



Security Council

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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND SIX HUNDRED AND FIFTY-FIFTH MEETING

Held at Headquarters, New York,
on Thursday, 6 February 1986, at 3.30 p.m.

President: Mr. ADOUKI

(Congo)

Members: Australia
Bulgaria
China
Denmark
France
Ghana
Madagascar
Thailand
Trinidad and Tobago
Union of Soviet Socialist Republics
United Arab Emirates
United Kingdom of Great Britain and
Northern Ireland
United States of America
Venezuela

Mr. HOGUE
Mr. TSVETKOV
Mr. LI Luye
Mr. BIERRING
Mr. BROCHAND
Mr. GBEHO
Mr. RAKOTONDRAMBOA
Mr. KASEMSRI
Mr. MOHAMMED
Mr. TROYANOVSKY
Mr. AL-SHAALI

Sir John THOMSON
Mr. WALTERS
Mr. AGUILAR

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The meeting was called to order at 5.45 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 4 FEBRUARY 1986 FROM THE PERMANENT REPRESENTATIVE OF THE SYRIAN ARAB REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17787)

The PRESIDENT (interpretation from French): In accordance with decisions taken at previous meetings on this item, I invite the representative of Israel to take a place at the Council table; I invite the representative of the Libyan Arab Jamahiriya to take a place at the Council table; I invite the representative of the Syrian Arab Republic to take a place at the Council table; I invite the representatives of Jordan and Morocco to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Netanyahu (Israel), Mr. Azzarouk (Libyan Arab Jamahiriya) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Kasrawi (Jordan) and Mr. Alaoui (Morocco) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): I should like to inform members of the Council that I have received letters from the representatives of Algeria, India, the Islamic Republic of Iran, Iraq, the German Democratic Republic and Yugoslavia in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Djoudi (Algeria), Ms. Kunadi (India), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Sumaida (Iraq), Mr. Huckle (German Democratic Republic) and Mr. Golob (Yugoslavia) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): The Security Council will now resume consideration of the item on its agenda.

I should like to draw the attention of members of the Council to the following documents: S/17795, letter dated 5 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council; S/17797, letter dated 5 February 1986 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General; S/17798, letter dated 5 February 1986 from the Chargé d'affaires ad interim of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General; document S/17799, letter dated 5 February 1986 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General; and S/17801, note verbale dated 5 February 1986 from the Deputy Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General.

Mr. AL-SHAALI (United Arab Emirates) (interpretation from Arabic): It gives us great pleasure, Sir, to see a friend and colleague, the representative of Congo, a non-aligned country with a great history, presiding over the work of the Security Council for this month. We congratulate you on your assumption of the presidency fully aware of the magnitude of your responsibilities in that post.

I am pleased likewise to pay a tribute to the efforts made by His Excellency Ambassador Li Luye during his presidency of the Security Council last month.

(Mr. Al-Shaali, United Arab
Emirates)

This Council

"has sent a clear message to Israel, that the Security Council will provide cover for any Israeli military action ...

"Therefore, I would not be surprised if we came to the Council again, perhaps in a week, perhaps in two weeks, perhaps in a month. The subject may be a new Israeli act of aggression against other ... places". (S/PV.2650, pp. 37-38)

That quotation comes from the comments I made last Thursday, 30 January 1986, about the vote on the draft resolution concerning the Israeli desecration of shrines at Al-Quds. Some thought I was exaggerating, but hardly a week passed before a new Israeli act of aggression took place. Then, when that act of aggression was carried out against a civilian aircraft, some thought that my remarks were something of a prophesy.

The truth is that they were neither prophesy nor exaggeration; the truth is that we in the Arab region have become acutely aware of the workings of actions and reactions. Through historical experience we have come to be able to sense them: we have the experience of 38 years of repeated Israeli acts of aggression in every form and of every dimension.

(Mr. Al-Shaali, United Arab Emirates)

The methodology of the Israeli tactics is based on creating a certain state of affairs by the use of military force and then bringing that state of affairs to the attention of the international community. If the international community, as represented in the Council, proves unable to deal with the situation that has been created, as happened last week, Israel then moves on to a further state of affairs by implementing the notion that might makes right. It is assisted in this by the fact that international public opinion is ill informed when it comes to Israeli aggression. If the Council is unable to act, the result - as we have seen - is that after each veto there is a further Israeli act of aggression, and in the aftermath of each act of aggression there is a veto. It is a vicious circle.

Israel wishes to create the greatest possible number of precedents of violations of international law under the present United States Administration in order that such precedents can, given the total paralysis of the Security Council, gain an aura of international legitimacy. In every statement I have made during the course of earlier meetings of the Council, I have called upon the Council not to send Israel the wrong signal through its inability to take appropriate decisions. Some may have thought I was speaking from a narrow, regional perspective, but the fact is otherwise. I spoke from the perspective of the Council's responsibilities for the maintenance of international peace and security and its own prestige and respectability, and on the basis of a keen interest in having this international body become respected by all the countries and States in the world by proving its ability to act and to adopt appropriate measures at the appropriate time.

If the Council is to play a significant role in the international arena, it must do so through the collective responsibility of all its members. That cannot be achieved unless all the members of the Council are imbued with the sense that

(Mr. Al-Shaali, United Arab Emirates)

they express a collective world interest based on the principles set forth in the United Nations Charter, and not that they express only one-dimensional, narrow and selfish interests.

In this International Year of Peace the Security Council, through its members, must give expression to its keen interest in maintaining its credibility by making a comprehensive review of international affairs. The Permanent Members of the Council bear a particular responsibility for this because of the special right granted them under the Charter.

We will discuss that matter in greater detail at an appropriate time. However, I should now like to return to the item on our agenda. The day-before-yesterday two Israeli military jets intercepted a Libyan civilian airliner en route from Tripoli to Damascus. An official Syrian delegation was on the plane, headed by Mr. Abdullah Al-Ahmar, Assistant Secretary-General of the Arab Baath Socialist Party of Syria. The plane was forced down to an Israeli military airport. Israel officially justified its act by saying that it believed some of the leaders of the Palestinian resistance could have been onboard the plane.

I do not wish to go into details; the facts speak for themselves and prior speakers have spared me the trouble of recounting them. I do, however, wish to put the following on record: Israel was the first State in the world to use its airforce to hijack a civilian airliner. When did that take place? It occurred on 12 December 1954, when Israeli fighter planes hijacked a Syrian civilian airliner, a Dakota, and forced it to land at Lod Airport, where its passengers were detained for two days. As Moshe Sharett, the first Foreign Minister of Israel and Prime Minister of Israel from 1953 to 1955, wrote in his memoirs, the hijacking of the plane was an unjustified act of aggression. In a letter written on 22 December 1954 from Sharett to Lavon, the then Minister of Defence of Israel, we read:

(Mr. Al-Shaali, United Arab Emirates)

(spoke in English)

"It must be clear to you that we had no justification whatsoever to seize the plane, and that once forced down we should have immediately released it and not held the passengers under interrogation for 48 hours. I have no reason to doubt the truth of the factual affirmation of the United States State Department that our action was without precedent in the history of international practice.

"What shocks and worries me is the narrow-mindedness and the short-sightedness of our military leaders. They seem to presume that the State of Israel may - or even must - behave in the realm of international relations according to the laws of the jungle." (The Autobiography of Moshe Sharett, Ma'ariv Publishers, Tel Aviv, 1979, p. 607)

(continued in Arabic)

The Council discussed Israel's hijacking of the Lebanese Mideast Airlines plane on 10 August 1973 and adopted resolution 337 (1973) with regard to that incident. All members of the Council will recall the details of that hijacking, but not all members may know what took place after the release of the Lebanese airliner. Israel sent a bill to Mideast Airlines in which it demanded that the company pay for the servicing of the plane - fuel and airport fees - in Israel. I do not know who is going to pay for servicing the Libyan aircraft on this occasion, but I am sure the bill is being prepared in Israel. I wonder to whom it will be addressed.

At the time of the hijacking of the Lebanese aircraft The New York Times of 15 August 1973 quoted David El-Eazer, the Israeli Chief of Staff, as saying:

(spoke in English)

"More such operations may be expected."

(Mr. Al-Shaali, United
Arab Emirates)

I do not want to go into detail about many of the incidents such as the blowing up of the Libyan air liner in Egyptian airspace, the attack on Beirut airport, or the destruction of 13 Lebanese civilian air liners in 1968, nor about the hijacking of dozens of civilian vessels in the Mediterranean and the detention of their passengers by Israel. But allow me to answer a question asked the day before yesterday in this Chamber. It deserves an answer. It is, "What would have happened if there had actually been some Palestinians on board the Libyan aircraft?"

The answer, very simply, is that we would have lived in a state of media uproar praising Israel's ability and its amazing intelligence. The representative of Israel would be the first actor to appear on American television as an expert on international terrorism. The campaign would come to an end, perhaps, with the introduction of a draft resolution to the Congress for additional aid for Israel as its reward for its contribution to the war against terrorism. That is how things go.

Allow me now to move to another remark, an important one. The representative of Israel, in his first statement the day before yesterday, went beyond all the norms of international law. He gave a bizarre interpretation of the law when he arrogated to his country the right to intercept any civilian air liner if Israel believed some of the passengers on board were what he called terrorists or enemies of Israel. In addition to that being a violation of all international laws and conventions, in particular the 1944 Chicago Convention on Civil Aviation, which was modified on 10 May 1984. Such an interpretation has another, more dangerous, meaning. It is that every State has the right to intercept any civilian air liner if it suspects there are on board terrorists or enemies of its Government.

(Mr. Al-Shaali, United
Arab Emirates)

In the current international situation, very many examples could be given in this regard, without passing judgement on those I am about to mention. For instance, Japan would have the right to intercept any civilian air liner, whatever its national origin, if Japan believed members of the Red Army were on board that plane. Italy would have the right to intercept any aircraft if it believed members of the Red Brigade were on board. Britain would have the right to intercept any aircraft if it believed members of the IRA were on board. Nicaragua would have the right to intercept aircraft if it thought members of the Contras were on board. And so on. Every Government in the world has those it could consider to be terrorists or antagonists. Thus the world would be changed into a jungle in which hijacked aircraft and vessels would outnumber those flying or in transit.

Such a logic has found its most recent expression in the statement of the Israel Defence Minister, Mr. Yitzhak Rabin, published in The New York Times in which he said Israel was resolved to continue what he called "unconventional methods" to fight terrorism. Such a logic and such practices, especially since they emanate from a State Member of the United Nations, constitute a dangerous precedent that would consolidate land, sea and air piracy in the name of fighting terrorism. There is no doubt that such piratical logic jeopardizes civil aviation and transport on land and sea.

Here we must take the following facts into consideration. If we suppose, for the sake of argument - though we reject this supposition - there is justification for a certain State to hijack an aircraft because its intelligence service believes it has terrorists on board, what would happen to the aircraft and the innocent civilian passengers if the suspected terrorist blew up the aircraft or hijacked it from the inside? That probability very definitely existed in the case of the Libyan aircraft, and it could exist with any other aircraft. What would happen if

(Mr. Al-Shaali, United
Arab Emirates)

the pilot refused to comply with the orders given him by the military jets, whether that was his own decision or resulted from a threat by one of the passengers on the plane?

There is another very important technical point concerning the hijacking of the aircraft. I am not an expert on technical matters, but an expert explained this to me. According to the news, before the plane was hijacked communications between it and the Cyprus airport were cut off. The technicians say that military jet fighters cannot carry devices that can interrupt communication. Therefore the disruption of communications must have taken place either from land or the sea or through another aircraft on which there were devices capable of jamming or stopping communications. Technical experts add that the disruption of communications must take place within a certain radar range. Thus it affects all communications within that radar range. Suppose there were a group of civilian air liners flying within that range. The result would be catastrophic when they lost their ability to communicate.

In his statement of yesterday, the representative of Israel came up with a new idea through which he demanded that the international community review international laws and régimes in accordance with new phenomena or to modify them in a manner that makes them more consistent with Israeli objectives. He wants the international community to legislate for Israeli terrorism because the representative of Israel believes that the world started with the inception of Israel. Therefore the world must reconsider its systems, its laws, its heritage and its thought so as to bring them into line with Zionist thought - thought based on occupation, annexation, terrorism, killing and displacement.

(Mr. Al-Shaali, United
Arab Emirates)

The representative of Israel wants us to legislate so that the acquisition of territory by force is admissible and the killing of Palestinians is acceptable and aggression against other States is acceptable. We must change the law!

My final remark is as follows. Yesterday a debate took place in this Chamber about terrorism. I do not want to deal with it here, but should this Council decide to consider the question of terrorism, we shall, as always, be ready to consider that matter, and on that occasion we shall make it clear what terrorism is, who the terrorists are, and how Israel was created.

(Mr. Al-Shaali, United
Arab Emirates)

It is fortunate for this world and unfortunate for Israel that human history is recorded. We can all leaf through it. Then the representative of Israel and the whole world will know who the terrorists are and how Israel was established.

My delegation does not expect Israel to commit itself to any agreement, law, resolution, norm or treaty, but it believes that this Council would put an end to these acts if it lived up to its responsibilities and handled the matter with the necessary courage and wisdom, that is, through unanimous agreement on the draft resolution, because the alternative to that is, we think, more dangerous than what many can conceive.

The PRESIDENT (interpretation from French): I thank the representative of the United Arab Emirates for the kind words he addressed to me.

Mr. LI Luye (China) (interpretation from Chinese): At the outset, Sir, I wish to congratulate you most sincerely on your assumption of the presidency of the Security Council for this month. Your talent in presiding over the proceedings of the Council in the past few days has convinced me that you, will certainly be able to guide the Council to the smooth accomplishment of the heavy work-load during the month of February. There exist a traditional friendship and good co-operation between the Governments and the peoples of China and the Congo, and I believe that this relationship will find its expression in co-operation between our two Missions. Meanwhile I should like to extend our warm welcome to His Excellency Ambassador Aguilar, Permanent Representative of Venezuela, and I look forward to an effective co-operation with him. I wish also to take this opportunity to thank you and representatives of other countries for the kind words about my work when I presided over the Council last month.

On the morning of 4 February, Israeli military aircraft brazenly intercepted in broad daylight a Libyan civilian airliner on a flight in international airspace over the Mediterranean and forced it to land at an Israeli airport. The Israeli

(Mr. Li Luye, China)

authorities have made no denial of the fact. The international community cannot but condemn this despotic act of terrorism.

The Chinese delegation maintains that the nature of this interception is indeed despicable.

In the first place, the interception grossly trampled underfoot the norms of international law and violated the provisions pertaining to international civil aviation, jeopardizing the safety of the lives of innocent people and the freedom and safety of civil aviation, which constitutes a new threat to peace and security in the Middle East.

Secondly, this was not the first time that Israeli military aircraft intercepted civilian aircraft of other countries and forced them to land. We all remember the interception of 10 August 1973 over the airspace of Lebanon. The Security Council adopted resolution 337 (1973), in which the Council condemned the incident and solemnly warned Israel to desist from repeating such acts. The incident of 4 February shows that the Israeli authorities are bent on deliberate violations in total disregard of the resolutions and authority of the Security Council - which should never be countenanced.

