

On 14 June 1984, the Secretary-General addressed the following letter<sup>35</sup> 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 reply<sup>36</sup> 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 note<sup>37</sup> 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*).

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

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

<sup>6</sup> See *ibid.*, para. 19, for the vote.

<sup>7</sup> *Ibid.*, paras. 23-25.

<sup>8</sup> *Ibid.*, paras. 27-29.

<sup>9</sup> *Ibid.*, paras. 32-38.

<sup>10</sup> *Ibid.*, paras. 42-55.

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

<sup>12</sup> S/15293, *ibid.*

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

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

<sup>15</sup> For details, see chap. III of the present *Supplement*.

<sup>16</sup> 2399th mtg., paras. 8-28.

<sup>17</sup> *Ibid.*, paras. 32-46.

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

<sup>19</sup> For the vote, see 2399th mtg., para. 48.

<sup>20</sup> *Ibid.*, paras. 50-53.

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

<sup>22</sup> 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.

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

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

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

<sup>26</sup> 2493rd mtg.

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

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

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

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

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

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

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

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

<sup>35</sup> S/16627, *ibid.*

<sup>36</sup> S/16628, *ibid.*

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

#### NOTES

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

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

<sup>3</sup> 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,<sup>1</sup> 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.

At its 2406th meeting, on 14 December 1982, the Council adopted the agenda; it considered the question at the 2406th to 2409th meetings, from 14 to 16 December 1982.

The Council decided to invite, at their request, the following to participate without vote in the discussion of the item: at the 2406th meeting, the representatives of Algeria, Angola, Botswana, India, Lesotho and Zimbabwe; at the 2407th meeting, the representatives of Egypt, Guinea, the Libyan Arab Jamahiriya, Seychelles, Sierra Leone, South Africa, Swaziland, Yugoslavia and Zambia; at the 2408th meeting, the representatives of Benin, Grenada, Kenya and Nicaragua; and at the 2409th meeting, the representatives of the United Republic of Tanzania and Yemen.<sup>2</sup>

At the 2409th meeting, the Council also decided, at the request of the representatives of Togo, Uganda and Zaire, to extend invitations to Mr. Johnstone Makatini and Mr. Ike F. Mafole under rule 39 of the provisional rules of procedure of the Council.<sup>3</sup>

The Secretary-General described the attack by South African forces against targets at Maseru as a grave violation of the Charter and the territorial integrity of a sovereign Member State. Since many of the victims were reported to be refugees, a special mission to Lesotho would be dispatched by the United Nations High Commissioner for Refugees (UNHCR). Emphasizing that the Government of Lesotho had consistently endeavoured to ensure that refugees under its care were treated in accordance with established international standards, the Secretary-General expressed his hope that the international community would continue to provide generous assistance to Lesotho to strengthen the country's capacity to provide care and maintenance to all those who sought asylum within its borders.<sup>4</sup>

King Motlotlehi Moshoeshe II of Lesotho thanked the Council for the prompt reaction to his country's request for a meeting. Speaking of the "naked act of aggression against Lesotho by South Africa", he cited two explanations of the aggression given by the Commander of SADF, Constant Viljoen, "as intended to pre-empt operations planned by refugees of the African National Congress of South Africa (ANC) resident in Lesotho against targets in South Africa . . . and to avenge some acts of sabotage which took place in different parts of South Africa during the course of the year". Lesotho totally rejected that hollow explanation. He placed on record some facts with regard to the identity of some of the persons murdered during that criminal adventure.

He said that all manner of accusations had been hurled at Lesotho by the racist Pretoria régime in preparation for their aggression. A completely unacceptable demand had been made of Lesotho to abandon its international obligation of giving asylum to political refugees from South Africa. When the Lesotho Government, with the assistance of UNHCR, had facilitated the departure of those refugees from Lesotho, it had been accused of acting as a clearing-house for people on their way to military training in bases abroad. As a nation whose very existence had been founded upon diplomacy, peaceful co-operation and coexistence, Lesotho expected of its neighbours co-operation and partnership so that the Basotho nation could be apprised of situations that caused them concern, whereupon they would seek common solutions. Lesotho had called

repeatedly upon South Africa to commit itself to that policy. At the risk of impairing his image as an African patriot, the Prime Minister of Lesotho had conferred with the rulers of South Africa on bilateral and regional problems with a view to promoting peaceful coexistence.

