) of 22 November 1967, and urges all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution."

Decision of 27 September 1968 (1454th meeting):

(i) Requesting the Secretary-General urgently to dispatch a special representative to the Arab territories under military occupation by Israel and to report on the full implementation of resolution 237 (1967);

(ii) Requesting the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work

By letter<sup>548</sup> dated 17 September 1968 addressed to the President of the Security Council, the representatives of Pakistan and Senegal requested an urgent meeting of the Council to consider the report<sup>549</sup> of the Secretary-General dated 31 July 1968, in connexion with resolution 237 of 15 June 1967.

At the 1453rd meeting on 20 September 1968, following the adoption<sup>550</sup> of its agenda, the Council invited<sup>551</sup> the representatives of Jordan, Israel and the United Arab Republic to participate in the discussion. An invitation<sup>552</sup> was also extended to the representative of Syria at the 1454th meeting. The Council considered the report at its 1453rd and 1454th meetings held on 20 and 27 September 1968.

At the 1453rd meeting on 20 September 1968, the President (Canada) drew the attention of the Council to a draft resolution<sup>553</sup> submitted the previous day by the representatives of Pakistan and Senegal.

At the same meeting, the representative of Senegal, after submitting a correction<sup>554</sup> to the English text of the draft resolution, recalled that in its resolution 237 (1967) of 4 June 1967, the Security Council had called upon the Governments concerned to scrupulously respect the humanitarian principles governing the treatment of prisoners of war and the protection of civilian personnel in time of war. He recalled further that in his report<sup>555</sup> of 31 July 1968, the Secretary-General had complained that the humanitarian considerations involving the well-being of a great many people could neither

<sup>538</sup> 1448th meeting (PV), pp. 27-31.

<sup>539</sup> S/7930/Add.79, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 12.

<sup>540</sup> S/7930/Add.80, *ibid.*, p. 13.

<sup>541</sup> S/7930/Add.81, *ibid.*, pp. 13, 14.

<sup>542</sup> 1451st meeting (PV), p. 38.

<sup>543</sup> S/7930/Add.83 to 87, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 15-17.

<sup>544</sup> 1452nd meeting (PV), pp. 2-5.

<sup>545</sup> 1452nd meeting (PV), p. 6.

<sup>546</sup> 1452nd meeting (PV), pp. 7-10.

<sup>547</sup> Resolution 258 (1968).

<sup>548</sup> S/8819, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 251.

<sup>549</sup> S/8699, *ibid.*, pp. 73-95.

<sup>550</sup> 1453rd meeting (PV), p. 2.

<sup>551</sup> 1453rd meeting (PV), p. 2.

<sup>552</sup> 1454th meeting (PV), pp. 2-5.

<sup>553</sup> S/8825, 1453rd meeting (PV), pp. 3-5.

<sup>554</sup> In the corrected text, the words "calls upon" in operative paragraph 2 were to be changed to the word "requests".

<sup>555</sup> S/8699, *OR*, 23rd yr., *Suppl. for July-Sept.*, pp. 73-95.



be given sufficient priority, nor be regarded as having sufficient urgency to override obstacles such as those which had been encountered thus far. By introducing into the question elements that were entirely outside the humanitarian procedures which the Secretary-General wished to follow, the Government of Israel had impeded the implementation of resolution 237 (1967). His delegation deplored that fact but hoped that in accordance with that resolution, the Government of Israel would co-operate fully with the representative that the Secretary-General would send to the occupied areas.<sup>554</sup>

The representative of Pakistan maintained that although Israel had raised certain issues entirely irrelevant to resolution 237 (1967), "no amount of juggling with the term 'Governments concerned' will make resolution 237 (1967) applicable to any territories other than those under the military occupation of Israel". Pursuant to the provisions of that resolution, therefore, it was the clear duty of the Council to ensure that pending final settlement of the political issues, the people who had been left under Israel military occupation would not be denied their fundamental rights.<sup>557</sup>