Thirdly, the Israeli authorities plotted and conducted the interception under the excuse that the civilian airliner carried so-called terrorists. This is absurd and dangerous. Should all Governments act likewise and wilfully intercept other countries' civilian aeroplanes on their own "assumptions" and force them to land, will there be any freedom and safety of civil aviation in the world to speak of?

The Chinese delegation holds that the Israeli authorities' acts of hegemonism conducted under the pretext of retaliation against terrorism must be resolutely stopped and strongly condemned. Otherwise, the sovereignty and security of the Middle East countries will be subjected to a grave threat and the world deprived of tranquillity. Therefore, the international community, and the Security Council in

(Mr. Li Luye, China)

particular, should adopt forceful measures effectively to prevent any recurrence of interception or hijacking of civilian aeroplanes.

The PRESIDENT (interpretation from French): I thank the representative of China for the kind words he addressed to me.

Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation would like to begin its statement by welcoming you, Sir, and expressing to you our conviction that you will successfully discharge the obligations of President of the Council for this month, which promises to be a difficult one. We are happy to see in the presidency the representative of a country that is friendly to the Soviet Union and we should like to assure you of our co-operation.

I should like also to pay tribute to your predecessor, the representative of a Power that is an immediate neighbour of the Soviet Union, Ambassador Li Luye, who conducted the work of the Council in January with his usual conviction, clarity and effectiveness.

We also welcome at this meeting our new colleague from Venezuela, Ambassador Aguilar, and wish him success in his work here.

It is less than a week since the Security Council considered the matter of Israel's actions with regard to Jerusalem, and now the members of the Council have met again in response to an urgent appeal by the Government of the Syrian Arab Republic. The reason was the defiant act of air piracy committed by the Israeli air force on 4 February against a Libyan civil aircraft with an official Syrian delegation on board.

We have carefully read the letter from the Foreign Minister of the Syrian Arab Republic on this matter and we have also listened to the statement by the representative of that country. The facts set forth speak for themselves so convincingly that they in fact do not require any detailed comments. There is no

(Mr. Troyanovsky, USSR)

doubt that this was a premeditated act of aggression by Israel perpetrated in cold blood with the use of armed force, an act fully consistent with the policy of State terrorism that is systematically pursued by that country against Arab States and peoples. As was quite rightly noted here by the representatives of the Syrian Arab Republic, the Libyan Arab Jamahiriya and other countries, that act was a flagrant violation of the generally recognized norms of international law, the basic provisions of the United Nations Charter and the elementary principles of inter-State relations. It was an open breach of the Conventions regarding civil aviation and threatened the principle of unimpeded use of international airspace for overflights by civil aircraft.

(Mr. Troyanovsky, USSR)

In considering this question, we cannot fail to remark that that was certainly not the first instance of air piracy by Israel. In its resolution 337 (1973), of 15 August 1973, the Security Council condemned Israel for hijacking a Lebanese civilian airliner in similar circumstances and warned it that, if such acts were repeated, the Council would consider taking enforcement measures. It is appropriate to recall that that resolution was unanimously - I repeat: unanimously - adopted by all Council members. That is quite understandable, since such acts could result in a situation of complete chaos and anarchy for international air travel.

The recent events have another aspect to them which Council members should not overlook. As the facts show, Israel is unabashedly assuming the right to commit unlimited, outright terror and has made it the main pivot of its foreign policy. It would appear that, to the present Israeli leadership, there is no norm of international law, international convention or Security Council and General Assembly resolution that they would not be prepared to violate.

Less than two months ago the General Assembly adopted resolution 40/61 on international terrorism. That resolution categorically condemned "as criminal, all acts, methods and practices of terrorism wherever and by whomever committed". Additionally, all States were called upon to

"... fulfil their obligations under international law to refrain from

organizing, instigating, assisting or participating in terrorist acts ...".

The resolution was adopted by consensus; in other words, it was supported by Israel also.

A few days later, on the initiative of the United States, the Security Council adopted resolution 579 (1985) in which it condemned all acts of hostage-taking and abduction and described them as "manifestations of international terrorism". That Council resolution also was adopted unanimously.

(Mr. Troyanovsky, USSR)

Today the Council has before it a clear-cut, unambiguous example of precisely the actions mentioned in those resolutions. Council members' attitude to this incident will be a touchstone, a yard-stick, of how seriously they view their obligations and statements on combating terrorism.

The recent incident with the Libyan civilian aircraft cannot be viewed in isolation from the general situation in the Middle East and the Mediterranean region as a whole. The various aspects of the situation there are virtually a constant subject of discussion in the Security Council. The reasons for that are well known: the continuing failure to resolve the Middle East conflict because of Israel and the forces that support it and, primarily, the core of this - the Palestinian problem - as well as the constant armed attacks and acts of provocation against the Arab States.

It should be noted that the United States Administration has apparently decided to match its junior partner in flexing its "military muscles". Otherwise why is it so difficult to explain the fact that, again in the Mediterranean, the strong fist of the United States Navy is clenched and Washington is constantly issuing threats and sanctions against Libya?

Recent events as a whole again reaffirm the urgent need to halt the dangerous turn of events in the Middle East and energetically to engage in joint efforts to eliminate the chronic pocket of international tension in that region. The way to that is set forth in the relevant United Nations decisions on the convening of an international peace conference on the Middle East. That is the thrust of the well-known Soviet proposals, which remain fully valid.

A substantive Soviet assessment of these events was given in a Tass statement, published today. It declares the Soviet Union's strong condemnation of Tel Aviv's terrorist act which goes against the elementary norms of inter-State relations.

(Mr. Troyanovsky, USSR)

That statement stresses that it is high time for the Security Council, in accordance with its powers under the United Nations Charter, to take effective measures to halt Israel's crimes, which constitute a direct threat to peace and security in the Middle East and beyond the region.

The delegation of the USSR supports Syria's demand that the Council condemn Israel for that act, make it bear the entire responsibility for it, and take measures to rule out any recurrence of such actions in future. The Soviet delegation will therefore vote in favour of the draft resolution submitted by the group of non-aligned countries members of the Council.

The PRESIDENT (interpretation from French): I thank the representative of the Union of Soviet Socialist Republics for the kind remarks he addressed to me.

Mr. GBEHO (Ghana): I should like, first of all, to congratulate you, Sir, very sincerely on your election to the presidency of the Security Council. Your esteemed country and mine enjoy very warm and close relations, and we are delighted that a representative of the Congo has the responsibility of leading the Council during the month of February.

As you are aware, my personal esteem for you goes beyond the mere call of duty. Apart from the historical ties that link my particular region in Ghana especially with your hospitable country, it is also a matter of profound joy to me that you, my brother and colleague, have been called upon to help manage global peace and security at this time. I assure you of the unfailing support of the Ghana Government and delegation in the discharge of this onerous and solemn task.

May I also take this opportunity to convey the sincere thanks of my Government and delegation to Mr. Li Luye of China on the exemplary execution of his duties as President of the Council during the month of January.

(Mr. Gbeho, Ghana)

I wish to extend a personal welcome to Ambassador Aguilar, the Permanent Representative of Venezuela, on his joining the Security Council. My delegation hopes to increase and deepen the co-operation with the Venezuelan delegation that it has already commenced.

The representative of the Syrian Arab Republic made a complaint to the Council on 4 February 1986. He outlined the events of the same date, during which he alleged that agents of the Israeli Government had intercepted a Libyan civilian executive jet aircraft on its way from Tripoli to Damascus and carrying an important delegation of the Syrian Government. The two Israeli fighter aircraft, it was reported, had forced the Libyan civilian aircraft, which was in international airspace, to divert its course to a military airfield in Israel, where the aircraft and its passengers had been detained for several hours before finally being released.

The Council was also addressed by the Permanent Representative of Israel, who confirmed the incident more or less as it had been narrated by the Permanent Representative of the Syrian Arab Republic. The only difference in the two accounts was that the Ambassador of Israel sought to justify the action of his Government by referring to the suspicions that it had that so-called Arab terrorists might have been on board, as well as to the continuing threat that Israel feels it faces from Arab countries generally.

My delegation has observed that Israel does not deny its alleged action. Indeed, the statement of its representative indicated quite clearly that it knew that the action contravened international conventions and law but felt that it should be excused under the special circumstances that it adduced. As far as the Ghana delegation is concerned, that plea remains singularly unconvincing. The Israeli action was clearly one of air hijacking, which cannot be justified by

(Mr. Gbeho, Ghana)

either the suspicion that the Israeli Government had or the coffee that was provided in Tel Aviv. To accept the suspicion that it had and on that basis also seek to excuse its conduct would be to confer upon Israel the limitless right forcibly to arrest and detain any civilian aircraft in the area or even elsewhere whenever it alone had the suspicion that any such aircraft was carrying persons wanted by the Government of Israel. What if other Governments in the area should decide to take a leaf out of Israel's book by following this example?

But, more than that, the Council must surely be concerned with the signal that it sends out to the international community at the end of the present debate on the acceptability or not of the kind of act that Israel is accused of. My delegation is of the firm opinion that the Council should not even remotely sanction this definite act of air hijacking, because it harbours a potential threat to international peace and security. However justified the grievance of Israel or any other Member State of the United Nations might be, that country is under the obligation of the Charter to abjure force and to turn to this very Council for assistance in seeking redress. Let us remember that this Council itself has the power to order even military action, under Chapter VII of the Charter, against any country that endangers international peace and security. It would be a certain prescription for anarchy if the Council should give any Member State, least of all Israel - which, sadly, has a belligerent record - the assurance that it can use force in its relations with other Member States and then seek retroactive endorsement of its wrongful ways from the Council.

Let me also recall that six weeks or so ago, when my delegation was not yet a member, the Council adopted the historic resolution 579 (1985), which firmly and unequivocally condemned terrorism, hostage-taking and abduction. It was acts like the present aerial hijacking by Israel that resolution 579 (1985) was meant to

(Mr. Gbeho, Ghana)

address. There was no understanding that the perpetration of the same act by a certain category of countries, much less a particular country, would be countenanced, exempted or condoned by the Council. The act of forcibly or militarily seizing the Libyan civil aircraft in an international airline and in international airspace, therefore, must be rightly denounced by the Council because it is against international law and could easily result in war between Israel and its neighbours.

Furthermore, this incident has a repercussion on international civil aviation which must not be lost sight of. It is my delegation's view that the forcible seizure of civilian aircraft in international airspace for any reason whatsoever was foreseen by the many international conventions that have been passed to protect civil aviation. Precisely because the seizure needlessly introduces civilian aircraft into military operations, all the conventions have sought to prohibit air hijacking. We again believe, in the circumstances, that the Council should support the letter and spirit of the many conventions adopted between 1970 and 1979 to protect civil aviation and should not take any action that would even unwittingly undermine them.

My delegation admits that for as long as man lives and discourses with his fellow man there will continue to be disagreements, disputes and even enmity between countries. It is to be hoped that these disagreements and disputes can be resolved in the course of time, given man's superior intelligence and love for peace. But it is in the interest of humanity as a whole, especially at a time when wars tend to take an unspeakable toll of lives - if they do not threaten to end it all - that all States act in a manner that would avoid international catastrophe. Our mandate as the highest organ of the United Nations and individually as Member States of the world body enjoins us to work relentlessly against wars. We are not

(Mr. Gbeho, Ghana)

asked to excuse any war or threat of war save that ordered by this very Council. The use of military aircraft by any country to seize civilian aircraft is to invite war. It is a threat, therefore, to international peace and security and should be deplored. The Security Council, we suggest, has no alternative but to condemn the act and its perpetrator.

Not too long ago the Council, in one of the most celebrated cases ever to come before it, saw how contact and lack of understanding between military and civilian aircraft could lead to confrontation of a threatening kind within minutes. Without going into the merit of the cases of the two sides involved in that conflict, we can draw the lesson that the threat to international peace and security was real and went far beyond the immediate aircraft and their passengers and crews. The threat now is no less real. Those who argue to the contrary are sadistically trying to sell the notion that it is only when human lives are lost as a result of disagreements or disputes between super-Powers that such losses are significant. We reject that conclusion. Human lives among non-super-Powers are equally treasured and must not be threatened under any circumstance.

(Mr. Gbeho, Ghana)

We are all aware of the background of the Arab-Israeli disputes in the area, and we are also seized of the regrettable incidents of terrorism that have characterized life in the area of late. The question that poses itself now is whether an act of the type that Israel is now accused of is one that the Council should prescribe, or even condone, as a panacea for the tense situation that obtains in the area. My delegation thinks that two wrongs do not make a right, and that the Council should avoid sanctioning the Israeli act of violence. The margin of error in such macho acts can be surprisingly large and embarrassing, as the Israeli Government has found out since the day of its illegal action.

My delegation cannot end this statement without condemning all acts of terrorism that take the lives of innocent civilians. Recently Ghana lost one of its citizens, who was merely travelling through the Middle East at the time, when the aircraft he was travelling in was hijacked. He died in that aircraft on the tarmac in Malta during the subsequent storming of the plane. We cannot in the circumstances invite similar actions in the future. We call upon those who indulge in these acts of wanton killing to understand that they are, at this point in time, harming their own cause. However, we must state with equal courage and conviction that the international community, including the Council, must summon the necessary political will to delve into the reasons why the frustrations of dispossessed Palestinians are vented in this manner. A glib condemnation of terrorism alone, without a scientific and impartial study of its origins will not, we are afraid, eradicate the phenomenon.

Finally, the Ghana delegation reiterates its readiness to play its part in finding solutions to the intractable problems that confront the international

(Mr. Gbeho, Ghana)

community and indeed the Security Council in this area. However, my delegation is worried about the image of the Council that we have just joined, because it is progressively being seen by the world as an organ that gives the imprimatur to wrongful acts by international pariahs like South Africa and Israel. The hesitation in taking the firm action that is expected of it gives out the wrong signals to the international community, and we want to be a part of the correction of that image. We hope, therefore, that in an area where each side has resorted to violence in protecting its interests in the last 40 years, the Council will pursue the path of peace undaunted, in order to spare the world yet another global war. We believe that there is no other alternative.

The PRESIDENT (interpretation from French): I thank the representative of Ghana for his kind words addressed to my country and to me.

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

Mr. DJOUDI (Algeria) (interpretation from French): For reasons connected with the history of our common liberation struggle, Sir, and our unswerving dedication to the cause of freedom and independence of peoples, my delegation is pleased by your assumption of the presidency of the Council, and we congratulate you. We are convinced that with you as President the Council's proceedings will be conducted very skilfully.

I also congratulate Ambassador Li Luye, of the People's Republic of China, on the effective way in which he presided over the Council's work last month.