The King suggested some explanations for the South African attack. First, his country had often expressed its abhorrence of the obnoxious policy of apartheid. South Africa hoped to intimidate Lesotho into dissociating itself from the world-wide condemnation of the policy of apartheid and from offering moral support to the oppressed people of South Africa in their struggle for justice, freedom and equality. South Africa resented Lesotho's membership in the Southern African Development Co-ordination Conference (SADCC), the organization of African Unity (OAU) and the Movement of Non-Aligned Countries and was opposed to the very existence of a sovereign and independent African State within its geographical boundaries. South Africa would wish Lesotho to hand over the ANC freedom fighters, but Lesotho was not prepared to do that and sought the unanimous support of the international community through the Council.

He asked that those members of the Council who had influence over the rulers in Pretoria be called upon to exert pressure on South Africa to desist from its policies of wholesale destruction and terrorism. In the King's view, it was not enough to condemn South Africa in resolutions destined to gather dust in the archives of the United Nations. Lesotho was asking for positive action from the Council. The expansionist policy, which South Africa arrogantly equated with the Monroe Doctrine, seemed to be encouraged by those of its powerful friends with vested economic interests in South Africa.

On behalf of the Government and people of Lesotho, he appealed to the Members of the Organization to expose and condemn the covert support for South Africa's policy of expansionism and to restrain South Africa from flouting the Charter, from violating the sovereignty and territorial integrity of States Members of the Organization and from pursuing a strategy of naked terrorism against a whole subcontinent.<sup>5</sup>

At the 2407th meeting, on 15 December 1982, the President drew attention to a draft resolution prepared in the course of the Council's consultations.<sup>6</sup> At the same meeting, the draft resolution was put to the vote and was adopted unanimously as resolution 527 (1982).<sup>7</sup> The resolution reads as follows:

*The Security Council.*

*Taking note of the letter dated 9 December 1982 from the Chargé d'affaires a.i. of the Permanent Mission of the Kingdom of Lesotho to the United Nations addressed to the President of the Security Council,*

*Having heard the statement by His Majesty King Moshoeshe II of the Kingdom of Lesotho,*

*Bearing in mind that all Member States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,*

*Gravely concerned at the recent premeditated aggressive act by South Africa, in violation of the sovereignty, airspace and territorial integrity of the Kingdom of Lesotho, and its consequences for peace and security in southern Africa,*

*Gravely concerned that this wanton aggressive act by South Africa is aimed at weakening the humanitarian support given by Lesotho to South African refugees,*

Deeply concerned about the gravity of the aggressive acts of South Africa against Lesotho.

Grieved at the tragic loss in human life and concerned about the damage and destruction of property resulting from the aggressive act by South Africa against the Kingdom of Lesotho,

1. **Strongly condemns** the *apartheid* régime of South Africa for its premeditated aggressive act against the Kingdom of Lesotho which constitutes a flagrant violation of the sovereignty and territorial integrity of that country;

2. **Demands** the payment by South Africa of full and adequate compensation to the Kingdom of Lesotho for the damage to life and property resulting from this aggressive act;

3. **Reaffirms** the right of Lesotho to receive and give sanctuary to the victims of *apartheid* in accordance with its traditional practice, humanitarian principles and its international obligations;

4. **Requests** the Secretary-General to enter into immediate consultations with the Government of Lesotho and agencies of the United Nations to ensure the welfare of the refugees in Lesotho in a manner consistent with their security;

5. **Requests** Member States urgently to extend all necessary economic assistance to Lesotho in order to strengthen its capacity to receive and maintain South African refugees;

