

NOTES

¹ S/15037, OR, 37th yr., Suppl. for April-June 1982. See section 10 of the present chapter for prior treatment of the issue.

² S/15099, *ibid.*

³ S/15100, *ibid.*

⁴ For details, see chap. III of the present Supplement.

⁵ 2360th mtg., paras. 4-23.

⁶ See letter dated 13 April 1982 from the representative of Argentina to the President of the Council, S/14975, OR, 37th yr., Suppl. for April-June 1982.

⁷ S/14966, annex, *ibid.*

⁸ A/32/110, A/32/111, A/34/66 and A/34/343.

⁹ 2360th mtg., paras. 26-96.

¹⁰ *Ibid.*, paras. 99-127.

¹¹ *Ibid.*, paras. 174-176.

¹² *Ibid.*, paras. 180-192.

¹³ *Ibid.*, paras. 195-204.

¹⁴ S/14944, Resolutions and Derisions of the Security Council, 1982.

¹⁵ Resolution 502 (1982).

¹⁶ 2360th mtg., paras. 208-225.

¹⁷ *Ibid.*, paras. 229-233.

¹⁸ 2362nd mtg., paras. 23-45.

¹⁹ *Ibid.*, paras. 49-89.

²⁰ *Ibid.*, paras. 91-108.

²¹ *Ibid.*, paras. 115-131.

²² *Ibid.*, paras. 134-151.

²³ *Ibid.*, paras. 207-216.

²⁴ *Ibid.*, paras. 211 R-239.

²⁵ 2363rd mtg., paras. 3-7.

²⁶ See 2363rd mtg., Equatorial Guinea, paras. 62-66; Paraguay, paras. 69-80; Colombia, paras. 84-102; El Salvador, paras. 107-119; Peru, paras. 154-180; and Panama, paras. 181-232.

²⁷ 2364th mtg., paras. 61-73.

²⁸ S/15106, OR, 37th yr., Suppl. for April-June 1982. The draft was not put to the vote.

²⁹ 2366th mtg., paras. 102-126.

³⁰ S/15112, OR, 37th yr., Suppl. for April-June 1982. The draft resolution was not put to the vote.

³¹ S/15122, subsequently adopted as resolution 505 (1982).

³² 2368th mtg., paras. 33-46.

³³ *Ibid.*, paras. 48-56.

³⁴ *Ibid.*, paras. 59-63.

³⁵ *Ibid.*, paras. 64-79.

³⁶ *Ibid.*, paras. 87-89.

³⁷ S/15145, OR, 37th yr., Suppl. for April-June 1982.

³⁸ S/15151, *ibid.*

³⁹ 2371st mtg., para. 7.

⁴⁰ S/15156, OR, 37th yr., Suppl. for April-June 1982. The draft was subsequently revised (S/15156/Rev. 1 and 2), voted upon and not adopted owing to the negative vote of two permanent members of the Council.

⁴¹ 2371st mtg., paras. 9-18.

⁴² *Ibid.*, paras. 19-28.

⁴³ *Ibid.*, paras. 41-75.

⁴⁴ *Ibid.*, paras. 77-84.

⁴⁵ *Ibid.*, paras. 86-100.

⁴⁶ *Ibid.*, paras. 102-113.

⁴⁷ *Ibid.*, paras. 124-128.

⁴⁸ 2372nd mtg., paras. 3-6.

⁴⁹ *Ibid.*, paras. 7-9.

⁵⁰ *Ibid.*, paras. 10 and 11.

⁵¹ *Ibid.*, paras. 12-15.

⁵² *Ibid.*, paras. 17 and 18.

⁵³ *Ibid.*, paras. 19-29.

⁵⁴ *Ibid.*, para. 30.

⁵⁵ *Ibid.*, para. 31.

⁵⁶ 2373rd mtg., paras. 5-9.

⁵⁷ *Ibid.*, paras. 20-22.

⁵⁸ S/15156/Rev. 2, OR, 37th yr., Suppl. for April-June 1982.

⁵⁹ 2373rd mtg., para. 49.

⁶⁰ *Ibid.*, paras. 53-59.

⁶¹ *Ibid.*, paras. 66-71.

⁶² *Ibid.*, paras. 72-83.

⁶³ *Ibid.*, paras. 85-91.