Two days ago the Tel Aviv régime intercepted in international airspace a civil aircraft of the Libyan Arab Jamahiriya flying to Damascus with an official Syrian delegation on board. Such acts in that part of the world are a convenient way of diverting attention from the central drama. But although it is not without

(Mr. Djoudi, Algeria)

precedent, it is particularly revealing. It is in fact a typical example of the nature of Zionism, which, notwithstanding the indulgent attitude of some towards a conflict with many dimensions, is clearly once again to be seen at the root of all the injustices and to be the cause of all the threats.

What happened reveals in an intolerable manner the true colours of a system based on terror, founded on aggression and motivated by expansionism. It makes it abundantly clear that unending violations of international law is the only norm of conduct that that system imposes on itself. We have long since stopped trying to determine what rules of morality and what principles of international law the Tel Aviv régime has transgressed. Rather, the question is what rules and principles remain for it to break.

The fact is that - well before some people woke up, rather late in the day, to the dangers of a policy of aggression which recognized limits only to the extent of breaching them, in order to demonstrate its immoderate lust for power - the Zionist entity had revealed, even before the fait accompli by which it was established, its true ambitions. There is hardly any need to recall the times when the terrorist founders of the Zionist entity, in an attempt, begun at Deir Yassin, to exterminate the Palestinian people, indicated their intention to carry out large-scale massacres, such as those, so painfully present in all our memories, of Sabra and Shatila.

As convincing proof of that, it is sufficient to recall that the act of piracy committed a few days ago against the Libya aircraft is not without precedent. On 21 February 1973 a civil aircraft of the same nation, on regular flights between Tripoli and Cairo, was shot down by the Zionist air force, with the loss of 108 lives. In addition to Arab nationals, they included British, French, American and German citizens.

(Mr. Djoudi, Algeria)

The same year, in August 1973, there was a typical act of piracy, with the interception of a plane flying between Beirut and Baghdad. That all shows that before the identical act of 4 February the Zionist régime most certainly did not feel bound by Security Council resolution 337 (1973), in which it had already been condemned.

Violating international law is a constant, irresistible temptation to a régime that expresses itself only in aggression and in the persistence of a fundamental illegality: the usurpation of Palestinian rights.

Today the aggressor, who has already been identified, seeks to justify his action by describing it as legitimate self-defence. But arguing that the circumstances confer legality upon him will not help him in the long run, when his deeds or misdeeds regularly evoke international condemnation.

The act of piracy committed against a Libyan aircraft on 4 February is fraught with threats to international law and order. Apart from the crime itself, the vain attempts to justify it should cause us considerable concern. It seems that Tel Aviv has now assumed the right to intercept any aircraft on which it suspects the presence of any person whom it chooses to describe as a terrorist. If the Tel Aviv régime is allowed to feel that it can get away with such acts, it is very likely to commit them again against other aircraft, which may not always be of Arab origin, but may belong to a nation outside the Arab world.

(Mr. Djoudi, Algeria)

Those who wish to believe this and who, through their ready acquiescence, have encouraged the repetition of such acts will be unable for long to defend the principles to which they state their adherence but for which at the same time they do not encourage universal respect. What was unacceptable yesterday cannot be accepted today. If harsh measures were considered yesterday against anyone guilty of such acts, then by what rule, by what law can this Council refrain from taking the steps called for by its responsibilities to condemn the party clearly guilty of a blatant act of piracy?

It is not only the credibility of this Council that depends on the response to this matter; it is also the very security of airspace, which appears now to have become a new arena for Israeli terrorism. Who can doubt what would happen if the next threatened aircraft should refuse to obey the order to land in occupied Palestine? We need not resort to imagination for the answer: we need only consult our memory to recall the aircraft brought down in 1973.

The Council must, therefore, declare its rejection of Israel's attempts to spread chaos and insecurity in international airspace. It must take action to thwart the guilty party, to restore international law and to revive confidence in this body.

The PRESIDENT (interpretation from French): I thank the representative of Algeria for the kind words he addressed to me.

Mr. TSVETKOV (Bulgaria) (interpretation from French): I wish first of all, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of February. Through you we salute the People's Republic of Congo, a friendly country with which the People's Republic of Bulgaria enjoys active and fruitful relations. I am certain that your well known diplomatic skills and political experience will contribute to the success of the Council's work and enhance the prestige of free Africa on the international scene.

(Mr. Tsvetkov, Bulgaria)

I should like to take this opportunity also to pay a tribute to Mr. Li Luye, Permanent Representative of the People's Republic of China, for the able manner in which he conducted the work of the Council last month.

The Bulgarian delegation fully shares the concerns expressed by previous speakers regarding the serious incident provoked by Israel in international airspace over the Mediterranean. The People's Republic of Bulgaria condemns that act of air piracy, which is but the latest in the long series of Israel's aggressive attacks against the sovereignty of Arab countries. The act perpetrated against the Libyan civilian aircraft is an act of war in peacetime, an insolent challenge to the entire Arab world and the international community at large. It also constitutes a threat to international peace and security.

Such acts are in flagrant contravention of the norms of international law, in particular international conventions such as the Chicago, Hague and Montreal Conventions of 1944, 1970 and 1971 respectively. Two basic principles of aviation law have been violated: the principle of freedom of flight in international airspace and the principle of the guaranteed safety of international civil aviation, the strict respect for which alone can make civil aviation possible.

Israel bears full responsibility for the consequences of these acts, which, given the explosive situation in the Middle East, could bring about uncontrollable and unforeseeable events. No argument or claim by Israel invoking its right of "self-defence" can alter the dangerous nature of that act, which tramples on international law.

There is no doubt that the diversion of the Libyan civilian aircraft bearing an official Syrian delegation must be seen first and foremost in the context of the increasingly aggressive trend in the policy of Israel and that country's course of confrontation, by force, with the Arab countries. It would be no mistake to cite as the principal motive for this act Israel's inclination to intimidate the Arab

(Mr. Tsvetkov, Bulgaria)

countries through brutal demonstrations of armed violence in order to make them believe in its impunity and omnipotence.

It is not through increased State terrorism that terrorist acts can be suppressed, acts whose victims are more and more often innocent people. In the Middle East in particular, these acts can and must be cut off at the very root, which will be possible only through a just and comprehensive settlement of the crisis in that region, which nourishes such acts. It is well known that there is broad consensus on how to bring about such a solution: an international conference on the Middle East, with the participation of all countries concerned, including the Palestine Liberation Organization (PLO).

It is high time that Israel were forced to respect the norms of international law and the many resolutions and decisions of the United Nations. This latest act can only lead to another wave of violence and bloodshed.

That is why the People's Republic of Bulgaria supports the draft resolution before the Council, which contains a precise description of what took place and calls for an end to such excesses.

The PRESIDENT (interpretation from French): I thank the representative of Bulgaria for the kind words he addressed to me.

I should like to inform members of the Council that I have just received a letter dated 6 February 1986 from the Permanent Representative of the United Arab Emirates to the United Nations, which reads as follows:

"It is my honour to request the Security Council, in conformity with its usual practice, to extend an invitation to the representative of the Palestine Liberation Organization to participate in the Security Council's consideration of the item entitled 'Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council' (S/17787)."

(The President)

That letter will be published as document S/17802.

The proposal by the representative of the United Arab Emirates is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure of the Security Council but, if approved by the Council, the invitation to participate in the discussion would confer upon the Palestine Liberation Organization the same rights of participation as those conferred upon Member States when invited to participate pursuant to rule 37.

Does any member of the Council wish to speak on this proposal?

Mr. WALTERS (United States of America): The United States has consistently taken the position that under the provisional rules of procedure of the Security Council the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39.

For 40 years the United States has supported a generous interpretation of rule 39 and would certainly not object had this matter been raised under that rule. We are, however, opposed to special ad hoc departures from orderly procedure. The United States consequently opposes extending to the Palestine Liberation Organization the same rights to participate in the proceedings of the Security Council as if that organization represented a Member State of the United Nations.

We certainly believe in listening to all points of view, but none of that requires violating the rules. In particular, the United States does not agree with the recent practice of the Security Council, which appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from these rules of procedure. We consider this special practice to be without legal foundation and to constitute an abuse of the rules.

For those reasons, the United States requests that the terms of the proposed invitation be put to the vote. Of course, the United States will vote against the proposal.

The PRESIDENT (interpretation from French): If no other member of the Council wishes to speak at this stage, I shall take it that the Council is prepared to vote on the proposal by the representative of the United Arab Emirates.

It is so decided.

A vote was taken by show of hands.

In favour: Bulgaria, China, Congo, Ghana, Madagascar, Thailand, Trinidad and Tobago, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela

Against: United States of America

Abstaining: Australia, Denmark, France, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT (interpretation from French): The result of the vote is as follows: 10 votes in favour, 1 against and 4 abstentions. The proposal has therefore been adopted.

At the invitation of the President, Mr. Terzi (Palestine Liberation Organization) took a place at the side of the Council Chamber.

The PRESIDENT (interpretation from French): The next speaker is the representative of India. I invite her to take a place at the Council table and to make her statement.

Ms. KUNADI (India): Allow me, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of February. Your country and mine have traditional bonds of friendship and co-operation and are fellow members of the Non-Aligned Movement. We are confident that under your skilful guidance the Council will be able to arrive at a speedy and satisfactory outcome on the item before it.

May I also take this opportunity to express our appreciation to your predecessor, the Permanent Representative of China, for the able manner in which he guided the Council's proceedings last month.

We meet yet again at the request of a fellow non-aligned country to consider the latest act of aggression and terrorism committed by Israel. The ready response of the Council members to agree to the convening of an urgent Council meeting at the request of Syria to consider the acts of Israeli air piracy perpetrated on 4 February by Israeli war planes against a Libyan civilian private plane bears testimony to the sensitivity to the grave challenge posed by that act.

(Ms. Kunadi, India)

The letters addressed to the United Nations Secretary-General by the Foreign Minister of the Libyan Arab Jamahiriya and the Foreign Minister of the Syrian Arab Republic, contained in documents S/17792 and S/17785, respectively, give a detailed account of the incident. The statements by the Permanent Representatives of the Syria Arab Republic and the Libyan Arab Jamahiriya before the Council, which we have followed with great attention and anguish, provide us additional information. The facts are clear. A civilian Libyan aircraft carrying an official Syrian delegation was intercepted on 4 February in international airspace by Israeli fighters and forcibly diverted to an Israeli airfield. That act is in complete violation of all norms of international law and the principles and provisions of the United Nations Charter. It also violates the provisions of international conventions safeguarding civil aviation. The act has been condemned in several world capitals. The Foreign Secretary of the Ministry of External Affairs of the Government of India made the following statement yesterday:

"We are shocked by reports that a Libyan aircraft was intercepted in international airspace yesterday by Israeli fighters and forced to land at an Israeli airfield. This is in complete violation of international law, and we are appalled that this outrage has been committed, not by a few desperate outlaws, but by a Government that is supposed to protect and uphold, and not violate, the rule of law.

"The Government of India condemns terrorism in all its forms. We think that acts of political violence do not solve any problems, they only compound them. The hijacking of aircraft as a means of attracting attention to their cause has been the misguided ploy of terrorists and has been universally condemned. We are disturbed by the trend emerging over the last few months whereby States have stooped to the tactics and morality of terrorists. We

(Ms. Kunadi, India)

think this is totally reprehensible, and we hope that all Governments will act with the sense of responsibility and moderation that is expected of them."

The Israeli action is yet another glaring instance in a lengthy catalogue of Israel's aggressive policies designed to intimidate its Arab neighbours with the threat and use of force. We view with grave concern Israel's declared persistence in pursuing such acts. Such actions by the Israeli authorities are in flagrant violation of the norms of international law. They also serve to delay the prospects of peace in the region.

The interception and forcible diversion by Israel of the Libyan civilian aircraft was comprehensively discussed at the meeting of the Co-ordinating Bureau of Non-Aligned Countries held this afternoon at United Nations Headquarters. The special communiqué adopted by the Co-ordinating Bureau reads as follows:

(Ms. Kunadi, India)

"The Co-ordinating Bureau of Non-Aligned Countries, meeting in New York on 6 February 1986, noted with indignation and grave concern the interception and forcible diversion by Israel on 4 February 1986 of a Libyan civilian aircraft in international airspace and its declared persistence in pursuing such acts.

"The Bureau strongly condemned Israel for its acts of piracy, which constituted yet another instance of Israel's policies of aggression and State terrorism in violation of the United Nations Charter and all norms of international law. The Bureau considered that such an act jeopardized the lives and safety of passengers and crew and violates the provisions of international conventions safeguarding civil aviation. The Bureau urged the international community to take urgent and effective measures to prevent Israel from repeating such illegal and provocative acts. The Bureau also called on ICAO to respond appropriately to this Israeli act and to consider adequate measures to safeguard civil aviation from a repetition of such acts, in conformity with the Chicago Convention of 7 December 1944."

There was an overwhelming sentiment at the meeting of the Co-ordinating Bureau against the latest instance of aggression and terrorism by Israel, which testified to its arrogance and intransigence and to its utter lack of respect for the purposes and principles of the United Nations Charter. The Movement of Non-Aligned Countries attaches paramount importance to the achievement of a just, comprehensive and lasting peace in the Middle East. The fundamental principles of and the basic framework for a just and lasting settlement already exist in the relevant resolutions of the General Assembly and the Security Council and the pronouncements of the Non-Aligned Countries adopted at the seventh Conference of Heads of State or Government, held in New Delhi in March 1983. Those well known fundamental

(Ms. Kunadi, India)

principles include, inter alia, the withdrawal of Israel from all the Palestinian and other Arab territories occupied since 1967 and the right of the Palestinian people to self-determination, including the establishment of a State of their own. It is well known that the primary reason for the lack of progress in finding a comprehensive solution is the intransigence of Israel, which has defied the will of the international community.

Barely two months ago the United Nations General Assembly unanimously adopted resolution 40/61 on measures to prevent international terrorism. The Security Council has also condemned all acts of terrorism wherever and by whomsoever they are committed. Urgent action is required to implement those decisions, including the progressive elimination of causes underlying terrorism which have resulted in impeding the achievement of a comprehensive, just and lasting peace in the Middle East.

Israel's policies and practices over the years in the occupied Arab territories and against its Arab neighbours have posed a serious threat to international peace and security. The Security Council should take action to deal with the specific action with which we are now faced, which undoubtedly is a breach of international law and the United Nations Charter by Israel. We hope that the Council will demonstrate the will to act immediately and resolutely.

The PRESIDENT (interpretation from French): I thank the representative of India for the kind words she addressed to me.

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

Mr. GOLOB (Yugoslavia): It is certainly reassuring to see you, Sir, the representative of the People's Republic of the Congo, a member of the Movement of Non-Aligned Countries, presiding over this important meeting of the Security

(Mr. Golob, Yugoslavia)

Council. Your commitment to the cause of peace, independence and sovereignty will, we believe, contribute to the successful work of the Council.

Allow me to express our appreciation to the Permanent Representative of the People's Republic of China, Ambassador Li Luye, who guided the work of the Council in the month of January true to the principled policy of the People's Republic of China, applying the competence and wisdom for which he is known and valued among his colleagues.