The representative of Israel\* maintained that the initiators and sponsors of the complaint and those who supported them should recognize that far from contributing to the promotion of understanding, it would heighten tension. Noting that the complaint had arisen in connexion with a proposal made by the Secretary-General, the previous February, to Israel and to the Arab Governments to dispatch a representative on a fact-finding mission within the context of resolution 237 (1967), he explained that Israel had already conveyed to the Secretary-General its willingness to co-operate with such a representative and that willingness in this regard remained unaltered. On the other hand, the mission was delayed because the Arab Governments had imposed the restriction that it should confine itself entirely to the Israeli-held territory and should ignore the plight of the Jewish communities in Arab countries, which were suffering as a result of the conflict. The real humanitarian problem in the Middle East, however, was the people of Jewish faith who had been subjected to discrimination, opposition, inhuman treatment in Egypt, Syria and Iraq.<sup>558</sup>

At the 1454th meeting on 27 September 1968, the President drew the attention of the Council to a revised version of the draft resolution<sup>559</sup> submitted by Pakistan and Senegal.<sup>560</sup>

At the same meeting, the revised draft resolution was put to the vote and adopted by 12 votes to none with 3 abstentions.<sup>561</sup> It reads as follows:<sup>562</sup>

*"The Security Council,*

*"Concerned with the safety, welfare and security of the inhabitants of the Arab territories under military occupation by Israel following the hostilities of 5 June 1967,*

*"Recalling its resolution 237 (1967) of 14 June 1967,*

*"Noting the report by the Secretary-General, contained in document S/8699, and appreciating his efforts in this connexion,*

*"Deploping the delay in the implementation of resolution 237 (1967) because of the conditions still being set by Israel for receiving a Special Representative of the Secretary-General,*

*"1. Requests the Secretary-General urgently to dispatch a Special Representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967, and to report on the implementation of resolution 237 (1967);*

*"2. Requests the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work;*

*"3. Recommends that the Secretary-General be afforded all co-operation in his efforts to bring about the implementation of the present resolution and resolution 237 (1967)."*

**Decision of 4 November 1968 (1457th meeting):**

*Adjournment*

By letter<sup>563</sup> dated 1 November 1968 addressed to the President of the Security Council, the representative of the United Arab Republic complained that on the previous night, Israeli aircraft violated United Arab Republic air space and infiltrated deep into Mag Hamadi area, bombing civilian targets and killing one civilian and wounding two others. An urgent meeting of the Council was thus requested to consider the situation resulting from that flagrant act of aggression committed by Israel and by the Israeli armed forces and admitted by the Israeli Government.

By letter<sup>564</sup> dated 1 November 1968, addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to consider recent Egyptian acts of aggression and provocation previously reported<sup>565</sup> to the Council and recorded in the report<sup>566</sup> of the Chief of Staff of UNTSO.

At the 1456th meeting on 1 November 1968, following the adoption<sup>567</sup> of the agenda, the Council invited<sup>568</sup> the representatives of the United Arab Republic, Israel and Saudi Arabia to participate in the discussion of the question. The Council considered the question at its 1456th and 1457th meetings, held between 1 and 4 November 1968.

At the 1456th meeting on 1 November 1968, the representative of the United Arab Republic\* stated that his Government had requested an urgent meeting of the Council because an already grave situation in the Middle East had been further aggravated by a new act of aggression by the Israeli armed forces against the territory of the United Arab Republic. That development had been rendered more ominous by its premeditated nature and by

<sup>554</sup> 1453rd meeting (PV), pp. 6-12.

<sup>557</sup> 1453rd meeting (PV), pp. 13-15.

<sup>558</sup> 1453rd meeting (PV), pp. 41-48, 49-50, 51, 52-57.

<sup>559</sup> S/8825/Rev.2, 1454th meeting (PV), pp. 2-5.