13. THE SITUATION BETWEEN IRAN AND IRAQ

Decision of 12 July 1982 (2383rd meeting): resolution 514 (1982)

At its 2383rd meeting, on 12 July 1982, the Council included in its agenda the item entitled "The situation between Iran and Iraq". Following the adoption of the agenda, the Council invited the representative of Iraq, at his request, to participate, without vote, in the discussion of the item.¹ The Council discussed the item at the same meeting.

Opening the discussion, the President stated that, as had been agreed in the course of the Council's consultations earlier on the same day, the Council was meeting in connection with the situation between Iran and Iraq. He drew attention to the text of a draft resolution,² which had been prepared in the course of the Council's consultations. He also mentioned several documents issued by the Council that had a bearing on the item.³

The representative of France expressed great concern about the unending battle between Iran and Iraq and warned that the war might take a turn for the worse if it became a confrontation between two cultures and two religions. He referred to the appeals issued recently by the European Community and noted that it should be possible to settle the bilateral conflict through negotiations recognizing the legitimate rights of both parties. He recalled the Algiers Agreement of 1975⁴ and stated that the frontier fixed in that legal document should be respected. He welcomed efforts at negotiation initiated by the Organization of the Islamic Conference and by the Movement of Non-Aligned Countries and expressed the hope that the Council and the Secretary-General would contribute to making those and similar efforts more fruitful. He strongly endorsed the draft resolution, which offered the political foundations for a settlement and promoted the co-ordination of ongoing mediation efforts by entrusting this task to the Secretary-General.

At the same meeting, the President put the draft resolution to the vote; it received 15 votes in favour and was adopted unanimously as resolution 514 (1982).⁵ It reads as follows:

The Security Council,

Having considered again the question entitled "The situation between Iran and Iraq".

Deeply concerned about the prolongation of the conflict between the two countries, resulting in heavy losses of human lives and considerable material damage and endangering peace and security,

Recalling the provisions of Article 2 of the Charter of the United Nations, and that the establishment of peace and security in the region requires strict adherence to these provisions,

Recalling that by virtue of Article 24 of the Charter the Security Council has the primary responsibility for maintenance of international peace and security,

Recalling its resolution 479 (1980), adopted unanimously on 28 September 1980, as well as the statement of the President of the Security Council of 5 November 1980,

Taking note of the efforts of mediation pursued notably by the Secretary-General and his representative, as well as by the Movement of Non-Aligned Countries and the Organization of the Islamic Conference,

1. Calls for a cease-fire and an immediate end to all military operations;
2. Calls further for a withdrawal of forces to internationally recognized boundaries;
3. Decides to dispatch a team of United Nations observers to verify, confirm and supervise the cease-fire and withdrawal, and requests the Secretary-General to submit to the Security Council a report on the arrangements required for that purpose;
4. Urges that the mediation efforts be continued in a co-ordinated manner through the Secretary-General with a view to achieving a comprehensive, just and honourable settlement, acceptable to both sides, of all the outstanding issues, on the basis of the principles of the Charter of the United Nations, including respect for sovereignty, independence, territorial integrity and non-interference in the internal affairs of States;
5. Requests all other States to abstain from all actions that could contribute to the continuation of the conflict and to facilitate the implementation of the present resolution;
6. Requests the Secretary-General to report to the Security Council within three months on the implementation of the present resolution.

Following the adoption of the resolution, the representative of the United Kingdom stated that his delegation had some doubts about the likely efficacy of the resolution as it was lacking the full support of all the parties to the dispute, an important prerequisite for effective peace-making. He complimented the President on his efforts to persuade the uncooperative party to accept the resolution and the need to work with the Council and regretted that its co-operation was not yet forthcoming. He expressed the hope that the Secretary-General would consider urgently the possibility of sending a representative to the two capitals.⁷

The representative of China noted that mediation efforts had been undertaken by the Special Representative of the Secretary-General and the non-aligned countries and stated his conviction that conflicts between brotherly third world countries could and should be resolved through consultation or negotiations.⁸

The representative of the Soviet Union reaffirmed his Government's support for all efforts to end the military action as soon as possible and to resolve the conflict by means of negotiations. He also endorsed ongoing efforts to mediate the conflict and underlined the principal role of the Council in promoting a settlement of the Iran-Iraq conflict.⁹

The Minister for Foreign Affairs of Iraq expressed the hope that the Council's action would generate a new momentum for peace. He reviewed in detail the numerous offers for a cease-fire and for a peaceful settlement of the dispute that had been made by the President of Iraq and the Iraqi Government, all of which had been rejected by the other side. He concluded by stating that everybody should strive for the faithful implementation of the Council's resolution and co-ordinate all actions to advance towards the comprehensive, just and honourable settlement of the issues underlying the conflict.¹⁰

Decision of 15 July 1982: statement of the President

In a letter dated 14 July 1982,¹¹ the representative of Iran transmitted the text of his Government's official position regarding Council action on the situation between Iran and Iraq, charging that the Council, in its resolutions 479 (1980) and 514 (1982), had tacitly supported the Iraqi position.