The chain of events in the Middle East and the Mediterranean is cause for grave and growing concern. It is manifest that there has been a train of seriously aggravating events provoked by the use of force in circumstances in which the Middle East is the most explosive crisis in the world.

Together with other non-aligned countries, we have time and again asked that the use of force and all other forms of pressure and threat should be refrained from. This we think is indispensable in order to safeguard the basic principles of relations between States and to safeguard the foundations of peace and security in the world. In calling for restraint, we have in mind that restraint is in the immediate interest of all the countries of the Mediterranean and the Middle East.

Now the Security Council, and indeed the international community, is again faced with another brazen and flagrant act of Israel that violates international law. The air piracy now being considered by the Security Council is yet further proof of the policy of expansion and domination by Israel, which employs the means and acts of State terrorism to achieve it. Its war machine has again reached into international airspace. That is bound further to destabilize security in the Mediterranean and in the Middle East.

The acting spokesman for the Federal Secretariat of Foreign Affairs of Yugoslavia made a statement on 4 February in which he said that we condemn most

(Mr. Golob, Yugoslavia)

strongly Israel's brazen terrorist act of hijacking the Libyan passenger plane. He said that it constitutes a flagrant and inadmissible violation of international law and that it has brought about a further exacerbation of the situation in the Middle East and in the Mediterranean. He further stated that Israel's announcement that it intended to continue such actions bears out the continuity of the policy of aggression and the practice of State terrorism to which Israel keeps resorting despite the most severe opposition and condemnation by the international community.

(Mr. Golob, Yugoslavia)

The spokesman further said that Yugoslavia strongly opposes and condemns all forms of terrorism, regardless of its goals or its perpetrators. But this terrorist action by Israel increases our belief that urgent and decisive measures by the international community are needed in order to prevent all forms of terrorism and to eliminate it as a phenomenon that threatens the peace and security of peoples and international relations at large.

The spokesman concluded that we take this occasion to express our deep concern over the continuation of pressure, the demonstration of military might, and threats against a sovereign non-aligned country. He concluded that this increasingly complicates the security situation in the Mediterranean.

It is regrettable that there are more and more violations and threats to the security of non-aligned countries. I think we should all ask ourselves: Where does all this lead? And I submit that it leads nowhere but to lawlessness and to the domination by those who are strongest and brazen enough to disregard international law whenever and wherever it suits them.

But in answer the United Nations was founded in order to outlaw such behaviour; the Security Council is charged with the maintenance of international peace and security and it is clear that the Security Council is now seized of a case of air piracy, use of force and an act that threatens international peace and security. Moreover, what is particularly worrisome, the perpetrators have clearly stated that they intend to do this again. This, we believe, is grounds enough for condemnation and for a strong and clear-cut demand addressed to Israel to refrain from such activity. This is a time as well to consider again the request for the convening of an international conference on the Middle East under the auspices of the United Nations in order to achieve a just, comprehensive and lasting solution to the Middle East crisis on the basis of Israel's withdrawal from all occupied territories and the Palestinian people's right to self-determination.

The PRESIDENT (interpretation from French): I thank the representative of Yugoslavia for the kind words he addressed to me.

The next speaker is the representative of the German Democratic Republic. I invite him to take a place at the Council table and to make his statement.

Mr. HUCKE (German Democratic Republic): Mr. President, please accept the cordial congratulations of my delegation on your assumption of this high office. Allow me to wish you the best of success in discharging your responsible task as well as in representing the People's Republic of the Congo as a new member of the Security Council.

Our high appreciation goes to your predecessor, the representative of the People's Republic of China, Ambassador Li Luye, for the skilful manner in which he guided the activities of the Council during the busy month of January. My delegation would like also to take this opportunity to congratulate the other newly-elected non-permanent members of the Security Council - Bulgaria, Ghana, the United Arab Emirates and Venezuela - and to wish them much success in their work.

The delegation of the German Democratic Republic would like to express to you and to the other members of the Council its gratitude for giving me the opportunity to explain the position of my Government on the item under discussion.

At a time when peoples are drawing fresh hope for the improvement of the international climate emerging from the peace proposals of the USSR and the Geneva summit meeting between the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mikhail Gorbachev, and the President of the United States, Ronald Reagan, the world is confronted with the criminal act of air piracy by the Israeli military, which conjures up dangerous consequences for the situation in the Middle East and the Mediterranean region.

It was therefore only natural for the Syrian representative, by a letter dated 5 February this year (S/17798), to request an urgent meeting of the Security Council.

(Mr. Hucke, German Democratic Republic)

The German Democratic Republic condemns the hijacking by Israeli fighter aircraft of a Libyan civilian aircraft carrying an official Syrian delegation as a flagrant violation of international law. This act of the ruling Israeli circles is in contradiction of all norms of peaceful coexistence of peoples and endangers the entire system of the safety and security of international civil aviation.

The latest Israeli act of piracy proves again that State terrorism has been raised in Israel to a policy. That policy is reflected in the criminal acts of aggression committed against Arab States and the Palestinian people.

In the first few weeks alone this year, the Security Council has been compelled twice to deal with acts of terror in the occupied Arab territories and continued raids against Lebanon perpetrated by the ruling Israeli circles.

In view of the policy of State terrorism practised by Israel, the German Democratic Republic expresses its concern over the growing threat to peace in that region. It sides in solidarity with the sovereign Arab States of the Syrian Arab Republic and the Socialist People's Libyan Arab Jamahiriya. The German Democratic Republic holds the view that continued violation of the sovereignty of States cannot be tolerated by the international community.

The latest Israeli act of air piracy underlines again the urgent necessity of increasing collective efforts to bring about a comprehensive, just and lasting peace for all States and peoples in the Middle East, including the Palestinian people. The prerequisite for all this is the total and unconditional withdrawal of Israeli troops from all Arab territories occupied since 1967, implementation of the legitimate rights of the Arab people of Palestine, including its right to self-determination and to the establishment of an independent State of its own, as well as implementation of the right of all States of the region to independent existence and development.

(Mr. Hucke, German Democratic Republic)

In view of the increasing tensions in the region and of the growing military and economic threats to Arab States and the Palestine Liberation Organization (PLO), it becomes ever more imperative to convene an international peace conference on the Middle East, under the auspices of the United Nations and with the participation of all the parties concerned, including the PLO as the sole legitimate representative of the Palestinian people, in accordance with General Assembly resolutions 38/58 C and 40/96 D.

The PRESIDENT (interpretation from French): I thank the representative of the German Democratic Republic for the kind words he addressed to me personally.

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

Mr. SUMAIDA (Iraq) (interpretation from Arabic): Allow me at the outset warmly to congratulate you, Sir, on your assumption of the presidency of the Security Council. We are confident that your diplomatic experience will obtain the positive results for which we all look in the service of international peace and security.

I should also like to express to the Permanent Representative of the People's Republic of China our thanks and deep appreciation for his sincere efforts and the wise way in which he led the Security Council last month.

Once again the Zionist entity expressed its defiance of the international community by repeating violations of international laws and norms when on 4 February two Israeli military aircraft forced a Libyan civilian aircraft in international airspace to land at a military airfield in occupied Palestine.

With its well-known arrogance, Israel has openly confessed to that new crime of air piracy. Its Permanent Representative has attempted to justify that crime to

e Council with bizarre Zionist concepts, trying to interpret international law, disregarding international conventions and agreements guaranteeing the safety, security and freedom of civil aviation. The new act of piracy stresses once again that entity's deep-rooted aggressive tendency based on usurpation, expansion and aggression, as well as its reliance on terrorism as an instrument and the means for achieving its aggressive expansionist aspirations and ambitions against our countries.

Those who follow the history of the establishment of that aggressive entity in the land of Palestine will notice its distinctive characteristic - terrorism. The Zionist gangs which make up that terrorist entity used terrorism to empty Palestine of its indigenous inhabitants by master-minding and carrying out the massacre of their Yassin. They have used terrorism against Jews in Arab countries to force them to emigrate to occupied Palestine. They used terrorism to prevent international organizations from carrying out their role to deal with the conflict by assassinating United Nations Mediator Count Bernadotte. They use terrorism daily as a policy against the inhabitants of the occupied Arab territories in order to force them to leave their land. They use terrorism against Lebanon to force the people of south Lebanon to emigrate, thus paving the way for their control over that part of Lebanon. They use terrorism against the Palestinians in Lebanon by continually bombing refugee camps; and they perpetrated the massacres of Sabra and Shatila to force Palestinians to emigrate from Lebanon. In 1981 they used terrorism to prevent Iraq's benefiting from technological and scientific development when they bombed the Tamuz nuclear reactor devoted to peaceful purposes. They used terrorism against Tunisia when their aircraft travelled thousands of miles and bombed civilian targets in the Tunisian capital, killing and wounding dozens of defenceless civilians.

The latest act of terrorism against that Arab civilian aircraft is merely a link in the chain of Zionist terrorism, which will continue unless the international community can restrain it by responding most firmly.

Successive acts in the past dozens of years have shown that, without strong international deterrence to restrain that terrorist entity's aggression, Israel will continue to defy the international community and exploit the support, encouragement and sympathy of some States, without heeding international laws and norms. As has been expressed by a spokesman of the Revolutionary Command Council of the Republic of Iraq:

"Day after day, and by one act after another, Israel gives tangible proof to the whole world, and in particular to the Arab without exception, of its persistent arrogance, its self-exaltation over the rest of the world and its disdain of all standards and norms of international law and custom." (S/17795, annex).

The cowardly criminal acts undertaken by Israel against the Libyan air liner and its innocent passengers will not be the last such act if it remains without the appropriate Arab and international response it deserves.

On this occasion we wish to draw this Council's attention to the seriousness of that criminal act, the threat it poses to the safety and security of international civil aviation, and the danger it poses for innocent passengers in civilian aircraft world-wide. Such serious terrorist acts will escalate if the perpetrators are not punished and deterred, and the Zionist terrorist gangs will become ever more arrogant in carrying out their crimes.

We have repeatedly warned of the seriousness of the use of the right of veto to protect aggressors from the punishment they deserve. Last month when the Security Council failed to adopt an appropriate draft resolution to condemn Israeli aggression against the Islamic Holy Places in the occupied City of Al-Quds, that

failure was a new signal that encouraged Israel to perpetrate more acts of aggression. Israel did so without delay and without fear of punishment, since it felt secure under the United States umbrella of protection and encouragement.

The Security Council unanimously adopted resolution 337 (1973), which condemned Israel's act of air piracy in a similar crime in 1973, when it forced a Lebanese civilian aircraft travelling to Baghdad to land at an airfield inside the Zionist entity and used the same justifications as it is using today to legitimize the latest act.

The hijacking of the Libyan aircraft clearly shows Israel's true intentions vis-à-vis the peace efforts and peace. By its repeated acts of aggression Israel has shown that it is an enemy of peace. Israel can live only in an atmosphere of tension and aggression. For that reason we call on the Security Council to shoulder its responsibilities and condemn that act of aggression and take the necessary measures to prevent any repetition of such acts threatening peace and security in a region that has suffered from many tragedies owing to the Zionist aggressive policy. Should the Security Council fail to issue such condemnation Israel will be encouraged to perpetrate yet more acts of aggression, expansion and terrorism.

The PRESIDENT (interpretation from French): I thank the representative of Iraq for the kind words he addressed to me.

The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I should like to congratulate you, Sir, on your accession to the presidency of the Security Council - assuming, that is, that the Council is an effective, honourable, responsible entity. I wish you all success - knowing, as you do, how difficult it is in the circumstances to achieve success in this Council.

I wish also to express my delegation's appreciation to your predecessor, Ambassador Li Luye, for the very able way in which he presided over the Council last month. I particularly thank him and his Government for the righteous position they took with regard to the substance of the issue then under consideration, and for their condemnation of the Zionist acts of desecration of the Islamic Holy Places.

During the last few days of January, when we were discussing the acts of desecration by the Zionist base occupying Palestine, as a mockery of the whole effort of this body and in defiance of its decisions - even the unvetoes decisions - Zionist aircraft bombarded Palestinian camps in Lebanon. In those criminal attacks, some of our Palestinian brothers and sisters have been martyred. There was no mention of that very sad incident, that criminal act, in this Council. I think that if the maintenance of international peace and security is supposed to be the function of this Council, that incident should not have been disregarded. I extend my sincere condolences to the families and relatives of those martyrs, to all our Palestinian brothers who have been making the greatest sacrifices for the implementation of justice and who have been registering with their own blood a very important principle - the principle that aggression does not

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pay. The aggressor-occupiers must not and will never sleep comfortably until they withdraw from what they have occupied.

I recall that on 30 January 1986 the Council's efforts were aborted by a sad and frustrating veto, a veto that encouraged the atrocities and the illegal practices of the Zionist terrorists occupying Palestine. I hope that the members of the Security Council will take due note of the role of that veto in encouraging the act of air piracy and hijacking perpetrated against the Libyan civilian aircraft by the Zionist aggressors. Those who are behind the Zionist aggressors, those who extend their unreserved support to the occupiers of Quds, not only with their vetoes but also with their intelligence and surveillance facilities, must be held accountable for this flagrant violation of all international norms regarding civil aviation.

I hope that the Council now realizes who the terrorists in our region are and who is behind them. We have heard claims about State terrorism against certain States in, particularly, this part of the world - in the Latin American Hemisphere. But we had never heard of State skyjacking. It seems that this is being added to the record of the terrorist base occupying Palestine.

We know that the act now being considered by the Council is not unprecedented. Last year the United States hijacked an Egyptian aircraft, and in 1973 the Zionist forces skyjacked an aircraft going from Beirut to Baghdad. I believe that this recent incident may not be the last one, particularly in the light of the attitude to this incident that we have heard demonstrated by certain members of the Council.

The Zionist base has - officially - terroristically declared that it will, without any regard for international law, do everything in its power to crush the Palestinians, whom the unabashed Zionists shamelessly call terrorists. They think that the Muslims of the region will remain indifferent observers for ever. But I

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would assure the Council that if it does not take effective and constructive action very soon, the Council will become more and more irrelevant to the situation. People will soon decide to solve the problem completely, without any reference to the Security Council - as if it just did not exist. Indeed, from what we see, the present existence of the Security Council is not very much different from non-existence. The present situation must come to an end. We just cannot tolerate seeing the whole edifice of the international body being misused in this way. There are all sorts of problems, including budgetary problems. Such pompous language has been adopted. So many experts and distinguished personalities come from all the various parts of the world to New York and then sit in the Security Council and in the General Assembly and in all other United Nations organs and do nothing - absolutely nothing. I am sure - and you, Mr. President, are certainly sure too - that the masses of the world are not going to tolerate this situation for ever.

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The Zionist terrorists have always accused the great, honourable, revered defenders of Palestine of terrorism. They must be ashamed of that language. The Security Council has always patiently listened to those accusations. Sadly, it has never interrupted those irrelevant remarks.

