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¹ S/16449, OR, 39th yr., Suppl. for Jan-March 1984.

² For details, see chap. III of the present Supplement.

³ See section 28 of the present chap.

⁴ 2525th mtg.

⁵ 2527th mtg.

⁶ S/16422, OR, 39th yr., Suppl. for Jan-March 1984.

⁷ 2528th mtg.

⁸ S/16463, OR, 39th yr., Suppl. for April-June 1984. The draft resolution was not adopted owing to the negative vote of a permanent member.

⁹ 2529th mtg.

¹⁰ S/16041, OR, 38th yr., Suppl. for Oct.-Dec. 1983.

¹¹ For the vote, see 2529th mtg.

32. **LETTER DATED 21 MAY 1984 FROM THE REPRESENTATIVES OF BAHRAIN, KUWAIT, OMAN, QATAR, SAUDI ARABIA AND THE UNITED ARAB EMIRATES ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

INITIAL PROCEEDINGS

By letter¹ dated 21 May 1984, the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates requested an urgent **meeting** of the Council to consider Iranian aggressions against shipping to and from their countries.

At its 2541st meeting, on 25 May 1984, the Council included the item in its **agenda**. The council invited the representatives of the **following** countries, at their request, to participate in the discussion without the right to vote: at the 2541st meeting, Bahrain, Kuwait, Oman, Panama, Qatar, Saudi Arabia, Senegal, the United Arab Emirates and Yemen; at the 2542nd meeting, Ecuador, Jordan, Somalia and the Sudan; at the 2543rd meeting, the Federal Republic of Germany, Japan and Morocco; at the 2545th meeting, Djibouti, Mauritania, Tunisia and Turkey; and at the 2546th meeting, Liberia.* The Council also invited, under rule 39 of its provisional rules of procedure, Mr. Chedli Klibi, Secretary-General of the League of Arab States (LAS), at its **2541st** meeting.² The Council considered the matter at its **2541st** to **2543rd**, 2545th and 2546th meetings, from 25 May to 1 June 1984.

At the 2541st meeting, the Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait stated that between 13 and 16 May the Iranian Air Force had attacked two **Kuwaiti** tankers and a Saudi Arabia tanker. Those attacks had extended the Iran-Iraq war to countries that were not a party to it and were in violation of the Geneva Convention on the High Seas, the United Nations Convention on the Law of the Sea and the Kuwait Regional Convention. He stressed that a disruption in the Gulf region, because of its economic and political nature and its sensitive strategic location, would have economic and political consequences affecting the interests of the entire **world**; therefore, in accordance with Article 35 of the Charter, Kuwait drew the Council's attention to the situation and called upon it to exercise its jurisdiction under Chapter VI of the Charter, while reserving the right to call for measures under Chapter VII of the Charter in the case of recurrence. Kuwait wanted a resolution that would identify the aggressor, condemn the aggression and warn against its recurrence, but remained eager to work together with all the parties,

including the Islamic Republic of Iran, to restore peace and stability in the region.³

The representative of Saudi Arabia stated that the Iranian attacks on Saudi and **Kuwaiti** tankers had taken place in Saudi territorial waters and adjacent waterways, far from the area of military operations, and were in retaliation for Iraqi attacks on the **Islamic Republic of Iran**. He pointed out that the claim by a country at war of a right to attack a third party would have dangerous effects on international relations and peace and security everywhere unless it was condemned and rejected by the international community. Since the Council bore primary responsibility for crystallizing the position of the international community, it must firmly express its determination not to permit **any** aggression against third parties in the Gulf area.⁴

The representative of Yemen contended that the Iran-Iraq war was being extended beyond the two belligerent States because the Council had failed to assume its responsibilities towards impartially **restoring** international peace and security in accordance with the principles of the Charter. He stated that the Council was now more than ever duty-bound to work towards halting the **war**.⁵

The representative of Senegal stated that the situation should be viewed in the wider context of the four-year-old war. He urged the Council to call for unobstructed freedom of navigation in the international waters of the Gulf, to renew its call for the cessation of hostilities and the continuation of mediation efforts, and to reaffirm its appeal to the belligerents to respect the territorial integrity and economic infrastructure of other coastal States and refrain from actions likely to worsen or widen the **conflict**.⁶

Mr. Chedli Klibi indicated that the LAS Council had adopted a resolution on 19 May 1984, in which, *inter alia*, it appealed to the Security Council to adopt a clear and **firm** position on the Iranian aggressions. The League hoped that the Council would take appropriate measures to guarantee the safety of international sea lanes, because the **disruption** of maritime traffic would affect the interests of all nations and could lead to **foreign** intervention. The Council must assume responsibility for restoring the stability of the Gulf region and must contain the conflict as much as possible pending compliance with its decisions. Since Iraq had already indicated its willingness to comply, **efforts** should be directed at inducing Iran to heed the Council's **resolutions**.⁷