6. **Declares** that there are peaceful means to resolve international problems and that, in accordance with the Charter of the United Nations, only these should be employed;

7. **Calls** upon South Africa to declare publicly that it will, in the future, comply with provisions of the Charter and that it will not commit aggressive acts against Lesotho either directly or through its proxies;

8. **Requests** the Secretary-General to monitor the implementation of the present resolution and to report regularly to the Security Council as the situation demands;

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

At the same meeting, the representative of the Libyan Arab Jamahiriya, speaking as the Chairman of the Group of African States at the United Nations for the month of December, expressed his conviction that that kind of naked aggression was not the first nor would it be the last. In previous years, the South African régime had committed many acts of aggression against front-line States, particularly Lesotho and Mozambique, and had occupied a part of Angolan territory, causing loss of life and destruction of property. That attack not only posed a serious economic problem for the people and Government of Lesotho and the other front-line States, but also constituted a flagrant violation of the Charter and the basic principles of international law. It threatened peace and security not only in that area but also in the African continent and the whole world.<sup>8</sup>

The representative of Togo deplored that the international community had often expressed its outrage over the attitude shown by South Africa and had adopted resolutions designed to impose on that country penalties meaningful enough to force it to abandon its policy of *apartheid*, but that those resolutions had never achieved their aim, because certain States continued to co-operate with South Africa in the economic and military sphere, thus indirectly supporting the racist régime of Pretoria. The speaker appealed to the international community to think about the imminent danger towards which the human race was rushing if no action was taken to force the racist régime of Pretoria to abolish the criminal, vile policy of *apartheid*.<sup>9</sup>

The representative of the United Kingdom expressed once again deep sympathy to the Government and the people of Lesotho, who had been the victim of an unwarranted attack. The British Government saw no justification for the action undertaken by SADF. South Africa had wilfully breached

the principles of international law of the Charter and of civilized behaviour between nations.

He urged that Lesotho be given all possible support. South Africa should make good the damage caused by its attack by paying full and adequate compensation to Lesotho. The United Nations must insist that South Africa should henceforth comply scrupulously with the provisions of the Charter. The British Government had always deplored the use of violence from any quarter in the search for solutions to the problems of southern Africa and believed that only through peaceful change and not through force or repression could one hope to see the unhappy situation within South Africa and between it and its neighbours improve. In conclusion, he expressed his delegation's pleasure that the draft resolution had been adopted promptly and unanimously.<sup>10</sup>

The representative of Ireland carefully scrutinized the wording of the SADF statement and drew the conclusion that even by its own admission South Africa had carried out a ruthless attack on a small and defenceless neighbour with an eye to the future. For that reason it had, in the strict sense, been a terrorist attack—if not in the sense of indiscriminate terrorism then at least terrorism in the sense of an attack designed to spread fear among a particular group, the South African refugees in Lesotho. It had also been intended to frighten the Government of Lesotho, the country where the refugees had found refuge. Ireland considered it necessary for the Council to respond both firmly and urgently to the clear breach of the Charter.”

The representative of Uganda stressed that the real threat to the *apartheid* system lay within South Africa itself and not outside its borders. The Pretoria régime had no choice but to come to terms with the oppressed people of South Africa who constituted the overwhelming majority of the population. He also raised some questions related to the situation in southern Africa. Specifically, he mentioned that there were those who still cherished the notion of South Africa as some sort of regional policeman for Africa. He asked what kind of policeman it was who would become the main instrument of terror throughout the southern region of Africa.