We do not expect an illegal entity like the Zionist base in Palestine to be law-abiding. Those who are advising the terrorist base to have respect for international law are wrong. That entity is not based on international law; it was not created in order to respect international law. Its very existence was in defiance of all the norms of international law. Law-abidingness is contrary to the nature of a lawless, illegal entity based on the violation of law. The very occupation of Palestine by the Zionist migrants was an act of lawlessness. The partition of Palestine was a violation of law, and further expansionist policies and practices were all as illegal and as lawless as the base itself.

Law-abidingness is the last thing that any reasonable person expects from the Zionist base. But we expect the United States, which is a permanent member of the Security Council, to refrain from destroying the Council's credibility, by continuously supporting a lawless, criminal entity. The United States is supposed to be a permanent member, not a permanent problem, in this Council.

How many cases have been brought to the Council since the beginning of the year, and how many of them have been immune to the veto? Knowing the unreserved support of the United States for the Zionist base of terror, we know that the Council's conclusion regarding the Zionist act of aerial piracy and skyjacking is quite predictable. However, the Council is by all means obliged to condemn the illegal act, which is a violation of all human laws.

My Government is seriously concerned about the issue, because similar acts have been perpetrated against our passenger aircraft, too. But what is much more

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important than our national concern, Libyan national concern, Syrian national concern, any national concern, is the legal implication of the Council's decision on the issue. If the Council cannot take a unanimous and very strong decision against this dangerous act of skyjacking, it will have issued a warrant for this shameful practice, and thus it will already have turned a blind eye to all future incidents of this kind. The Council should stop that.

I sincerely request of you, Mr. President, and other members of the Council who exercise their freedom and who are able to cast their votes devoid of any Zionist influence, I sincerely ask those members who do not need to look over their shoulders and who are not obliged to condone the Zionist crimes, to do everything in their power to see that the Council does not issue such a dangerous warrant.

My Government strongly condemns the Zionist act of skyjacking of the Libyan airliner. We believe that the international body must punish the Zionist régime so strongly as to ensure that such acts against civilian aircraft are never repeated, and that no Member State will ever permit itself to condone such a criminal act.

We believe that a mandatory decision is urgently required, and we ask the international body to impose comprehensive sanctions against the lawless Zionist base until it reiterates its full, unqualified commitment to respect all the rules of international humanitarian law, particularly the rules regarding civil aviation.

We all read the official position of the United States in yesterday's newspapers. Since the United States itself has been involved in the same act of skyjacking, United States officials are trying to justify the crime, not because the current act can be condoned at all, but because they are bound to remain consistent with their own practice. That is why they failed to condemn the crime, without qualifying it. Of course, we know how difficult it is for a country to

have put itself in such a terrible predicament as to be obliged to justify anything, even the act of skyjacking of a civil aircraft by a so-called national air force. It is a very sad situation. I am sure that all the representatives of States that are members of the Council are very happy that they do not have to represent the United States. It is a very difficult situation.

I wish the United States Administration could demonstrate such magnanimity as to stand by the principle and ignore its own mistake regarding the Egyptian aircraft. The rest of the world, too, would be more than happy to forget that mistake. I believe that if the United States were ready to stand by the truth and by righteousness here, people would promise not to refer to that mistake by that country any more - provided that we could establish the principle that military attack on civil aircraft and military action for the purpose of skyjacking civil aircraft will be stopped for ever. The United States must not encourage or do anything to justify or even to tolerate that act.

I ask all members of the Council to co-operate and let law and order govern at least the flights of our civil aircraft. I say to representatives: "Each one of you will sooner or later be on one of those planes. For your own security, make sure that law and order govern at least our civil aircraft." This heinous act must be stopped. This practice must come to an end and never be repeated. The Security Council must establish its credibility by making a clear, binding and unqualified statement regarding this incident.

It must punish the aggressor enemy - strongly, unhesitatingly and unanimously. It must not permit any culprit to attempt to justify the State hijacking of civilian planes. Such practices must be stopped before things get further out of control, or else you members of the Council will all regret it; you will definitely regret it. Please, ignore all political considerations and make a concerted effort to ensure that such heinous crimes are not repeated.

An end to such crimes requires sincere concerted efforts on the part of all Member States, including the United States. Thus, the United States Administration must somewhere, sometime stop supporting every crime perpetrated by this criminal Zionist base, and I think this is the best moment: the entire world would support the United States, except the terrorist base. I think the United States should not so easily sell the support of the entire world to the cheap satisfaction of the group of terrorists who have occupied Palestine. The choice which United States officials could make today requires great courage. Today is the best moment; I hope they will not miss it. If they do, the blame will always lie with the United States, simply because of the unwise and imprudent veto the United States Administration is, I am told, going to cast in defiance of all the moral and legal values governing the present situation.

Let us also remember that the slothful attitude of this Council - thanks again to the irresponsible position of certain permanent members - will automatically force the people in the region to rely only on whatever measures are available to them, conventional or unconventional, acceptable - in terms of your norms - or unacceptable. You members of the Council give them no choice but to do whatever is possible, whatever is available in order to get rid of the enemy and of the occupation of their land.

The main issue is still the occupation of Palestine. Unless and until the entire Holy Land of Palestine is liberated, either by the efforts of its own people in the region or through the good will and concerted efforts of the members of the Security Council - or both - peace and security will never prevail in the Middle East. Those who claim to be in charge of the maintenance of international peace and security had better do something to liberate Palestine from occupation by the Zionist usurpers.

The PRESIDENT (interpretation from French): I thank the representative of the Islamic Republic of Iran for the kind words he addressed to me.

The next speaker is the representative of the Palestine Liberation Organization. I invite him to take a place at the Council table and to make his statement.

Mr. TERZI (Palestine Liberation Organization (PLO)): Mr. President, I wish through you to extend to the members of the Security Council our thanks for inviting the Palestine Liberation Organization (PLO), the representative of the Palestinian people, the principal party to the conflict and the problem of Palestine, to participate in this meeting. I thank even those who abstained and those who shied away and opposed our participation.

Permit me, Sir, to congratulate you on your assumption of the presidency of the Council for the current month of February 1986. Your country, its people and its Government have manifested their full understanding of the plight of my people, the Palestinian people. They have manifested also their solidarity with our struggle for the attainment of peace through the attainment and exercise of our inalienable rights in our homeland, Palestine. I can assure you - a brother and a friend - of our full confidence in your prudence and wisdom. We are certain that your stewardship of the Council this month will direct it towards and bring it to

a fruitful and positive result, justifying our trust in the efficacy and usefulness of resort to the Security Council. We know, Sir, that you will be involved in the endeavour of facilitating the efforts of the Secretary-General to convene the international conference on peace in the Middle East. This month you will face a hard task, and we wish you luck and success. It is through this that we can secure peace.

Equally, we wish to extend to His Excellency Ambassador Li Luye, the representative of the People's Republic of China, our gratitude for his able direction of the work of the Council, particularly during the debate on yet another act of aggression and State terrorism by the Zionist junta in Tel Aviv against the Palestinian people and the holy sanctuary of Al-Haram Al-Sharif.

What the Council is currently considering is an act of piracy, committed by the Israeli air force, an instrument of the State of Israel, against a civilian air carrier belonging to the Libyan airline and very distinctly marked as such. In our opinion the Council should have focused on and confined its deliberations to that particular act without considering all the other circumstances.

In a word, a civilian aeroplane was intercepted and diverted and forced to land in Israel. So action was called for along those lines. However, the deliberations have taken a different course, which confirms that this act of piracy is but a derivative of the situation in the Middle East and one of the results of such a prolonged situation.

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In our opinion, in carrying out its duties, functions and responsibilities to maintain international peace and security the Council has so far failed to contribute to a solution to the Arab-Israeli conflict and, more precisely, to finding a just solution to the question of Palestine. Let me immediately stress that the Palestine Liberation Organization is in no way accusing the Council of failing or shying away. The Council is being deliberately obstructed by the adamant position of one Permanent Member, the United States of America, which has used - or, rather, abused and misused - its veto prerogative in order to obstruct and prevent the endeavours to reach a peaceful, comprehensive, just and lasting settlement of the conflict in the Middle East and ensure peace and stability in the area.

What we in the Palestine Liberation Organization had hoped was that the Council would have definitely addressed the situation in its first "immediate" meeting on 4 February. Unfortunately, there was a diversion and a deviation from the immediate issue, the act of piracy and the violation of the norms of international law and behaviour of States as regulated by covenants. We are not living in the Stone Age. We are proud that the international community has agreed to regulate its dealings according to conventions and civilized behaviour. The act of piracy reminds us of the law of the jungle.

If anything, this deviation in the Council's deliberations only affirmed our belief and knowledge that Israel and the United States Government are the obstacles to peace as well as the obstacles to the involvement of the Security Council in the endeavours for peace in the Middle East. They are rejectionists just for the fun of it; they want to reject every single endeavour. We would have preferred not to participate in a long debate, especially since that the issue was of an immediate nature, but we felt compelled to do so because a number of new elements and a new so-called philosophy and rules of war have surfaced, as outlined in the statements

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of the representative of Tel Aviv. Israel has vowed "more unconventional acts". But what about the invasion of Lebanon? What about the dropping of tons of bombs over Palestinian refugee camps? What about the iron-fist policy directed against my people in the occupied Palestinian territories? What about the defiance by the Supreme Court of Israel and its refusal to apply the provisions of the fourth Geneva Convention to the occupied Palestinian territories, despite the unanimous affirmation by this Council? Are all those acts "conventional"?

Let me cite some examples which, of necessity, will show a threat to the safety of air travel, or any other sort of travel. On 4 March 1984 seven American citizens suspected of an attack against an Arab bus near Ramallah. According to The New York Times the radio reported that the police were also investigating whether those seven were also involved in an earlier, aborted attack on the site of the Dome of the Rock and the Al-Aqsa Mosque. That was in March 1984. We do know, therefore, that there are American citizens who are trained in the United States, and we have evidence to show that they are trained by members of the United States Special Task Force. Those mercenaries - criminals - go to my homeland, which the Council refers to as occupied Palestinian territory, where they commit such heinous crimes as the scalping of a Palestinian student in Hebron or, as I have mentioned, the machine-gunning of a civilian bus in Ramallah. These are terrorists who have travelled across the Atlantic and the Mediterranean. We may assume that they are flying on civilian airlines. By the same logic, therefore, as that used by the representative of Tel Aviv, we - or anyone else - can arrogate the right to down those planes simply because it is assumed that those terrorists are aboard. Everyone is justified in ignoring and flouting international conventions.

In the garrison State of Israel, 30 per cent of the prime-age population - somewhere between 16 and 45 years of age - are permanently under arms in the

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armed forces. The others in that age group are in the active reserve, where they are actively deployed for quite a considerable period each year, and naturally their deployment is also in the Palestinian territory occupied since 1967, including Jerusalem. These armed forces represent the military arm of the occupying Power. The General Assembly has affirmed the legitimacy of struggle against foreign occupation. I am referring in particular to General Assembly resolution 40/61 of 9 December 1985. Consequently, we maintain that it is the legitimate right of every Palestinian to resort to armed struggle and to eliminate any Israeli in the prime age-group, since he is potentially a member of the occupying Power's forces.

That should be the case if the concepts and premises of Zionist doctrines are to become the basis of relations among peoples and nations. But we in the PLO think otherwise. There are conventions that we respect and there are norms of international law by which we abide.

Let us take another example. The international community is still pursuing and manhunting the Nazis and their collaborators in order to bring them to justice for crimes committed against humanity. Would it be "conventional" for us to apprehend any and all members of the Irgun Zvai Leumi, the nucleus of the Herut party, which is the nucleus of the Likud and part of the Israeli Government - the members of which party collaborated with the Nazis? After all, they had struck behind enemy lines during the war, and the enemy lines were the lines of the Allied forces because the enemies were the enemies of the Nazis. Those same people had collaborated with the Nazis. Would it be "conventional" for anybody now to apprehend those criminals? To mention only one name among the leaders of the Irgun Zvai Leumi, we know at least of a certain Menachem Begin, who is the former Prime Minister of Israel and, shamefully, a winner of the Nobel Peace Prize.

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The Council should take into consideration the fact that the acts of violence by freedom-fighters against their oppressors and against the alien forces of occupation should never be confused with acts of terrorism, and specifically acts of terrorism committed by States, as was the act of terrorism committed by the so-called State of Israel. But again, would Israel have committed those crimes had it not been encouraged in its latest "unconventional" act by the most unconventional acts and policies of the Government of the United States? Was it not the United States that hijacked an Egyptian civilian airliner, another act of air piracy? Is it not the United States that proudly boasts of its support for the Contras in Nicaragua, and was it not the President of the United States who only the other day received a certain Savimbi?

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Thus we are not at all surprised that the deliberations of the Council have been derailed instead of addressing the immediate issue, namely the act of piracy committed by Israel against a Libyan civilian air liner, regardless of who the passengers were. With all due respect to those passengers, that is not the issue. The issue is the act of air piracy against a civilian aircraft. But this Council has embarked on other issues that should not have been subjects of this debate.

For a moment let us wander and engage in an exercise of imagination. Suppose the pilot of the civilian aircraft had somehow missed observing the Israeli fighter planes that were chasing him. And let us suppose also that the Israeli fighter pilots had assumed that the aircraft was really a military plane camouflaged in order to penetrate international airspace, and had decided to shoot it down. Would not such an act have justified a commensurate reaction from Syria and Libya in reprisal - the shooting down of Israeli planes? Would that not have led to another major confrontation, endangering international peace and security and not merely posing a threat to peace and stability in the region?

On 18 December 1985 the Security Council unanimously and unequivocally condemned all acts of hostage-taking and abduction. Was this not an act of abduction? Unfortunately the Council did not consider the taking of measures against Member States that committed such crimes of hostage-taking and abduction. The act of aerial piracy against the civilian aircraft in question makes it incumbent upon this Council to consider sanctions against whomsoever commits such crimes - in this case, Israel - and Chapter VII could be the answer.

Finally, we believe that the Council's duties and responsibilities in this particular case are twofold: first, to condemn a Member State for this act of air piracy and impose the sanctions prescribed in the Charter; and, secondly, and what is more important, to undertake measures and means to contribute towards a solution

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of the conflict by responding to the request and appeal of the international community as reflected in General Assembly resolution 38/58 C and facilitate the convening of an international peace conference on the Middle East as prescribed in that resolution. It is high time that this august Council shouldered its responsibilities and acted in that direction.

The PRESIDENT (interpretation from French): I thank the representative of the Palestine Liberation Organization for the kind words he addressed to me.

I shall now make a statement in my capacity as representative of the Congo.

The Congo is a sponsor of the draft resolution now before the Council. Two reasons justify this position. First, it is a question of principle. It goes without saying that the Israeli air force has committed a condemnable act that is quite illegal from the point of view of international law and is in violation of conventions governing civil aviation in particular.

The representative of Israel has justified that illegal attack using arguments of self-defence. His arguments are difficult to accept and are in fact more embarrassing than convincing. No State Member of the United Nations should allow itself to interpret so personally basic rules of international conduct and international law. Furthermore, whatever may be the attitude of each member of the Security Council towards this matter, my delegation remains convinced that none of them would like to have been in the position of Syria or Libya and to be victim of an illegal act of hijacking of one of its aircraft of the kind perpetrated by the Israeli air force.