At the 2543rd **meeting**, the representative of Somalia asserted that the **Council** must demand that Iran end its attacks on sea traffic, comply with United Nations resolutions and respect the principles of international law. The Council should also **vigorously** seek to bring both the Islamic Republic of Iran and Iraq into a process of peaceful negotiations:

The representative of Turkey stated at the 2545th meeting that the Council should try to help the parties find a solution to the conflict but must not attempt to impose one. It should not adopt a resolution which would be totally unacceptable to either party and which, by its lack of balance, fairness and justice, would lead to further intransigence; rather, it should seek to strengthen the hand of the Secretary-General, who had reaffirmed his willingness on 17 May 1984 to assist in the peaceful resolution of the conflict, and enable both the Islamic

Republic of Iran and Iraq to co-operate with the Secretary-General while taking concrete steps towards the reduction of tension in the Gulf.⁵

Decision of I June 1984 (2546th meeting): resolution 552 (1984)

At the 2546th meeting, the President drew attention to a draft resolution⁶ submitted by Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates,⁷

The representative of Liberia noted that ships flying the Liberian flag had also been hit and damaged, causing a loss of revenue to her country's economy, and stated that her Government expected those involved to make reparations for their actions and to desist from further attacks on ships flying the Liberian flag.⁷

The representative of the Netherlands stated that if the Iran-Iraq war continued to escalate the Council might have to consider appropriate measures under the Charter. His delegation would vote in favour of the draft resolution and welcomed the fact that it unambiguously called upon all States to respect the territorial integrity of littoral States that were not a party to the conflict, as well as the call in operative paragraph 3 for all States to exercise the utmost restraint and refrain from escalating the conflict. His delegation attached particular importance to operative paragraph I, calling upon all States to respect the right of free navigation in the Gulf, a right which should not be interpreted selectively, and hoped that the Council's call not to interfere with shipping en route to and from States not party to the hostilities would be scrupulously respected.⁷

The representative of France reminded the Council of the relevance of resolution 540 (1983), which also dealt with the freedom of navigation and commerce for the Gulf States. He stated that it was essential to ensure that that text retained its authority in spirit as well as in its conclusions, and that it behaved the United Nations and the Secretary-General to follow up on that resolution as provided for therein.⁷

The President, speaking in his capacity as the representative of the United Kingdom, noted that the draft resolution reflected the Gulf States' desire to isolate themselves from the Iran-Iraq conflict and was directed at attacks aimed at involving them in that war. But while the draft resolution concentrated on one particular action, that did not mean it condoned others, and his delegation did not interpret the draft resolution as in any way intended to affect the Council's position expressed in resolution 540 (1983).⁷

The representative of Egypt formally requested a vote on the draft resolution, in accordance with rule 38 of the Council's provisional rules of procedure.⁷

The representative of India stated that the Council's action should be directed primarily towards defusing tensions and preventing a widening of the conflict and the possible intervention of outside Powers. He noted that the draft resolution dealt with one aspect of the Iran-Iraq conflict, whereas his delegation believed that a broader, more generally acceptable, more balanced resolution would be more likely to lead to the security of international shipping and the freedom of navigation in the Gulf, as well as an end to the conflict. Nevertheless, they would support the draft resolution because of its unequivocal affirmation of the principle of the freedom of

navigation and free, safe access and transit for the ships of all countries.⁷

The representative of Malta expressed his delegation's view that the restrictive formulations appearing in operative paragraphs 2, 3 and 4 of the draft resolution could in no way be interpreted to derogate from universally accepted norms of international behaviour or general principles of international law. Malta's interpretation of those paragraphs was that they applied equally to all commercial shipping in all regions of the world.⁷

The President put the draft resolution⁶ to the vote.⁷ It was adopted by 13 votes in favour to none against, with 2 abstentions, as resolution 552 (1984) and reads as follows:

The Security Council.

Having considered the letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates complaining against Iranian attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia,

Noting that Member States pledged to live together in peace with one another as good neighbours in accordance with the Charter of the United Nations,

Reaffirming the obligations of Member States with respect to the principles and purposes of the Charter,

Reaffirming also that all Member States are obliged to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State,

Taking into consideration the importance of the Gulf region to international peace and security and its vital role to the stability of the world economy,

Deeply concerned over the recent attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia,

Convinced that these attacks constitute a threat to the safety and stability of the area and have serious implications for international peace and security,

1. *Calls upon all States to respect, in accordance with international law, the right of free navigation;*

2. *Reaffirms the right of free navigation in international waters and sea lanes for shipping en route to and from all ports and installations of the littoral States that are not parties to the hostilities;*

3. *Calls upon all States to respect the territorial integrity of the States that are not parties to the hostilities and to exercise the utmost restraint and to refrain from any act which may lead to a further escalation and widening of the conflict;*

4. *Condemns the recent attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia;*

5. *Demands that such attacks should cease forthwith and that there should be no interference with ships en route to and from States that are not parties to the hostilities;*