The speaker underlined that if South Africa was escalating its war of aggression against independent African States the Council had to bear some measure of responsibility for that state of affairs. In his view, the Council had consistently failed to take any action against South Africa for its repeated acts of aggression. That had given South Africa the confidence to pursue its adventures with complete impunity. The speaker expressed the fear that if the current trend was not arrested soon, the whole of Africa could become a free hunting-ground for the *apartheid* régime.<sup>12</sup>

The representative of China expressed his Government's strong indignation and condemnation over the new crime committed by the South African authorities. He called upon the Council not only to condemn severely Pretoria's wanton aggression against an independent sovereign neighbour but also to adopt forceful and effective measures, such as strict implementation of the arms embargo and comprehensive and mandatory sanctions under Chapter VII, so as to prevent the recurrence of South Africa's aggressions against neighbouring States.<sup>13</sup>

The representative of the Soviet Union said that in recent years the Council had frequently condemned the aggressive attacks by South Africa on Angola, Zambia, Mozambique and Seychelles. The new attack demonstrated once again that South Africa's policy was a growing threat to the sovereignty and territorial integrity of the African States and to international peace and security in southern Africa. The Pretoria regime would never have dared to act so boldly and brazenly if it had not been able to rely on the direct and indirect, open and covert, military, economic and diplomatic support of a number of Western countries, primarily the United States. Those States were advocating patience in dealing with the South African racists, and were thereby encouraging them further to expand their aggression in southern Africa.

He doubted that the resolution would compel South Africa to abandon its policy of aggression and terrorism against the neighbouring African States. One could expect that South Africa would again ignore the Council's resolution and continue its aggressive policies. The Soviet delegation suggested that in the event of the failure of one or another country to implement a resolution of the Council, the Council should take the next step and adopt such coercive measures as would compel that State to comply with its will. The Council should be ready to adopt measures under Chapter VII of the Charter against South Africa; otherwise all the talk about a desire to enhance the effectiveness of the United Nations as a whole and the Council in particular would remain just talk.<sup>14</sup>

At the 2408th meeting, on 16 December 1982, the representative of the United States expressed support for the resolution as it embodied principles that his Government wholly and unequivocally endorsed.<sup>15</sup>

The representative of Angola accused the Western allies of supporting Pretoria. He appealed to the world public to express its outrage at the massacre at Maseru, and declared that if South Africa was allowed to escape with nothing more than a mild censure, then all of the Members of the United Nations would be guilty of making a mockery of the Charter, of international law and of basic respect for human life. Speaking of Western interests in the area, he stressed that there was no room in southern Africa for either the North Atlantic Treaty Organization (NATO) or a South Atlantic treaty organization.<sup>16</sup>

The representative of Algeria stated that the international community expected the Council to shoulder fully its responsibilities under the Charter and to respond to the South African aggression by urgent, concrete measures in order to put an end once and for all to the Pretoria regime's defiant policy. The Council, in addition to condemning the act of aggression and demanding compensation for the losses, should seriously consider strengthening the arms embargo that had already been imposed and consider what other sanctions could be imposed in the near future against the *apartheid* regime.<sup>17</sup>

The representative of Sierra Leone rejected as fallacious and untenable the theory of anticipatory or preventive aggression construed by South Africa. He insisted that South Africa should be judged under Article 39 of the Charter and measures should be taken against it in accordance with the provisions of Articles 41 and 42 of the Charter. The problem under discussion should be viewed as a continuation of the

rapidly deteriorating international situation in southern Africa, which could become the Middle East of the 1990s. In his view, the adoption of a resolution which merely confirmed South Africa's misconduct was not an appropriate response to South Africa's unilateral denunciation of the Charter and its principles or to its blatant challenge to the international community. The speaker reiterated his call upon the Council to impose comprehensive mandatory sanctions against South Africa under the terms of Chapter VII of the Charter. He said that the Organization should help Lesotho maintain its security by dispatching substantial forces if it again fell victim to South Africa's attack.<sup>18</sup>

The representative of Zambia stressed that as long as South Africa clung to the system of *apartheid* it must necessarily remain an international pariah. In his view, peace and security could come to southern Africa only if South Africa took three important steps: (a) South Africa should forthwith stop its policy of aggression and destabilization of the neighbouring independent African States; (b) South Africa must as a matter of urgency cease its illegal occupation of Namibia so that freedom and independence could finally come to the people of Namibia; and (c) South Africa must face with courage and determination the contradictions of the system of *apartheid* inside the country and recognize the imperative need to eliminate the scourge of that system.<sup>19</sup>