On 15 July 1982, the Secretary-General submitted a report,¹² in pursuance of paragraph 3 of resolution 514 (1982), in which he stated that he had considered

it necessary, with the agreement of the parties concerned, to send a small team of senior United Nations military officers to ascertain the actual situation on the ground and to assess the arrangements required for the implementation of the resolution. The Government of Iraq had informed the Secretary-General that it was ready to co-operate in the implementation of the resolution. The Government of Iran had transmitted to the Secretary-General the text of its statement of 14 July,¹¹ dissociating itself from any action taken to date by the Council with regard to the situation between Iran and Iraq. The Secretary-General reaffirmed that he would continue his intensive efforts to put an end to the fighting and to achieve a settlement of the issues underlying the conflict.

On 15 July 1982, following consultations of the Council, the President of the Council, on behalf of its members, made the following statement:¹³

The members of the Security Council expressed concern at the serious situation existing between Iran and Iraq and at the fact that resolution 514 (1982) had not yet been implemented. The Council remains actively seized of this question. The President will remain in contact with the two sides concerned, with a view to exploring all possible means of advancing the efforts to achieve an end to the fighting and to secure a settlement of the underlying issues.

Decision of 4 October 1982 (2399th meeting): resolution 522 (1982)

In a letter dated 1 October 1982,¹⁴ the representative of Iraq charged that Iranian forces had launched a major armed attack in an attempt to cross the international frontier and requested an urgent meeting of the Council to discuss the serious deterioration of the situation concerning the conflict between Iraq and Iran.

At its 2399th meeting, on 4 October 1982, the Council included the letter in its agenda. Following the adoption of the agenda, the Council invited the representatives of Iraq and Morocco, at their request, to participate in the discussion without the right to vote.¹⁵ The Council considered the item at the same meeting.

The Minister for Foreign Affairs of Iraq pointed out that the war between Iran and his country had been going on for more than two years and that the Iranian objective was to take over the whole Arabian peninsula and particularly the Arab Gulf region. He charged that the Khomeini regime had started exporting its fanatic revolution to Iraq and the whole region shortly after it had assumed power in Iran. He noted that while his own Government had declared its readiness to comply with resolution 514 (1982), the Iranian rulers had rejected the Council's request, insulted the Council and misquoted the fundamental articles defining the authority and mandate of the Council in matters of peace and security. He informed the Council of new Iranian attacks in the Basra area and added that the Iraqi forces had been completely withdrawn from Iranian territory. In that connection, he called upon Iran to accept the arbitration of the Council regarding contested border territory. He emphasized that Iran stood alone in its continued war against Iraq and suggested that the Council might have to take effective measures against the Iranian side, which rejected peace.¹⁶

The Minister of State in charge of Foreign Affairs of Morocco deeply regretted that the Iranian Government had rejected the Council's constructive resolution 514 (1982) and paid tribute to the efforts of the

representative of the Secretary-General and the Peace Committee of the Islamic Conference to mediate in the conflict between Iran and Iraq. He welcomed Iraq's readiness to initiate a peace process based on the principles of the Charter and on the resolutions of the Council and urged the Council to remind the other party of the obligations incumbent upon it because of its membership in the United Nations."

At the same meeting, the President put the draft resolution prepared in the course of the Council's consultations* to the vote; it received 15 votes and was adopted unanimously as resolution 522 (1982).¹⁹ It reads as follows:

The Security Council.

Having considered again the question entitled "The situation between Iran and Iraq",

Deploing the prolongation and the escalation of the conflict between the two countries, resulting in heavy losses of human lives and considerable material damage and endangering peace and security,

Reaffirming that the restoration of peace and security in the region requires all Member States strictly to comply with their obligations under the Charter of the United Nations,

Recalling its resolution 479 (1980), adopted unanimously on 28 September 1980, as well as the statement of the President of the Security Council of 5 November 1980,

Further recalling its resolution 514 (1982), adopted unanimously on 12 July 1982, and the statement of the President of the Security Council of 15 July 1982.