6. *Decides, in the event of non-compliance with the present resolution, to meet again to consider effective measures that are commensurate with the gravity of the situation in order to ensure the freedom of navigation in the area;*

7. *Requests the Secretary-General to report on the progress of the implementation of the present resolution;*

8. *Decides to remain seized of the matter.*

Following the vote, the representative of Zimbabwe stated that the Council should have addressed itself to both parties equally and that his delegation had abstained because the resolution failed to take an even-handed approach to the conflict. They hoped that in its effort to deal with the immediate problem the Council had not made the search for a solution to the wider issue of the Iran-Iraq war more difficult.⁷

The representative of Nicaragua indicated that his delegation had abstained because it did not believe that the formulation of the principle of respect for the territorial integrity of States contained in the resolution would promote a peaceful settlement of

the conflict. The appeal for respect for the territorial integrity of non-belligerent States should have been extended to include countries at war; as it stood, it left the door open for foreign intervention in countries party to the conflict.'

The Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait stated that, having adopted a resolution, the Council must do everything possible to ensure its implementation. Kuwait thanked the Secretary-General and anticipated that he would follow up on the implementation of the resolution, in which he could be sure of their constructive co-operation.

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- ¹ S/ 16574. *OR. 39th yr.. Suppl. for April-June 1984.*
² For details, see chap. III of the present *Supplement.*
³ 2541st mtg.
⁴ 2543rd mtg.
⁵ 2545th mtg.
⁶ S/16594, adopted without change as resolution 552 (1984).
⁷ 2546th mtg.

33. **LETTER DATED 4 SEPTEMBER 1984 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

INITIAL PROCEEDINGS

By letter' dated 4 September 1984 addressed to the President of the Council, the representative of Nicaragua requested an urgent **meeting** of the Council to be convened immediately to examine the situation created by the new escalation of aggression directed against his country.

At its 2557th meeting, on 7 September 1984, the Council included the letter in its agenda and considered it at the same meeting.

The representative of Nicaragua expressed concern about the increasing involvement of mercenaries of the United States Central Intelligence Agency (CIA) in the no longer covert war against his country. Nicaragua had been alerting the international community and the Government and people of the United States to the consequences of the increasing involvement. In that regard, the speaker furnished numerous relevant examples including the dispatch of mercenaries, the transport of military equipment, training and direct participation in combat with Contras, the constant holding of military and naval manoeuvres in the waters close to Nicaragua and the building of airports and other military installations in Central America; and permanent reconnaissance, in other words spy flights, over Nicaraguan territory by United States aircraft.

The permanent United States military presence in Central America amounted to 1,400 United States soldiers on seven United States bases. Political solutions seemed increasingly difficult to achieve. High-level spokesmen of the United States Administration, including President Reagan himself, Secretary of State Shultz and Ambassador Kirkpatrick, continued to threaten the Sandinist People's Revolution and the Government of National **Reconstruc-**

tion. The sole objective of those statements was to isolate Nicaragua internationally and to prepare the political terrain for the invasion. Various United States officials, including the President, had on several occasions made statements in which they did not discard the possibility of direct intervention in Central America, including Nicaragua. The United States constituted a real threat to the security of the Sandinist People's Republic, which the United States was openly attempting to destroy through a war of aggression.⁷

The representative of the United States rejected the statement by the representative of Nicaragua and stated that the United States was not trying to overthrow the Sandinista Government. He alleged that United States relations with Nicaragua had deteriorated because, instead of keeping their promises about human rights and pluralistic democracy, the Sandinistas had developed increasingly close military ties to Cuba and the Soviet Union, tightened their internal repression, had supported guerrilla insurgency in El Salvador and terrorism in Honduras and Costa Rica and had continued an extensive military build-up that threatened the security of their neighbours.²

The representative of Nicaragua in his reply mentioned that his country was concerned and grieved to see the United States, the greatest empire in the world, applying a double standard: that it was going through the motions of seeking a negotiated settlement to the problems of Central America while at the same time committing acts of aggression against Nicaragua. Such duplicity revealed the lack of **sincerity** on the part of the United States **Government**.²

The representative of the Soviet Union called the American declaration that the United States did not intend to overthrow the Government of Nicaragua was fallacious from beginning to end, because in parallel with that and other similar statements the United States had **virtually** openly continued to finance, arm, train and send mercenaries to Nicaraguan territory. The reason for acts of intervention by the United States against Latin American countries was its consistent policy of not allowing the autonomous, economic, political and social development of Latin America and attempting to impose on Latin American countries the kind of system preferred by the United States.²

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- ¹ S/16731, *OR, 39th yr.. Suppl. for July-Sept. 1984.*
² 2557th mtg.

34. **LETTER DATED 3 OCTOBER 1984 FROM THE PERMANENT REPRESENTATIVE OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

INITIAL PROCEEDINGS

By letter' dated 3 October 1984, the representative of the Lao People's Democratic **Republic** requested an urgent meeting of the Council to consider the attack on and occupation of three Lao villages by Thailand and the resulting tense situation along the border between the two countries.