The People's Republic of the Congo does not at all agree with a theory that would make official terrorism a rule of conduct for modern States in their relations among themselves or those they merely suspect of acts that have not yet been carried out. If that happened, there would be a worse fate for aircraft the world over than that accorded to stage-coaches at the time - a few centuries ago, I

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Secondly, the Congo whose consistent foreign policy is dedicated solely to peace and friendly relations especially in the most sorely tried regions of the world, which are victims of constant conflict, does not at all wish to foster prejudicial precedents for the efforts the international community might have to make to reduce tensions and to promote international peace, security and co-operation.

The message of the Security Council of the United Nations should, then, be clear, despite the size, power or political or cultural affinities of States vis-à-vis more powerful States whose goodwill appear to be selective. It is the very raison d'être of our Organization - the United Nations - that is at stake. The Security Council is faced today with two choices: it can either strengthen the Charter and international conventions - I have in mind respect for international conventions - or it can allow them to be violated with impunity.

The choice of the Congo in this regard is quite clear.

I now resume my functions as President of the Council.

The representative of Israel wishes to speak in exercise of the right of reply. I call upon him.

Mr. NETANYAHU (Israel): I am indebted to the representative of Iran for focusing, at least briefly, in the course of his remarks on the integral part of this debate. He said, "Who are the terrorists in the region?" and "I hope we can see now who the terrorists in the region are, and who stands behind them".

Well, who indeed? Because if we understand the sources of the problem we can begin to understand the path to its solution.

Now, I spoke yesterday about Libya's record, its course and practice in international terrorism, and I am still waiting for those explicit denials of the facts I cited. But I have one other piece of information on civil aviation

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On 22 July 1971, a British plane, a BOAC plane, was flying from London to Khartoum. Despite its request to land in Malta, Libya forced it to land in the Baninah airfield, next to Benghazi. The Libyans took two persons off the plane. They happened to be backers of a coup that was taking place at the time in the Sudan. They were forcibly seized from the plane. They were sent to the Sudan, where they were executed.

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I wish to cite one other instance before I proceed. It relates this time to the party that brought the complaint on behalf of Libya, and that party is, of course, Syria. On 10 November 1958 the Syrian air force tried, unsuccessfully, to bring down the aeroplane of King Hussein while it was over Syrian territory. The Jordanians had requested permission to overfly Syrian territory; they were given that permission, and then this attempt took place, unsuccessfully. The aeroplane's pilot refused to obey the orders of the Syrian air force and there were misses; there were attempts to shoot it down that failed. In his book entitled Uneasy Lies the Head, Hussein describes this incident in detail and sums it up, saying "This is the narrowest escape from death I have ever had". I think more than any other examples that one could cite - and they are legion - these two examples, one from Libya and one from Syria, illustrate the hypocrisy of what is taking place here.

But I would like to take on the Syrian record in greater detail. I think it is important to do so since Syria has lodged the complaint. Before I do so I feel I must respond to at least some of the speakers here.

The representative of Algeria was among the speakers who talked about civil aviation. I would remind members of the Council that the first hijacking in the Mediterranean region - by now, given the terrorist war that is being waged in world, we should call it the Mediterranean theatre - took place in 1969, when an El Al aeroplane was hijacked by the PLO to Algeria. I do not recall any action on the part of the Algerian Government to free that aeroplane; in fact, it colluded completely with the PLO and held the Israeli passengers hostage until it could extract the demands. This was, of course, the same PLO that pioneered the modern art of skyjacking, not only in Algeria, but later in Zarka - which included also the blowing up of aeroplanes - and then with the Sabena aeroplane and other hijackings, leaving a trail of blood that reached all the way to the recent attack in the Achille Lauro incident, which has still gone unpunished.

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Turning briefly to Iran, the representative of Iran has a distinguished record in this Chamber of calling for ways to get rid of these "permanent problems", as he called them. What he has called for in this Chamber and in the General Assembly is a final solution. There was and is an attempt by the Iranian representative to speak about the importance of protecting civil aviation, and he used the term "to punish the aggressor strongly and without any hesitation". Now I fully subscribe to that sentiment, and I would ask the representative of Iran: Does that mean that Iran is now going to take those hijackers of the Kuwaiti aeroplane that was brought to Tehran, an incident in which two Americans were brutally killed, and try those people? Does that mean that Iran may now extradite those killers? What has Iran done to punish those hijackers, those threats to international civil aviation? What Iran is doing is obvious to anyone who has read The New York Times this morning. It carries a report of a bombing in Paris by a new group. This bombing was accompanied by a letter in which the group demands the release of five terrorists imprisoned in France for attempted attacks on the life of Shahpur Bakhtiar, who, as one knows, is not particularly enamoured of the régime of the Ayatollah Khomeini. This is what Iran has been doing; everybody knows what Iran has been doing: Iran has been sponsoring terrorism, using it as its principal export as it sends people to happily bomb embassies and government buildings and airline offices in the Middle East and beyond, including in Paris a few days ago.

As for Iraq, in 1976 it was not as supportive of the Syrian effort as it is today. Political sands in the Middle East shift with great rapidity. But in 1976 the principal target of Iraqi terrorism was Syria, and the Iraqi intelligence service - if one can call it that - bombed the Samiramas Hotel in Damascus - that was on 26 September 1976 - and proceeded to bomb Syrian embassies in Rome and in Pakistan on 11 October 1976. But it also attacked other Middle Eastern countries,

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specifically Egypt during the Sadat initiative leading to the Camp David accords. Iraq assassinated the Egyptian journalist Yussef Sabai - you can imagine what he wrote - on 18 February 1978. Given the changing sands at the time, certain splinters of the PLO that did not meet with Iraq's favour were summarily murdered, in London, Kuwait and in France. And of course the Iraqis have a very long record of sponsoring Abu Nidal. Abu Nidal was lodged in Iraq from 1974 to 1980, during which time the Iraqis sent him on various terrorist attacks. This is the same Abu Nidal who is of course conducting terrorist attacks today. In the most recent example of Iraq's complicity with terrorism, Iraq has had to take a backseat stance because it needs things, in particular from the West, and the West looks askance at terrorism; so Iraq has pulled back from more overt, easily traceable types of terrorism and offers a kind of collusion. I refer, of course, to the Abu Abbas incident. The Iraqi ambassador in Washington said, "Of course we will welcome Abu Abbas" - this is after it was clear that he had masterminded the outrage on the Achille Lauro; that, among other things, his people butchered a crippled man and threw him overboard. "Of course we will welcome Abu Abbas", and, indeed, they welcomed him; they welcomed him while he was in flight, which is not surprising, given that he was carrying an Iraqi passport; and they welcomed him two months after the affair, when the entire world already knew of his involvement and the Italian Government was in the process of demanding his extradition. They brought him to a PLO executive meeting - what they met to discuss, you can imagine - but that meeting took place in Baghdad. That is Iraq's contribution to international terrorism.

Which brings me to the question of Syria. I am not going to discuss Syria's efforts in Lebanon, its car-bombings and its various other killings. But I was curious that the Syrian representative spoke of Sabra and Shatila. Well, we know

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who was responsible for Sabra and Shatila. We know it was committed by Christian Arabs against other Arabs, but the principal perpetrator at Sabra and Shatila was, as everyone in and beyond the Middle East knows, was Ali Hubeka. Where is Ali Hubeka today? Where is the real perpetrator of Sabra and Shatila? He is in Damascus, embracing Asad. Nor am I going to speak about the other types of terror in Lebanon: for example, the murder of Kamal Jumblat, the Druse leader, whose son today is also forced to come to Damascus to pay homage.

(Mr. Netanyahu, Israel)

I am interested in the terrorist attacks in more recent years, the attacks directed against various other countries in the Middle East: for example, the attack in 1979 in Turkey by Al-Saika. I should say to those who are not familiar with the labyrinth of Middle Eastern terror that Al-Saika is the formal terrorist wing of the Syrian Army: it is paid salaries by the Syrian Army, it has Syrian Army commanders, and it wears Syrian Army uniforms - when it is not travelling abroad. It is a Syrian arm. Al-Saika bombed the Egyptian Embassy in Ankara, again following Camp David and, incidentally, that resulted in the death of two Turkish policemen.

On 17 July 1980 the Syrians were involved with their Iranian allies in the attempted assassination of Shahpur Bakhtiar, the same Shahpur Bakhtiar who is still being targeted; on 21 July 1980 the assassination of Salah Al Din Bitar, a former Premier of Syria; on 9 September 1981, in Lebanon, the murder of the French Ambassador Louis Delamarre; and in 1985 Syria went the full gamut - it conducted 25 separate terrorist attacks internationally.

I have had to compress a long list, but I wish to bring to the Council's attention a very interesting breakdown that indicates that the source of the problem is that the major target of those 25 attacks by far was Jordan. Again, sands shift quickly and now they are embracing. But there were nine such attacks against Jordanian airlines, Jordanian embassies and Jordanian diplomats in 1985, not very long ago.

The Gulf States were the second target. I point that out to the representative of the United Arab Emirates who sits in this Council and is concerned about terrorism. He is no doubt aware of those attacks.

In other words, most of the terrorist incidents that one can count and look at in the threats to international civil aviation do not involve my country - not even as a target. They involve Arabs or Middle Eastern régimes striking at other Middle

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Eastern régimes. And I think nothing more clearly gives the lie to the claim that Israel is somehow the source or, for that matter, to make it a little more plausible, that the Arab-Israeli conflict - or the lack of progress in the solution to it - is what is driving this wave of terrorism. What is driving it is that, very clearly, there are States continuously engaged in this type of activity.

I see from my notes that I have skipped over rather rapidly to 1985, but I feel that I would do a great injustice to Syria's record of terrorism if I did not point out that Abu Nidal left Iraq in 1980 and is now lodged in Syria. So for the past five years, up to the end of 1985, his base was Syria and he was working for and directed by Syria. He conducted for Syria assassination attempts on diplomats of the United Arab Emirates in Kuwait on 23 August 1982 and in Bombay on 26 August; assassination attempts on Kuwaiti diplomats in New Delhi on 3 June 1982 and in Madrid on 16 September 1982; assassination attempts on the Jordanian ambassador in New Delhi on 25 October 1983 and in Rome on 26 October 1983; assassination attempts on two employees of the Jordanian Embassy in Madrid on 24 December 1983. There is more, but I stop. I stop, because I do not have to enumerate any further to illustrate the truth of what I am talking about.

If we talk about the law of the jungle, if we talk about terrorism, if we talk about the explosion of violence and lawlessness, that is where it originates. And we cannot begin to understand the growth of international terrorism without understanding the pivotal role that radical Middle Eastern régimes - I say Middle Eastern and not Arab régimes because one has to allow for the importance of Iran - the pivotal importance and centrality of those régimes as both the source and the targets of each other's terrorism.

(Mr. Netanyahu, Israel)

If those régimes were to confine those attacks to themselves, that would be a tragic thing for the peoples of those régimes but a minor concern to the international community; however, they do not. They go to all those capitals - Rome, Vienna, New Delhi and, recently, Paris; that is where they play their games of terrorism. There they try to turn the entire world - specifically Europe, I may add - into the playing field of their terrorist agents.

Therefore, the question is not only the absurdity of those régimes - especially Syria and, above all, Libya - coming to this Council talking about "protecting civil aviation". The question is really: What are we going to do about this new phenomenon? What are we going to do to prevent future Viennas, Romes, Parises and the like? If we do nothing this thing will continue.

When a handful of measures are proposed to deal with those terrorist States - and, of course, the terrorist groups which work for them, chief of which is the PLO but the others follow on very rapidly: the Abu Nidals, the Abu Abases and so - military action is automatically ruled out. There is one case in which it is not ruled out: it is not ruled out if a terrorist hijacks an aircraft, holds hostages on one's own soil and then one applies military force against it. Everybody agrees that is allowable; nobody says anything against that.

But suppose a terrorist puts a bomb in the heart of a capital - as is done quite often - and then flees to another country: because he is not incarcerated in an aircraft that one can storm with troops, we are being told that one cannot take military action against him. I am not saying that all the members subscribe to that; I know all do not. What I am saying is that the international forums in which this issue is discussed tend to nullify any military action and say it is illegitimate, even when it is directed at the military targets or the targets of the terrorists themselves.

(Mr. Netanyahu, Israel)

There are also economic means. I believe they could be very effective. If they were not so effective I would not see the leaders of those terrorist States scurrying around frantically trying to ward off concerted sanctions. There is disagreement on them, not on the legitimacy of applying them but on their effectiveness. I think time will show how effective they are. Nevertheless, they have not been undertaken.

How about political action? How about the simple act of - I am not even talking about the common severing of relations and the closing down of embassies, people's bureaux and other bastions of terror, just as an operational measure against terrorism - the political condemnation of those terrorist States? We have a general condemnation of terrorism - everybody is agreed on that one - but how about the specific condemnation of those States which are represented in this Council right now?

Here they reverse it completely. Not only are they not condemned but we are asked to condemn the mere act of trying to interdict terrorist leaders on a special flight that carried terrorist leaders.

(Mr. Netanyahu, Israel)

I agree fully with statements that have been made here by various speakers - I do not mean that I agree with what they asked us to believe, the distortions that they presented; rather, I mean the central question: that urgent action is required. I do not know if this action will emanate from this Council, but I can tell you what could happen in this Council today. The States that have pushed for this draft resolution are the States that are sponsoring terrorism - especially, I repeat, Syria and Libya. If the draft resolution is adopted, if the responsible members of this Council vote for their initiative, it will be a signal to those States and the others that I mentioned, and a few others that I could have mentioned, that they can go on with their campaigns of bombing, murder, hijacking, assassination and the taking of hostages. You will tell them: You can carry on this war with impunity; and, not only that, but we will support you because we will condemn and politically punish one of the few victims that dares to resist.

So it is not only that these States do not deserve such licence - I think that is obvious. That is not my point. My point is addressed to the common group of victims around this table, and everyone knows who they are. My point is this: Do not invite further assaults on all of us. To adopt this draft resolution would be to encourage terrorism. I think that this Council should send an entirely different message to the Qaddafis, the Khomeinis, the Arafats, the Jibrils, the Habashes, the Hawatmehs, the Abu Nidals and the Abul Abasses. That message is this: Enough; enough of your campaign of terror outside this Council Chamber; enough of your campaign of distortion inside this Council Chamber.

The PRESIDENT (interpretation from French): The representative of the Islamic Republic of Iran wishes to speak in exercise of the right of reply. I invite him to take a place at the Council table and to make his statement.

Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I wish to begin by repeating a very important verse, which brings tranquillity to my heart when I recite it: "In the name of God, the Compassionate, the Merciful". Having done that, I shall recite another famous verse: "Let us all take refuge in God, from Satan the Accursed".