Taking note of the report of the Secretary-General of 15 July 1982,

1. Urgently calls again for an immediate cease-fire and an end to all military operations;
2. Reaffirms its call for a withdrawal of forces to internationally recognized boundaries;
3. Welcomes the fact that one of the parties has already expressed its readiness to co-operate in the implementation of resolution 514 (1982) and calls upon the other to do likewise;
4. Affirms the necessity of implementing without further delay its decision to dispatch United Nations observers to verify, confirm and supervise the cease-fire and withdrawal;
5. Reaffirms the urgency of the continuation of the current mediation efforts;
6. Reaffirms its request to all other States to abstain from all actions which could contribute to the continuation of the conflict and to facilitate the implementation of the present resolution;
7. Further requests the Secretary-General to report to the Security Council on the implementation of the present resolution within seventy-two hours.

Following the adoption of the resolution, the Secretary-General stated that the effective deployment, as envisaged under paragraph 4, was contingent on the concurrence and co-operation of the parties concerned and on the existence of a cease-fire. If the parties concurred, he would immediately dispatch the observers, in accordance with normal practices of United Nations peace-keeping. He renewed his determination to make every effort to find a peaceful solution.²⁰

On 7 October 1982, the Secretary-General submitted a report,²¹ in pursuance of paragraph 6 of Council resolution 514 (1982) and paragraph 7 of resolution 522 (1982), in which he stated that the text of the latter resolution had been transmitted immediately to the Governments concerned, with a request, in particular, for comments in respect of paragraph 4. The Minister for Foreign Affairs of Iraq had informed the Secretary-General that his Government supported efforts to facilitate a peaceful solution of the conflict and would co-operate in good faith in the implementation of resolution 522 (1982). The repre-

sentative of Iran had informed the Secretary-General that, for the reasons indicated in the statement issued by his Government on 4 October,²² it considered Council resolutions relating to the situation between Iran and Iraq to be non-binding on Iran. The Secretary-General further stated that his Special Representative had visited the area five times since November 1980 and that he would continue to make every effort to facilitate a settlement of the issues underlying the conflict.

Decision of 21 February 1983: statement of the President

On 21 February 1983, following consultations of the Council, the President of the Council, on behalf of its members, made the following statement:²³

The members of the Council express their deep concern at the serious situation between Iran and Iraq which gravely endangers international peace and security and at the fact that resolutions 479 (1980), 514 (1982) and 522 (1982) have not yet been implemented.

The members of the Council continue to urge that all concerned be guided by Member States' obligations under the Charter: to settle their international disputes by peaceful means and in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State.

The members of the Council express their profound regret at the continuation and the escalation of the conflict and deplore the grave human losses and the considerable material damage resulting therefrom. They reaffirm the necessity of implementing the Council's previous resolutions on the subject which were unanimously adopted.

The members of the Council urgently call once again for an immediate cease-fire and an end to all military operations as well as the withdrawal of forces up to internationally recognized boundaries with a view to seeking a peaceful settlement in accordance with the principles of the Charter.

The Council remains seized of this question and urges all Member States to exert all efforts to assist in the restoration of peace and security in the region.

The members of the Council request the Secretary-General to continue his efforts, in consultation with the parties concerned, with a view to achieving a peaceful settlement and to keep the Council informed.

Decision of 31 October 1983 (2493rd meeting): resolution 540 (1983)

On 20 June 1983, the Secretary-General submitted a report²⁴ on the mission to inspect civilian areas in the Islamic Republic of Iran and Iraq that had been subject to military attack. The Secretary-General informed the Council that on 2 May the Iranian representative had conveyed to him the request of his Government that he send a representative to visit civilian areas in the Islamic Republic of Iran that had been subject to military attack by Iraq; he also indicated that the Government of the Islamic Republic of Iran would welcome a visit by the Secretary-General's representative to Iraq, if the Iraqi Government so wished. Following further discussions, which resulted in an Iraqi agreement to receive a representative for the inspection of civilian areas that had been attacked by the other side, the Secretary-General had notified the Council on 12 May of his intention to dispatch a small mission. As agreed with the two Governments, the task assigned to the mission was to survey and assess, as far as possible, the damage to civilian areas in the two countries said to have suffered war damage and to indicate, where possible, the types of munitions that could have caused the damage. The mission's report was then to

be transmitted by the Secretary-General to the Council

The Secretary-General reported further that both Governments had given appropriate assurances regarding the safety of the mission and that they had specified the itineraries that they wished the mission to follow in their respective territories; the two Governments had also agreed to provide appropriate means of transport for the mission outside the capitals. The mission had been requested, having completed its itinerary in the Islamic Republic of Iran, to inspect an additional site in the Islamic Republic of Iran and, when it arrived in Iraq, had offered the same if the Government of Iraq so desired. The mission consisted of two senior officials of the United Nations Secretariat and two military experts, a munitions specialist and an artillery officer, who had been seconded by the Government of Sweden. The Secretary-General expressed his appreciation to the members of the mission for having carried out such a difficult task under strenuous conditions and annexed their report to his report to the Council.