<sup>560</sup> 1454th meeting (PV), pp. 2-5.

<sup>561</sup> 1454th meeting (PV), pp. 103-105.

<sup>562</sup> Resolution 259 (1968).

<sup>563</sup> S/8878, OR, 23rd yr., Suppl. for Oct.-Dec. 1968, p. 104.

<sup>564</sup> S/8879, *ibid.*, pp. 104, 105.

<sup>565</sup> S/8868, OR, 23rd yr., Suppl. for Oct.-Dec. 1968, pp. 94, 95; S/8869, *ibid.*, pp. 95-96, S/8875, *ibid.*, pp. 100-101, S/8877, *ibid.*, pp. 101-104.

<sup>566</sup> S/7930/Add.95, 97, OR, 23rd yr., Suppl. for Oct.-Dec. 1968, pp. 4-12; 15-18.

<sup>567</sup> 1456th meeting (PV), p. 6.

<sup>568</sup> 1456th meeting (PV), pp. 6, 7, 42.

Israel's open admission of responsibility for its action. Moreover, the fact that the attack was made on installations constituting part of the economic infrastructure of the United Arab Republic indicated that its perpetrators intended to strike a blow at the economy of the United Arab Republic by attempting to paralyse some of its constituent elements. It was ironic that while engaging in these aggressive actions against Arab States, Israel was conducting a propaganda campaign about its peaceful intentions and constructive approach towards a solution of the problem in the Middle East. But its refusal to declare its acceptance of and its readiness to implement the resolution of 22 November 1967 was a disservice to the cause of peace in the area. It was high time for the Council to enforce the measures envisaged in its previous resolutions and apply the sanctions provided for in Chapter VII of the Charter.<sup>569</sup>

The representative of Israel\* maintained that peace in the Middle East had been long delayed because of the refusal of the Arab States to conclude a permanent peaceful settlement and, more especially, because of their pursuit of the Khartoum decision of "no peace, no negotiations, no recognition of Israel". Despite declarations by Egypt of its acceptance of the November resolution, it had not only refused to make peace with Israel but had also continued its warfare against Israel. After describing a number of assaults by the armed forces of the United Arab Republic which he said were conducted in pursuit of the policy of "preventive military operations", the representative considered those activities the more sinister in view of the efforts of Ambassador Jarring to achieve a just and lasting peace. After prolonged and patient restraint, however, Israel was left with no alternative but to act in self-defence, in order to impress upon the United Arab Republic the necessity to respect the cease-fire. Thus, in blowing up a power station and two projects on the Nile between Aswan and Cairo, it sought to avoid populated areas and to persuade Egypt that it could not ignore its cease-fire obligations with impunity, and that the maintenance of the cease-fire agreement was a common interest of both the United Arab Republic and Israel.<sup>570</sup>

The representative of the United Kingdom suggested that in view of the fact that discussions by certain foreign ministers were in progress, the Council adjourn its meeting and resume its discussion whenever it was decided that "the best time had come".<sup>571</sup>

The President, noting that a strong preference existed for the fixing of a definite date for the next meeting, suggested that the next meeting be held at 1100 a.m. on the following Thursday, with the understanding that the President would remain in contact with the members with a view to reconsideration of the time should circumstances in the meantime so warrant.<sup>572</sup>

The President's proposal was adopted without objection.<sup>573</sup>

**Decision** of 31 December 1968 (1462nd meeting):

- (i) *Condemning Israel for its premeditated military action in violation of its obligations under the Charter and the cease-fire resolutions;*
- (ii) *Considering that such premeditated acts of violence endanger the maintenance of the peace and that Lebanon was entitled to appropriate redress for the destruction it suffered;*
- (iii) *Issuing a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decision*

By letter<sup>574</sup> dated 29 December 1968 addressed to the President of the Security Council, the representative of Lebanon stated that a "flagrant act of aggression had been committed by the Israeli Air Force against Lebanon" on the previous day. In view of the gravity of the situation endangering the peace and security of Lebanon, an urgent meeting of the Council was requested.