That Satan is apparently present everywhere. Some gentlemen who often use the term "my country" are nationals of the United States who happen to carry a forged passport with the forged name "Israel". I wish that the gentleman who has just spoken would use another language, without that beautiful American accent - the only accent that he knows pretty well.

All the fabrications and distortions produced by the representative of terrorism par excellence boil down to three points.

First, there were the references to American journals, particularly with regard to the allegations and fabrications that they produce against my country. Everyone here has access to these journals, to this so-called political literature. No one has ever seen anything in support of Iran since the Islamic Revolution. That is simply because the Islamic Revolution brought to the imperialist and Zionist interests, not only in Iran but in the region, what everybody knows it brought. Therefore, let them burn; let them write against us as much as they want to.

Sometimes, however, they are just too ignorant and too big liars and fabricators to produce anything which even looks acceptable. In one of these articles from the journals to which the gentleman just referred, I read something very extraordinary. The author of the article wrote that we had dug a tunnel from the Embassy of the Islamic Republic of Iran in Rome to the Embassy of Libya and that through that tunnel we were exchanging terrorists like the representative of

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

the terrorist base here, or terrorist facilities; and that while the tunnel was being dug and afterwards, neither the intelligence authorities nor the security authorities nor the Foreign Office of those authorities had taken note of that blatant incident.

Sometimes their lies are so unacceptable that they show their ignorance and their lack of ability. In another article there was a reference to our Ambassador to the Vatican, His Excellency Mr. Khosraw Shahi. He is a well-known scholar, a man of about 45. Almost all his life has been spent on scholarship. He has written many books. He is a scholar well known in the Middle East. This article said that this man, our Ambassador to the Vatican, has been the personal driver and the security bodyguard of Imam Khomeini. Why should Imam Khomeini choose a driver who can hardly drive and who in fact needs a bodyguard himself? There are so many people who would volunteer to do this - courageous people, skilful drivers, who can take charge of the security of Imam Khomeini. Why should he go and get a scholar? The man who wrote this article is a typical biased American journalist, the kind who furnishes evidence for what the representative of the terrorist base produces in this Council.

We have a saying in Persian that is very expressive. In Persian literature, foxes always cheat. Mr. Fox was asked to produce a witness for his claims. He put his tail on the table of the Security Council. The evidence that the representative of terrorism has brought against us is nothing but the claims and allegations that are always brought against us.

Can any reasonable individual, inside or outside this Council, accept an allegation that this entire nation which is resisting all the conspiracies against it and dealing with all its internal and external problems is nothing but a bunch of terrorists who, like the representative of terrorists here, are engaged everywhere in killing and murdering?

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

Do not representatives think that most of those terrorist activities, which are wrongly attributed to the Islamic Republic of Iran, are often carried out by professional terrorists, who also have the support of the United States? There is evidence of terrorist activities before the revolution. Everybody knows they even killed American diplomats. They have now bought the support of the terrorist base occupying Palestine, and for some time they had the support of the United States. I do not know whether they still enjoy that support. I am told that millions of dollars raised in this country are to be subject to taxation. This may be a new trend. But so far as my knowledge of the past goes, those terrorists, too, have always enjoyed the support of the United States.

Secondly, the terrorist representative asked whether we had punished those who hijacked the Kuwaiti plane. We have already punished those who hijacked the Saudi Arabian plane to Tehran, and others will also be punished. But we should like to see whether the right terrorist will be punished here. By "the right terrorist" I mean that all representatives make a clear distinction with regard to isolated, frustrated individuals who sometimes attempt to hijack an aircraft in order to make their cause known to the international community, because they have access to nothing. They do not have the facilities enjoyed by the well-established terrorist base in occupied Palestine. Therefore, as I have always said, they may resort to unconventional methods. Those methods are condemned; they are not acceptable. But the distinction between frustrated individuals and States, so-called Governments, which have established for themselves a State in the land of others, means that those States that hijack aircraft must be treated slightly differently. I believe that all representatives agree with me.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

The representative of terrorism also referred to individual hijacking incidents, which are usually the responsibility of none of the States to which he referred. We are dealing with the direct responsibility of a State; we are not dealing with individuals.

I once said in this Council that I was sure that no representative had ever been moved from one refugee camp to another: from Sabra and Shatila to Libya, to Tunisia, to Iraq, to Saudi Arabia, to Kuwait, everywhere - homeless. We know that the weather in the Security Council is very warm and pleasant. We know that the intellectual discussions and the nice literature produced by some people who speak better English than I do are sometimes attractive. But we also know about those homeless individuals who have lost their parents and other relatives and everything that they had. They might become, rightly or wrongly, Abu Nidals.

What about the States that are acting as models to terrorism, that have established themselves as professional terrorists? What about those terrorists who are now Prime Ministers, Permanent Representatives, members of the Knesset? All representatives here recognize them and accept them as such. I say "You have all of you condoned their terrorist record." The literature is in English. I used to have access only to Persian translations. Before I learned English I never knew that all those people were terrorists. I say "You told me - your writers." Still you condone that. You forgive that whole record, and you pick up on Abu Nidal.

I ask "What piece of land belonging to any one of you has any Abu Nidal occupied?" Abu Nidal is only one among millions of Palestinian victims who have lost their property, their land, their everything. They have nothing, and they do not have the right to defend themselves. The Zionists have every right to migrate to Palestine, to occupy, to expand, to destroy and to burn. And if anybody wants to make an outcry and make his point, he is called a terrorist.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

I again address myself to members of the Council: "Please prescribe something for Abu Nidal. Tell him what to do. I told you that you have never been Palestinians. You have never been Lebanese. You have never been as homeless as millions of Palestinians. But what do you prescribe for Abu Nidal? Should Abu Nidal send another Permanent Representative and produce many more speakers before you in order to please you? How often should they call for peace, for peaceful settlements, for justice and make concession after concession? What good are those concessions for Abu Nidal and those unknown Abu Nidals who are accused of terrorism simply because they are Palestinians?"

There must be a limit to shamelessness; there must be a limit to hypocrisy.

We know who are the professional forgers in the history of human civilization. Go to the history of forgery and see who produced the forged documents, the forged antiques, the forged countries. Things that are forged are often forged by the same Zionists as those who have occupied Palestine. They also forge documents against my country. They forge everything. They are professional liars.

We have one solution. We know that we cannot count on the Security Council. We come here simply to make sure that the last, exhaustive appeal to the reasonable individual is made. The millions of Muslims will not remain acquiescent, indifferent observers. They will unite soon. Their Islam has told them:

"Whoever fights against you, fight against him in the same manner as he fought against you." (The Holy Koran, II:194)

That means that they have the divine mandate to fight against the Zionist base, and they will do it.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

The Zionist also asked all representatives a question. He asked "what should we do?" It is very simple. He should simply go from our Palestine, and then the Council will see peace and tranquillity return. Some Zionists have a French accent. They can go back to Paris. Those who came from Brooklyn can go back to Brooklyn. Those who speak with a Cambridge accent can go to London and Cambridge. Why should they come to the area in which they feel insecure, under attack, betrayed and so on? Nobody invited them. They have their own homelands everywhere.

I ask representatives to go to every part of this beautiful country, to every bank and real estate office, to New York, to any part of any country in the world. It belongs to them. Why should they come to Palestine?

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

One of them said, "Don't you think that another piece of land somewhere - there is plenty of land in the Middle East - should be given to the Palestinians? Then they would have a homeland." These fools think that Palestinians are still fighting for a piece of land. They just do not understand the meaning of cultural background, heritage, responsibility, tradition, homeland, sanctuaries. They just step on everything, like an elephant which walks over anything: it can be a piece of the Holy Koran, it can be any paper. They just come to Palestine, just like animals. They destroy: they have technology, therefore they can use it. They use it against civilian sites. Of course they do this: they think it is possible; they can do it. They think it is a "counter-terrorist act": they can always give it a label.

But it must stop. Either this Council will join the entire population of the globe against State hijacking and State air piracy, or many more incidents will inevitably take place. Your delegation, Mr. President, has rightly and courageously sponsored the draft resolution before the Council. All the blame will rest primarily with the United States, because the Zionist base is not really a serious entity. It is there only because the United States installed it in the bottom of Palestine. Throw it out, and peace will prevail, and what they call terrorism will come to an end.

The PRESIDENT (interpretation from French): The representative of Algeria has asked to speak in exercise of the right of reply. I invite him to take a place at the Council table and to make his statement.

Mr. OUYAHIA (Algeria) (interpretation from French): In his verbal delirium, the representative of the Zionist régime attacked my country. Thus, adding to the terror spread through its criminal acts, the Zionist entity is trying even here in the Security Council to impose outlawed conduct and to prevent the

(Mr. Ouyahia, Algeria)

truth from being spoken about what is after all the judgement of the entire international community, which is indignant at its intolerable conduct. This comes about as a result of a single unacceptable act based on two and only two pillars: the breaching of law and order by the commission of a crime, and a display of arrogance, combined with the resort to hullabaloo and verbal outbursts in order to drown out condemnation.

Such conduct itself is yet another insult to the international community, as though it were an infant needing education in the Zionist rules, an ignorant being - even if strong in numbers - which would trust in these outrageous manoeuvres.

My delegation's position as regards the air piracy committed by the Zionist régime is that of those who, learning a lesson from the sufferings of yesterday, now foster adherence to the Charter of the United Nations and an ardent desire for peace, fully dedicated to support for the struggle against injustice, colonialism and the aggression they themselves had to face in the past, enduring terrible suffering.

My country is not looking for commendation of its international conduct, and we can only reject these vile calumnies. Our daily behaviour in all international bodies is defined by our devotion to international peace and security and our determined struggle on behalf of the principles of the noble Charter of the United Nations. Those beliefs are by no means a pretence.

The harshest judge, who has always punished all such behaviour with his implacable sentences, is and remains history. Until its judgement is handed down on the practices of Zionism, the chronicle of day-to-day history provides useful information about the aggressive madness of the Zionist régime. This Council can and should consult those chronicles, where it will see that Zionism has gone much too far on its sinister road of crime and lawlessness.

(Mr. Ouyahia, Algeria)

Even in the single area of terrorism - which has become the very raison d'être of Zicnism - we see that today air piracy is becoming a constant feature, and we must ask who has the legitimate right to be indignant: those who can take pride in having made repeated humanitarian contributions in the tragedies of international air transport in turmoil, or those who acknowledge only the right indelibly and traumatically to stain it with their repeated crimes, crimes the Council has already condemned and a new example of which it is considering today.

The PRESIDENT (interpretation from French): I call on the representative of the United Arab Emirates, who wishes to speak on a point of order.

Mr. AL-SHAALI (United Arab Emirates) (interpretation from Arabic): I propose that the Security Council proceed to the vote on the draft resolution before it, postponing further statements in reply until after the vote.

The PRESIDENT (interpretation from French): The representative of the United Arab Emirates has proposed that draft resolution S/17796/Rev.1 be put to the vote. If there is no objection, the Council will now proceed to the vote on that draft resolution.

There being no objection, it is so decided.

I shall call first on members of the Council wishing to explain their votes before the voting.

Mr. BROCHAND (France) (interpretation from French): I wish first of all to congratulate you, Sir, on your assumption of the presidency of the Security Council. The relations between the Congo and France have been characterized by exemplary friendship and co-operation which has only grown over the years, and thus my delegation is extremely pleased to see you shouldering this great responsibility, with all your talent and wisdom.

(Mr. Brochand, France)

I wish also to pay a tribute to your predecessor, Ambassador Li Luye, Permanent Representative of China, whose clear-sightedness and thoughtfulness in the great tradition of his country's diplomats, permitted the work of the Council to proceed effectively and harmoniously during a particularly busy month of January.

I should like furthermore to welcome Ambassador Aguilar, the new representative of Venezuela. I wish him great success in his tasks here.

The Council is considering the interception of a Libyan civilian aircraft by Israeli military aircraft on 4 February, in international airspace. The Israeli authorities, to justify that act, have invoked the need to fight terrorism.

(Mr. Brochand, France)

France has always shown firmness in confronting the scourge of terrorism, of which it has itself too often been the victim, once again in recent days. France therefore welcomed the unanimous and unequivocal condemnation by the Security Council and the General Assembly, a few weeks ago, of acts of international terrorism, whatever their form or origin. The French delegation has actively contributed to those positions adopted by the international community.

Necessary action against terrorism cannot be legitimized through or by violations of international law. France was concerned to learn of the interception of a Libyan aircraft in international airspace by the Israeli air force. That act was clearly contrary to the rules of international law and can only exacerbate the existing tensions in the Middle East at a time when all efforts must be concentrated on the search for a process to resolve the Israeli-Arab conflict.

However, that action was taken in a particular context, the context of serious acts of terrorism recently perpetrated in several European countries. Those acts of terrorism have greatly shocked public opinion. In these circumstances, the case before the Council cannot be assessed in the usual manner. That is why, while sharing the concerns expressed by the sponsors of the draft resolution, France is not able to support the text, which includes formulations that do not seem to reflect the precise facts of the situation.

For that reason, my delegation will abstain in the voting on the draft resolution before us.

The PRESIDENT (interpretation from French): I thank the representative of France for his kind words for my country and for me personally.

Mr. WALTERS (United States of America): I would like to express to you, Sir, the congratulations of my delegation upon your assumption of the presidency of the Security Council, wishing you every success in the exercise of that presidency, and, in the same manner, to express the admiration of my delegation for the

(Mr. Walters, United States)

presidency exercised by Ambassador Li Luye of China. I would also like to extend our warm greetings to the new Ambassador of Venezuela who, though new in this function, is a veteran of this Organization.

I will not waste the time of the Council by replying to the slurs against my country made by some of the previous speakers. Some were frivolous, some were serious; all were false.

Although the United States opposes Israel's action, in this case the draft resolution before us is unacceptable. It does not take into sufficient account the need to address practically and appropriately the overriding issue of terrorism. The reluctance of the world community to face this issue has led to a soaring increase in brutal terrorist attacks directed against innocent people everywhere in dimensions which would have been unthinkable a decade ago. As my Government has often stated in this Chamber, we must be clear that terrorist violence, not the response to terrorist violence, is the cause of the cycle of violence which increasingly and tragically mars the Middle East and the entire world.

As a general principle the United States opposes the interception of civil aircraft. The safety of international aviation must be protected. We were prepared to vote in favour of a draft resolution that expressed our support for this basic principle. At the same time, we believe that there may arise exceptional circumstances in which an interception may be justified. As we have stated before in this forum, the United States recognizes and strongly supports the principle that a State whose territory or citizens are subjected to continuing terrorist attacks may respond with appropriate use of force to defend itself against further attacks.

The appropriateness of a particular action will always raise considerations of necessity and proportionality. Where the target of a defensive action is an

(Mr. Walters, United States)

aircraft, heightened attention must be paid to considerations of safety. Because of the inherent risk involved in an action directed against an aircraft, such measures should be undertaken only in exceptional circumstances. The State taking action must meet a high burden of demonstrating that the particular decision was justified. The manner in which such an action is carried out is also significant. Even in a case where a State ultimately succeeds in apprehending a terrorist who constitutes a threat to its territory or citizens, the apprehending State must, in the course of its action, exercise every possible precaution, paying the greatest possible attention to the safety of the aircraft and those on board.