At its 2493rd meeting, on 31 October 1983, the Council considered again the question entitled "The situation between Iran and Iraq".

The President opened the meeting by drawing attention to a draft resolution²⁵ submitted by Guyana, Togo and Zaire.

Prior to the vote, the representative of Pakistan reviewed the efforts so far by the Council to bring about an end to the fratricidal conflict between the Islamic Republic of Iran and Iraq and deplored the lack of success regarding all those initiatives. He pointed to the Iranian perception that its viewpoint was not properly understood by the Council as one reason for the Council's failure. He noted that his delegation had hoped that the Council would have made an effort to engage both parties in a process combining the virtue of an immediate containment of hostilities with the prospect of a comprehensive peace settlement to follow. He regretted that during the informal consultations the required sustained effort involving more time for exhaustive consultations had not been made whereby the two parties might have been drawn into the process of consultations with the promise of a meaningful outcome. He announced that his delegation would abstain in the vote on the draft resolution, which was not fully matured and which lacked consensus.²⁶

The representative of Malta stated that both parties had responded with detailed written observations to the working paper which had been the focus of the Council's attention in the course of the informal consultations during more than two weeks. His delegation had wished to build on the initial responses and to undertake further efforts to bring the two sides together, through the good offices of the Council, and guide them towards a constructive and hopefully positive dialogue. He added that since one side had not considered that it had been given a reasonable hearing and sufficient consultation by the Council, he had been in favour of continued consultations and opposed the rush for a vote. His delegation would therefore abstain in the vote.²⁶

The representative of Nicaragua expressed similar doubts about the benefits of the draft resolution before the Council and stated that his delegation would have preferred extended consultations with a

view to arriving at a consensus encompassing also the view of the Movement of Non-Aligned Countries.²⁶

The President then put the draft resolution to the vote; it received 12 votes in favour and none against, with 3 abstentions, and was adopted as resolution 540 (1983).²⁷ It reads as follows:

The Security Council,

Having considered again the question entitled "The situation between Iran and Iraq",

Recalling its relevant resolutions and statements which, inter alia, call for a comprehensive cease-fire and an end to all military operations between the parties,

Recalling the report of the Secretary-General of 20 June 1983 on the mission appointed by him to inspect civilian areas in Iran and Iraq which have been subject to military attacks, and expressing its appreciation to the Secretary-General for presenting a factual, balanced and objective account,

Also noting with appreciation and encouragement the assistance and co-operation given to the Secretary-General's mission by the Governments of Iran and Iraq,

Deploping once again the conflict between the two countries, resulting in heavy losses of civilian lives and extensive damage caused to cities, property and economic infrastructures,

Affirming the desirability of an objective examination of the causes of the war,

1. *Requests the Secretary-General to continue his mediation efforts with the parties concerned, with a view to achieving a comprehensive, just and honourable settlement acceptable to both sides;*

2. *Condemns all violations of international humanitarian law, in particular, the provisions of the Geneva Conventions of 1949 in all their aspects, and calls for the immediate cessation of all military operations against civilian targets, including city and residential areas;*

3. *Affirms the right of free navigation and commerce in international waters, calls on all States to respect this right and also calls upon the belligerents to cease immediately all hostilities in the region of the Gulf, including all sea-lanes, navigable waterways, harbour works, terminals, offshore installations and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral States;*

4. *Requests the Secretary-General to consult with the parties concerning ways to sustain and verify the cessation of hostilities, including the possible dispatch of United Nations observers, and to submit a report to the Security Council on the results of these consultations;*

5. *Calls upon both parties to refrain from any action that may endanger peace and security as well as marine life in the region of the Gulf;*

6. *Calls once more upon all other States to exercise the utmost restraint and to refrain from any act which may lead to a further escalation and widening of the conflict and, thus, to facilitate the implementation of the present resolution;*