By letter<sup>575</sup> dated 29 December 1968 addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to consider the constant violation by Lebanon of the United Nations Charter and the cease-fire resolution of the Council in assisting and abetting acts of warfare by irregular forces and organizations operating from Lebanon against Israeli territory, citizens and property, and in particular against Israeli civil aviation.

At the 1460th meeting on 29 December 1968, following the adoption<sup>576</sup> of the agenda, the representatives of Lebanon and Israel were invited<sup>577</sup> to participate in the discussion. At the 1461st meeting, the representative of Saudi Arabia was likewise invited to participate.<sup>578</sup> The Council considered the question at its 1460th to 1462nd meetings held between 29 and 31 December 1968.

At the 1460th meeting on 29 December 1968, the President (Ethiopia) drew the attention of the members to information<sup>579</sup> he had received from the Acting Chief of Staff of UNTSO relating to the question before the Council.

At the same meeting, the representative of Lebanon\* stated that at 0930 p.m. on Saturday, 28 December 1968, units of the Israeli airforce, using explosives, incendiary bombs and rockets, staged a surprise attack against the International Airport at Beirut, completely destroying thirteen airplanes which constituted the main portion of Lebanon's civilian aircraft fleet. In addition, hangars, repair shops and fuel depots were also hit and destroyed, and the buildings of the air terminal were extensively damaged. Preliminary estimates of the losses indicated that it would considerably exceed \$50 million. Not only had Israeli authorities admitted responsibility for the attack but their officials and press welcomed the safe return of the "aggressive units, applauding and hailing their shameful exploit". In view of such flagrant violations of the principles and objectives of the Charter, his delegation was appealing to the Council to go beyond its usual condemnation of Israel for its acts of aggression

<sup>569</sup> 1456th meeting (PV), pp. 6-12.

<sup>570</sup> 1456th meeting (PV), pp. 13-26.

<sup>571</sup> 1457th meeting (PV), p. 87.

<sup>572</sup> 1457th meeting (PV), pp. 88-92.

<sup>573</sup> 1457th meeting (PV), p. 92.

<sup>574</sup> S/8945, O.R., 23rd yr., Suppl. for Oct.-Dec. 1968, p. 180.

<sup>575</sup> S/8946, *ibid.*, p. 180.

<sup>576</sup> 1460th meeting (PV), p. 2.

<sup>577</sup> 1460th meeting (PV), p. 6.

<sup>578</sup> 1461st meeting (PV), p. 72.

<sup>579</sup> S/7930/Add.107-108, O.R., 23rd yr., Suppl. for Oct.-Dec. 1968, pp. 29-31.

against Arab countries, and take effective measures under Chapter VII of the Charter. At a later stage, his Government, after having fully assessed the damage sustained, intended to request the Council to take the necessary measures against Israel for full and adequate compensation.<sup>580</sup>

At the same meeting, the representative of Israel\* stated that on 26 December 1968, an Israeli civil airliner, en route to New York on a regular scheduled commercial flight, was attacked with bombs and machine guns in the Athens international airport, by assailants from Beirut. They opened fire indiscriminately with sub-machine guns against the passengers and crew, killing one passenger and seriously wounding a stewardess. The assailants, identifying themselves as Arab commandos, admitted that they had been trained and equipped by a terrorist organization operating out of Beirut, with the full knowledge of the Lebanese Government. Lebanon, however, had undertaken specific obligations towards Israel under the Security Council cease-fire resolution. And any attack against an Israeli civil aircraft, whatever it might be, was as much a violation of the cease-fire as any attacks on Israeli territory "and entitles the Israeli Government to exercise its right of self-defence". Two attacks on Israeli civil aircraft occurring within six months of each other by the same terrorist group demonstrated that their objective was to disrupt Israeli civil aviation without regard for the loss of life, the identity of the victims or for the disruption of international civil aviation in general. On 28 December, an Israeli commando unit landed at Beirut airport and struck at a number of aircraft belonging to Arab airlines parked in the airport. There was no loss of life, and strict precautions were taken as far as possible to avoid damage to non-Arab aircraft. The action was directed solely against the bases from which the terrorists had departed on the previous occasion, and was designed to uphold Israel's basic right to free navigation in the international skies. His delegation hoped that in view of the gravity of the challenge posed to the Council, it would finally exert its authority and clearly indicate that it can no longer tolerate the continuation of active belligerency and warfare against Israel through the instrumentality of irregular forces and organizations and that it would hold the Arab Governments, including the Government of Lebanon, firmly to their duties under the Charter and under the cease-fire.<sup>581</sup>