A State's action to apprehend terrorists aboard an aircraft is a drastic measure not to be taken lightly. We believe a State should intercept a civilian aircraft only on the basis of the strongest and clearest evidence that terrorists are aboard. We do not believe that Israel has demonstrated that its action met this rigorous and necessary standard, and therefore we deplore that action. Nevertheless, because we believe that the ability to take such action in carefully defined and limited circumstances is an aspect of the inherent right of self-defence recognized in the United Nations Charter, my Government cannot accept a draft resolution which implies that interception of an aircraft is wrongful per se, without regard to the possibility that the action may be justified. We can support no draft resolution that implicitly calls into question the exercise of this right.

The PRESIDENT (interpretation from French): I thank the representative of the United States for the kind words he addressed to me.

The Council will now proceed to vote on the revised draft resolution before it, submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago and the United Arab Emirates (S/17796/Rev.1).

A vote was taken by show of hands.

In favour: Bulgaria, China, Congo, Ghana, Madagascar, Thailand, Trinidad and Tobago, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela

Against: United States of America

Abstaining: Australia, Denmark, France, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT (interpretation from French): The result of the voting is as follows: 10 in favour, one against and 4 abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Security Council.

I shall now call upon those representatives who have asked to be allowed to make statements after the voting.

Mr. BIERRING (Denmark): I should like, first of all, to congratulate you, Sir, on your assumption of the presidency of the Council. We have confidence in your ability to deal speedily and efficiently with the heavy workload which has already been heaped upon your shoulders, thus, hopefully, relieving the burden somewhat for your successor. I should also like to express our deep admiration for the way in which your predecessor, Ambassador Li Luye, guided the Council's deliberations during the month of January. Finally, I wish to extend a warm welcome to Ambassador Andres Aguilar of Venezuela.

My delegation regrets that it was not possible to reach a consensus on a decision regarding the forcible interception and diversion by the Israeli airforce of the Libyan private civilian aircraft flying in international airspace, despite efforts to that end. My delegation abstained in the voting on the text brought to the vote because it did not adequately reflect our position.

(Mr. Bierring, Denmark)

I should, however, like to put it on record that in our opinion that act was in clear contravention of the principles of international law and of the relevant international conventions and constituted a serious infringement of the freedom of civil aviation. Such acts could seriously jeopardize the lives and safety of passengers and crew, and Denmark calls upon Israel to desist from such actions.

Given the alleged background to this action, I should like at the same time to reiterate my Government's determination in its commitment to combatting international terrorism in all its forms.

In their statement of 27 January 1986, the Ministers of Foreign Affairs of the member States of the European Community condemned all forms of international terrorism, the perpetrators, accomplices and instigators as well as Governments that support them and statements emanating from any quarter expressing support for terrorist attacks.

We call on all States to co-operate to deny support, cover and refuge to terrorists, and we call on all countries that are supporting or have been accused of supporting terrorism to renounce such support.

The PRESIDENT (interpretation from French): I thank the representative of Denmark for the kind words he addressed to me.

Mr. HOGUE (Australia): May I take this opportunity, Sir, to welcome you to the presidency and to assure you of our co-operation and our pleasure at working with you. May I also take this opportunity to thank Ambassador Luye of China for the fine job he did last month and to welcome our new colleague, Ambassador Aguilar of Venezuela.

Many of the issues which come before this Council are complex and difficult. In recent weeks we have had to consider incidents subject to a range of different interpretations as to their nature and significance. The issue before the Council today raises important questions of principle. During the debate there has been

(Mr. Hogue, Australia)

mention of the necessity of taking appropriate measures to counter terrorism, a proposition which in general we readily support. There has also been considerable attention to the importance of observing international conventions safeguarding civil aviation - again, a proposition we readily support.

There have been disagreements between some participants in the debate as to the applicability of these two considerations in the present circumstances. There is no denying the importance of the principles involved, and in this case the facts are quite clear. The Israeli authorities do not deny that they used force to divert a private Libyan aircraft while it was in international airspace.

In a statement made by the Australian Foreign Minister, Mr. Hayden, on 6 February, the Australian Government deplored the interception of the Libyan aircraft over international waters by the Israeli air force. Mr. Hayden said such interceptions could hardly ever be justified and could not be in this case.

While we understand Israel's motives in seeking to act against international terrorism, this interception of a civil aircraft in international airspace cannot be justified.

Australia was a member of the Security Council in 1973, when the Council unanimously condemned Israel's action in a somewhat similar incident over Lebanon. Resolution 337 (1973) drew attention to the fact that such acts could jeopardize the lives and safety of passengers and crew and that they violated international conventions safeguarding civil aviation.

We believe that in the present case also the Council should have sent a clear and united message, namely that international civil aviation conventions should be scrupulously observed. The Australian delegation worked with others to secure a resolution which would send just that message. We had hoped that this was within our grasp, and we regret that a vote had to be taken on the draft resolution in its existing form.

(Mr. Hogue, Australia)

As will be clear from my earlier remarks, there is much in the draft resolution Australia could support. However, it contains some references - for example that to piracy - which do not accord with our position. Australia therefore felt obliged to abstain.

The PRESIDENT (interpretation from French): I thank the representative of Australia for the kind words he addressed to me.

Sir John THOMSON (United Kingdom): To become President in your second month in the Council is a considerable task, Sir. Nevertheless you are showing that it is well within your powers, and we admire the easy way in which you are carrying what has this evening become a really rather heavy burden.

Your predecessor, the Permanent Representative of China, brought qualities of precision, concision and promptitude to the task of the presidency in January, and we particularly thank him because I think we must have got through twice as much work last month as is normally the case in January.

I welcome an old Ambassador to a new position. He will bring much wisdom to our deliberations.

My delegation abstained on this resolution for reasons which will emerge from my comments.

Let there be no doubt about my Government's position on this particular incident. We condemn the forcible diversion by Israel on 4 February of a private aircraft flying through international airspace on a legitimate journey. There was no evidence that it constituted a threat to Israeli security. The interception was without justification. It sets a dangerous precedent apparently in contravention of international law. Such acts can only endanger the lives of innocent persons.

This point is acknowledged in the fourth preambular paragraph of the draft resolution, which specifically recognizes that wrongful interference with civil air travel jeopardizes innocent lives. This applies just as much to the kinds of

(Sir John Thomson, United Kingdom)

incidents that took place recently at the airports at Rome and Vienna as it does to aircraft in flight. Equally abhorrent are actions against innocent passengers at sea, which this Council also had occasion to condemn in the case of the Achille Lauro.

I have dealt with the specific incident before us, but it is appropriate that, like other speakers, I should say something on more general questions.

I listened attentively to the eloquent speech by the representative of the United Arab Emirates. He and others have referred very relevantly to the danger of chaos and anarchy. The United Nations exists, above all, to prevent this. The prevention of chaos and anarchy is a common interest of mankind. It is also a common interest of mankind that all Governments and all peoples should act consistently with the principles and provisions of the United Nations Charter. We must all fully respect the undertaking which our membership of the United Nations involves. There is no excuse for State-sponsored terrorism. It is a direct contravention of the obligations of the Members of the United Nations.

States not only have an obligation to refrain from illegal acts, and I can think of little that is more likely to promote chaos and anarchy than State sponsored terrorism: they also have positive obligations to other States and to individuals.

(Sir John Thomson, United Kingdom)

It is essential that States strictly observe all their obligations under the applicable international Conventions relating to the safe conduct of civil aviation. It is also of considerable importance that States that have not become parties to the various international agreements whose objective is to combat terrorism should now become party to them.

I observed that several delegations which have strongly condemned the Israeli action have themselves not become parties to the international agreements to which I refer. If all States would adopt the same obligations, this would help to meet one of the important objectives contained in General Assembly resolution 40/61 in which the Assembly unanimously condemned acts of terrorism wherever and by whomsoever committed. Such acts can never be justified in any circumstances.

The Council was similarly able to condemn acts of hostage-taking in its resolution 579 (1985).

Several speakers, including the Ambassador of the Soviet Union, have referred with approval to these resolutions. I join with them. At the same time, I cannot help remembering the incident in September 1983 when a veto was cast in the Council against a draft resolution which condemned the shooting down of an airliner with the loss of 269 lives. That incident was very much worse than the one we are considering today. We must preserve a sense of proportion.

I mentioned this incident in order to underline the point made by the representative of the United Arab Emirates that we are dealing with a universal problem and that we must have rules which are the same for all.

I listened with approval to the Ambassador of the USSR saying that the present incident could be viewed in isolation from events in the Mediterranean and the region as a whole. I believe that we should take this statement to heart. For far too long we have been called in the Council to consider acts of violence in the Middle East. Every time we meet attempts are made in speeches here to justify those

(Sir John Thomson, United Kingdom)

individual acts of violence by referring to previous acts of violence. I agree with the Ambassador of Ghana that two wrongs do not make a right. All the violence must be stopped.

As the representative of India said this evening, acts of violence do not solve problems; they only compound them. Acts of terrorism or attempts to apprehend terrorists which themselves are inconsistent with international law cannot help us with the crucial objective of promoting the cause of peace in the Middle East. Those, whether States or individuals, who undertake acts of violence damage peace itself. In destroying and maiming the bodies of poor, innocent travellers and others, the terrorists violate the body of peace and confidence between peoples. Thus the Council should affirm that all States, including Israel, and all individuals should desist from wrongful acts which take or jeopardize the lives of innocent persons.

The PRESIDENT (interpretation from French): I thank the representative of the United Kingdom for the kind words he addressed to me.

I would now appeal to the other speakers who still wish to speak. In particular I would appeal urgently to the representatives of Israel, the Libyan Arab Jamahiriya and the Syrian Arab Republic not to insist on doing so given the late hour.

I have just been informed that another member of the Council wishes to speak in exercise of the right of reply, namely, the Soviet Union. Naturally, if I call on the representative of the Soviet Union I shall be obliged to call on all those who have requested it to speak, but since the Soviet Union is a member of the Council I think that the appeal I made to those not members of the Council remains valid.

I now call on the representative of the Soviet Union in exercise of the right of reply.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): First of all, Mr. President, it seems to me that everybody has the right to exercise the right of reply, not just members of the Security Council, and your decision may be disputed. In any event I am using my right of reply and would therefore like to state the following.

I am obliged to speak at such a late hour for the simple reason that the Permanent Representative of the United Kingdom, in explaining his vote, digressed from the subject and took up the question of the incident of the South Korean aircraft, which has absolutely no relationship whatsoever with the question being discussed by the Council, and in so doing grossly distorted the facts and showed his complete lack of knowledge in this regard, as well as a cynical disregard of the facts. Therefore I should like to recall those facts. It seems all the more justified to do so since everything which was previously secret is becoming clearer and clearer everyday.

Ever new facts in the Japanese, United States and Western European press are coming to light supporting irrefutably the statements made at the time by the Soviet delegation in the Security Council about the spy mission of that South Korean aircraft and the provocative plans relating to its incursion into the airspace of the Soviet Union. A few recent credible facts can be mentioned which alone show what the true situation was. As is known, the United States periodical, The Nation, in August 1985 devoted a special issue to the incident of the South Korean aircraft. That issue pointed out in particular that immediately after the incident and before publication of reports on it a meeting was held of Washington Administration leaders, with the participation of the Head of the Central Intelligence Agency (CIA). The issue showed that the White House was informed of all the facts of the incident and that Washington then put out its own version of what had happened. The Nation concluded in this regard that there was an attempt here to prevent a serious investigation of the facts and revealing them to the

(Mr. Safronchuk, USSR)

public. In violation of all regulations in this regard, United States officials ensured the destruction of the tape recordings of the Boeing take-off and instructions were given to forward all recorded materials on the flight to United States authorities in Washington, where they were declared secret.

(Mr. Safronchuk, USSR)

With regard to the data requested by the Western European and Japanese press, on the basis of that information the nation was able to clarify many of the facts that had been distorted in this regard, including in particular the following.

The Boeing aircraft changed its speed and altitude in those manoeuvres in the flight over Sakhalin, in violation of all rules of international law. Clearly, false information was given to the aircraft. The pilots of the South Korean aircraft had received compensation in advance for that incursion into the airspace of the USSR. The Commander of the Boeing, in talking to his wife, had mentioned the particular danger of the forthcoming mission.

New light has been shed on this incident by a Syracuse University professor of political science in his book "Flight KAL-007: The Secret Story". On the basis of information gathered, the author proves that the pilot did not in fact make any mistake: he knew very well where his aeroplane was located and, instead of answering the Soviet flight controllers, maintained radio silence. The pilot deliberately tried to hide the origin of his aircraft and evade Soviet radar.

United States intelligence personnel knew very well where the South Korean aircraft was flying. It is also clear from an interview last year with an official of the Central Intelligence Agency (CIA) that the pilot had deliberately given incorrect data to the Japanese information service.

There is also confirmation that, after entering Soviet airspace, the aircraft was not on automatic pilot - it was on manual pilot - despite United States claims. That shows that the pilot knew very well that he had crossed the Soviet frontier and knew about the nature of his mission. Thus, the statement of the United States Administration that, supposedly, the Boeing had mistakenly veered off course does not stand up to scrutiny.

(Mr. Safronchuk, USSR)

In their findings the 15 experts of the United States Civil Aviation Administration noted that the aircraft's radical deviation off course could not be explained by cruel mistakes.

A listing of these facts could be prolonged, but that is not the main thing now. I merely wanted to recall that even in recent days the Swiss Federal Court concluded that the Soviet authorities, in ordering the downing of the South Korean aircraft which had strayed off course and entered Soviet airspace

"... had no doubt acted within their" - the Soviet Union's - "sovereignty within their borders as a result of a violation of their airspace with the purpose of defending their territory from a real or possible threat."

The crux of the problem at the time was that, as a matter of principle, the Security Council was resolutely to condemn that act, but it did not do so.

The only thing I should like to say in conclusion is that the representative of the United Kingdom, unfortunately, has undertaken an ignoble task, stating two things that are not true. First, he tried to divert the Security Council's attention from the question now under consideration - an act of State terrorism by Israel which has been described by many speakers as a threat to peace and security not only in the Middle East but beyond. And, secondly, intentionally or not - but I think completely consciously, because one can hardly underestimate the United Kingdom representative's understanding of the real state of affairs - he has undertaken the task of whitewashing the spy actions of the United States mission.

The PRESIDENT (interpretation from French): I should like to renew the urgent appeal that I have just made to the representatives of Israel, the Syrian Arab Republic, and the Libyan Arab Jamahiriya not to insist on speaking.

The Security Council has thus concluded its consideration of the item on its agenda.

Before adjourning the meeting, I should like to remind members that the Security Council will resume consideration of the question entitled "The situation in southern Africa" tomorrow, 7 February, at 10.30 a.m.

The meeting rose at 10 p.m.