7. *Requests the Secretary-General to consult with the parties regarding immediate and effective implementation of the present resolution.*

Following the adoption of the resolution, the representative of the Netherlands stressed the Council's responsibility under the Charter for peace and security and the serious state of the cruel war between the Islamic Republic of Iran and Iraq. He noted that it was important for the Council not only to be as objective and balanced as possible in its assessment of the conflict but also to secure the agreement of both parties to co-operate with the decisions of the Council. For the Council to have any real impact on the bitter conflict, a certain measure of co-operation on the part of both parties was indispensable. He therefore regretted that it again had not been possible to explore the openings for a peaceful settlement.²⁶

The representative of the Soviet Union deplored the continuation of the armed conflict between Iran

and Iraq and renewed his Government's call for a cessation of military actions **and** a political settlement of the controversial issues by peaceful means. He expressed support for the mediation mission of the Secretary-General's Special Representative and **other** international efforts to promote a peaceful solution and warned against any armed intervention by external forces in the area.²⁶

The representative of China underlined the importance of bringing about the participation of both sides in the process of **peaceful** negotiations and welcomed the adoption of the resolution as it called for steps that would allow the peaceful settlement of the **conflict**.²⁶

On 13 December 1983, the Secretary-General submitted a **report**²⁸ in pursuance of paragraph 4 of resolution 540 (1983), by which the Council had requested the Secretary-General to report on the results of the consultations with the parties **concerning** ways to sustain and verify the cessation of hostilities, including the possible dispatch of United Nations observers.

The Secretary-General informed the Council that in response to his inquiry the Government of Iraq had **agreed** to receive a team of United Nations **officials** to discuss the implementation of the Council's resolution, whereas the Iranian Government had refused to cooperate, basing its rejection on its **deep-seated** mistrust of the Council's attitude towards the conflict. The Secretary-General further reported that at the end of October 1983, the Government of the Islamic Republic of Iran had requested the dispatch of a new mission to inspect further attacks on civilian areas, but the proposal could not be pursued since the Government of Iraq had declined to agree to that suggestion. Under those circumstances, the Secretary-General saw considerable difficulties in seeking to implement resolution 540 (1983), but reaffirmed his readiness, together with his Special Representative, to assist in the achievement of a comprehensive and just settlement of the conflict between Iran and Iraq and noted that he would have an opportunity at the summit meeting of the Organization of the Islamic Conference, to be held in January 1984, to discuss with the heads of State of both parties further steps to **be** taken.

Decision of 30 March 1984 (2524th meeting): statement of the President

On 26 March 1984, the Secretary-General submitted a note, together with **an** annex containing the report of the specialists appointed by him to investigate allegations by the Islamic Republic of Iran concerning the use of chemical **weapons**.²⁹ The Secretary-General reported that the use of chemical weapons had been alleged for the **first** time in a **letter**³⁰ dated 3 November 1983 in which the **Government** of the Islamic Republic of Iran had reiterated its request for the **dispatch** of another mission regarding civilian areas. **Since** that request had been **rejected** by the Government of Iraq, the **Secretary-General** had proposed that a mission be sent to ascertain the authoritative positions of the parties regarding the conflict and to examine the damages to civilian targets.

He referred to communications from both **parties**³¹ containing their reactions to the Secretary-General's proposal which could not be carried out. Under those circumstances, the Secretary-General had decided, in the light of numerous Iranian allegations and growing

concern in the international community that chemical weapons had indeed been used, to ascertain the facts and requested four eminent specialists from Sweden, Spain, Australia and Switzerland, accompanied by a senior official of the United Nations, to undertake a fact-finding visit to the Islamic Republic of Iran.

The Secretary-General submitted to the Council their report about their visit to the Islamic Republic of Iran from 13 to 19 March 1984 and expressed his distress that their unanimous conclusions substantiated the allegations that chemical weapons had been used. He stressed the importance of strictly observing principles of international conduct accepted by the world community for the purposes of preventing or alleviating human suffering and called upon the parties to satisfy those humanitarian concerns by putting an end to the conflict, for which he pledged his full support and assistance.

At its 2524th meeting, on 30 March 1984, the Council included the report of the specialists in its agenda and considered the item during that meeting.

The President drew attention to a **letter**³² from the representative of Iraq and two **letters**³³ from the representative of the Islamic Republic of Iran, in addition to the report of the specialists. Then he read out the following statement:³⁴

The members of the Security Council, having considered again the question entitled "The situation between Iran and Iraq", and greatly concerned about the conflict which endangers international peace and security in the region, have taken note of the report of the specialists appointed by the Secretary-General to investigate allegations by the Islamic Republic of Iran concerning the use of chemical weapons.