At the 1461st meeting on 30 December 1968, the representative of Lebanon\* asserted that his Government could not be held responsible for acts of Palestinian refugees which were committed outside its territory and without its knowledge. At the same time, if Israel felt that Lebanon was responsible, it should have immediately filed a complaint against Lebanon in the Council. As regards Israel's case against Lebanon, his Government could not even be charged with having the intention of committing an act because there was no such intention.<sup>582</sup>

The President (Ethiopia) stated that encouraging progress was being made in the extensive consultations that had been taking place among the members of the Council, and it might be possible to agree on a text of a

draft resolution that afternoon. In order to further the progress, he proposed that the Council adjourn its meeting until 3 p.m. that afternoon.<sup>583</sup>

The Council decided<sup>584</sup> without objection to adjourn the meeting.

At the 1462nd meeting on 31 December 1968, the President stated that after extensive consultation during recent days, the members of the Council had been able to reach agreement on the text of a draft resolution which appeared to command unanimous support.<sup>585</sup>

At the same meeting, the draft resolution was put to the vote and was adopted<sup>586</sup> unanimously. It read as follows:<sup>587</sup>

*"The Security Council,*

*"Having considered the agenda contained in document S/Agenda/1462,*

*"Having noted the contents of the letter of the Permanent Representative of Lebanon (S/8945),*

*"Having noted the supplementary information provided by the Chief of Staff of the United Nations Truce Supervision Organization contained in documents S/7930/Add. 107 and 108;*

*"Having heard the statements of the representative of Lebanon and of the representative of Israel concerning the grave attack committed against the civil International Airport of Beirut,*

*"Observing that the military action by the armed forces of Israel against the civil International Airport of Beirut was premeditated and of a large scale and carefully planned nature,*

*"Gravely concerned about the deteriorating situation resulting from this violation of the Security Council resolutions,*

*"Deeply concerned about the need to assure free uninterrupted international civil air traffic,*

*"1. Condemns Israel for its premeditated military action in violation of its obligations under the Charter and the cease-fire resolutions;*

*"2. Considers that such premeditated acts of violence endanger the maintenance of the peace;*

*"3. Issues a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decisions;*

*"4. Considers that Lebanon is entitled to appropriate redress for the destruction it suffered, responsibility for which has been acknowledged by Israel."*

## THE QUESTION OF SOUTH WEST AFRICA

### INITIAL PROCEEDINGS

By letter<sup>588</sup> dated 24 January 1968 to the President of the Security Council, the representatives of Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic

<sup>580</sup> 1460th meeting (PV), pp. 6-12.

<sup>581</sup> 1460th meeting (PV), pp. 12-15, 16-27.

<sup>582</sup> 1461st meeting (PV), pp. 10, 11-16.

<sup>583</sup> 1461st meeting (PV), p. 98.

<sup>584</sup> 1461st meeting (PV), p. 98.

<sup>585</sup> 1462nd meeting (PV), pp. 2-5.

<sup>586</sup> 1462nd meeting (PV), p. 7.

<sup>587</sup> Resolution 262 (1968).

<sup>588</sup> S/8355.