They note with particular concern the unanimous conclusions of the specialists that chemical weapons have been used. Furthermore, they express their grave concern about all reported violations in the conflict of the rules of international law and of the principles and rules of international conduct accepted by the world community to prevent or alleviate the human suffering of warfare and **affirm** strongly the conclusion of the Secretary-General that these humanitarian concerns can only be fully satisfied by putting an end to the tragic conflict that continues to deplete the precious human resources of Iran and Iraq.

The members of the Council:

-strongly condemn the use of chemical weapons reported by the mission of specialists;

-reaffirm the need to abide strictly by the provisions of the Geneva Protocol of 1925 for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare;

-call on the States concerned scrupulously to adhere to the obligations flowing from their accession to the Geneva Protocol of 1925;

-condemn all violations of international humanitarian law and urge both parties to observe the generally recognized principles and rules of international humanitarian law which are applicable to armed conflicts and their obligations under international conventions designed to prevent or alleviate the human suffering of warfare;

-recall relevant resolutions of the Security Council, renew urgently their calls for the strict observance of a cease-fire and for a peaceful solution of the conflict and call upon all Governments concerned to co-operate fully with the Council in its efforts to bring about conditions leading to peaceful settlement of the conflict in conformity with the principles of justice and international law;

-appreciate the mediation efforts of the Secretary-General and request him to continue his efforts with the parties concerned, with a view to achieving a comprehensive, just and honourable settlement acceptable to both sides; and

-decide to keep the situation between Iran and Iraq under close review.

On 14 June 1984, the Secretary-General addressed the following letter³⁵ to the President of the Council:

As the Security Council is aware, in response to my proposal, the Government of the Islamic Republic of Iran and the Government of the Republic of Iraq have given the Secretary-General undertakings that all deliberate military attacks by any means on purely civilian population centres in either country will cease effective 0001 hours Greenwich mean time on 12 June 1984. The relevant communications are contained in Council documents S/16609, S/16610, S/16611, S/16614 and S/16615.

As I stated in my messages to the two Governments, I trust and expect that both sides will scrupulously implement these undertakings. I am gratified that, so far, there has been no incident.

As, however, each of the Governments, in its response has made independent requests for arrangements to verify compliance with the undertakings, consultations were held with the Permanent Representatives of the two Governments to the United Nations, with a view to working out the measures that might be essential to verify that the commitments are adhered to.

Understandings have now been reached with the Government of Iran and the Government of Iraq. Accordingly, it would be my intention, as an immediate step, to set up simultaneously, as at 15 June 1984, two teams, each consisting of three officers drawn from among the military personnel of the United Nations Truce Supervision Organization and one senior official of the United Nations Secretariat. Each team would be ready to proceed to the respective country as soon as so requested by its Government.

The mandate of the teams would be to verify compliance with the undertakings given by the Governments of Iran and Iraq to end, and in the future refrain from initiating, deliberate military attacks, by any means, on purely civilian population centres. The teams, following each inspection of a specific allegation of any violation, would report to me, and it is my intention to keep the Security Council informed of their findings as required and in a timely manner. I would, of course, request assurances from the two Governments that they will provide the necessary conditions of safety for the teams while they are in areas subject to hostilities. The concurrence of the contributing countries concerned will be secured.

These arrangements would be kept under constant review in the light of circumstances and in further consultation with all parties concerned.

I should be grateful if you would bring this matter to the urgent attention of the members of the Security Council.

On 15 June 1984, the President addressed the following reply³⁶ to the Secretary-General:

I have the honour to refer to your letter of 14 June 1984, which I have discussed today with the members of the Security Council.

The members of the Security Council agree with the measures proposed in your letter.

During the period under review, the Secretary-General submitted a note³⁷ dated 19 September 1984 conveying the report of the United Nations team in Baghdad concerning an inspection carried out on 17 September.

tion of its territory by Iraqi troops and continued Iraqi artillery fire across the border (S/15270, *ibid.*); and a letter dated 8 July 1982 from the representative of Iraq denying the Iranian allegations and insisting that the United Nations verify the Iraqi withdrawal through appropriate machinery (S/15279, *ibid.*). Reference should be made also to a letter dated 30 May 1982 from the representative of Jordan requesting an immediate meeting of the Council to consider the prolonged, ongoing and grave armed conflict between Iran and Iraq (S/15141, *ibid.*, *Suppl. for April-June 1982*).

⁴ Joint Iranian-Iraqi Communique of 6 March 1975, United Nations, *Treaty Series*, vol. 1017, No. 14903, p. 196.

⁵ 2383rd mtg., paras. 7-14. Similar views were expressed by the United States, *ibid.*, paras. 17 and 18.

⁶ See *ibid.*, para. 19, for the vote.

⁷ *Ibid.*, paras. 23-25.

⁸ *Ibid.*, paras. 27-29.

⁹ *Ibid.*, paras. 32-38.

¹⁰ *Ibid.*, paras. 42-55.

¹¹ S/15292, OR, 37th yr., *Suppl. for July-Sept. 1982*.

¹² S/15293, *ibid.*

¹³ S/15296, *ibid.*, *Resolutions and Decisions of the Security Council, 1982*.

¹⁴ S/15443, *ibid.*, *Suppl. for Oct.-Dec. 1982*.

¹⁵ For details, see chap. III of the present *Supplement*.

¹⁶ 2399th mtg., paras. 8-28.

¹⁷ *Ibid.*, paras. 32-46.

¹⁸ S/15446, adopted without change as resolution 522 (1982).

¹⁹ For the vote, see 2399th mtg., para. 48.

²⁰ *Ibid.*, paras. 50-53.

²¹ S/15449, OR, 37th yr., *Suppl. for Oct.-Dec. 1982*.

²² S/15448, *ibid.* The note verbale dated 4 October 1982 contained the statement issued by the Government concerning the Council's deliberations; it stated that Iraq had started the war and that Iran would not attend the Council's meetings nor recognize its resolutions until the Council had condemned the Iraqi aggressions.

²³ St 156 16, OR, 38th yr., *Resolutions and Decisions of the Security Council, 1983*.

²⁴ S/15834, *ibid.*, *Suppl. for April-June 1983*.

²⁵ S/16092, adopted without change as resolution 540 (1983).

²⁶ 2493rd mtg.

²⁷ See 2493rd mtg. for the vote. See also chap. IV of the present *Supplement*.

²⁸ S/16214, OR, 38th yr., *Suppl. for Oct.-Dec. 1983*.

²⁹ S/16433, *ibid.*, 39th yr., *Suppl. for Jan.-March 1984*.

³⁰ S/16128, *ibid.*, 38th yr., *Suppl. for Oct.-Dec. 1983*.

³¹ See, in particular, S/16340, S/16342, S/16352 and S/16354, *ibid.*, 39th yr., *Suppl. for Jan.-March 1984*.

³² S/16438, dated 27 March 1984, *ibid.*

³³ S/16446 and S/16447, both dated 27 March 1984, *ibid.*

³⁴ S/16454, *ibid.*, *Resolutions and Decisions of the Security Council, 1984*.

³⁵ S/16627, *ibid.*

³⁶ S/16628, *ibid.*

³⁷ S/16750 and Corr.1, *ibid.*, *Suppl. for July-Sept. 1984*.

NOTES

¹ 2383rd mtg., para. 1. For details, see chap. III of the present *Supplement*.

² S/15285, adopted without change as resolution 514 (1982).

³ The documents referred to were a letter dated 11 June 1982 from the representative of Belgium conveying the text of a statement issued on 24 May 1982 by the Ministers for Foreign Affairs of the 10 States members of the European Community offering their participation in even, effort directed towards a peaceful solution of the conflict between Iran and Iraq (S/15219, OR, 37th yr., *Suppl. for April-June 1982*); a letter dated 30 June 1982, also from the representative of Belgium, conveying the text of a statement issued on 29 June by the heads of State and Government of the 10 States members of the European Community repeating the appeal of 24 May (S/15266, *ibid.*, *Suppl. for July-Sept. 1982*); a letter dated 1 July 1982 from the representative of Iran informing the United Nations about the continuing occupa-

14. COMPLAINT BY LESOTHO AGAINST SOUTH AFRICA

Decision of 15 December 1982 (2407th meeting): resolution 527 (I 1982)

By a letter dated 9 December 1982,¹ the representative of Lesotho transmitted the text of a telegram from the Minister for Foreign Affairs of his country, in which he charged that the South African Defence Force (SADF) had launched an attack that day on the capital of Lesotho, Maseru, resulting in 31 deaths, and requested an urgent meeting of the Council to address the issue.