At the 2409th meeting, on 16 December 1982, the representative of Botswana emphasized that the perpetrator of terrorism in southern Africa was none other than the white minority regime in South Africa which thrived on terrorism against black South Africans, who would continue to refuse to be treated as aliens in their own country. The speaker assured the Council that neither Lesotho nor the other majority-ruled free nations of southern Africa would turn against South African refugees or turn them over to their persecutors for the sake of peace in servitude. It was the international obligation of those countries to open their doors to victims of political and racial tyranny in South Africa, an obligation that they would carry out regardless of the consequences.<sup>20</sup>

The representative of Kenya said that while the problems of *apartheid* had been considered by the United Nations for many years effective measures against South Africa's regime had been frustrated by the major Western Powers. The use, or misuse, of the veto had encouraged South Africa to defy demands of the world community. Further condemnations by the General Assembly and the Council would certainly not make South Africa respect the demands of the Organization. His delegation wanted the world community to take concrete steps against South Africa and urged those permanent members of the Council who were the friends of South Africa to declare without qualification that the situation in South Africa posed a threat to international peace and security within the meaning of Chapter VII of the Charter.<sup>21</sup>

The representative of the United Republic of Tanzania viewed the Council's action as no more than a firm recognition that an act of aggression had been committed by the Pretoria regime, and it was clear that the remedy for the damage had yet to be found and that a permanent solution to the problem had not even been considered. He expressed the conviction that with the comfort afforded South Africa by certain Western Powers that regime would

not readily listen to the warnings. Those who **collaborated** with South Africa therefore had to bear a direct responsibility for the behaviour of the **apartheid régime**. He called upon the Western permanent members of the Council to reconsider their **policy** towards South Africa so that the Council could **fulfil** its responsibility regarding the future of southern Africa.<sup>22</sup>

Mr. Ike F. Mafole said that no amount of South African intimidation or terror by blitzkrieg-type invasions and attacks in neighbouring States would reverse the irresistible course of history, nor would those acts of aggression and wanton destruction dampen the **spirit** of resistance of the dispossessed, oppressed and exploited African majority of Azania and of **all** those committed to the total liberation and unity of **Africa**.<sup>23</sup>

The representative of South Africa protested at the outset against the manner in which the **Council** had conducted its consideration of the matter and declared that his delegation had not been permitted to **speak** before the Council adopted resolution 527 (1982). He added that the action of the United Nations in endorsing the ANC resort to violence against a Member State was in direct contravention of the principle of the Charter that international disputes should be settled by peaceful means. The speaker **openly** blamed the **United Nations** and the Council for a lack of the impartiality required by the Charter in carrying out their functions. In response to the calls for compensation he insisted that the **Government** of Lesotho should accept responsibility not only for that incident but also for the damage caused in South **Africa** as the result of sanctuary afforded to “\*terrorists” by Lesotho.

He went even further to state that the Lesotho Government had been repeatedly warned by the South African Government that murder and sabotage planned and executed by ANC or other “terrorist” groups from within its territory would not be tolerated and that it **would have** to bear the consequences of harbouring those elements. Therefore, the sole purpose of pre-emptive action by the South African unit was thus to prevent an escalation of terrorist activity embracing the perpetration of bombings, sabotage and bloodshed in South Africa, **Transkei** and Ciskei. South Africa was determined to continue taking whatever steps might be necessary to defend its territory and its citizens from unprovoked and cowardly acts. At the same time, it remained ready to co-operate in ensuring **harmonious** relations with all its neighbouring States, including Lesotho.

He further declared that South Africa should be regarded as one of the most significant stabilizing factors in an area which suffered from certain built-in and externally imposed destabilizing factors, such as a **lack** of natural resources, a high population growth rate, ethnic diversity, traditional land tenure systems and so on. Co-operation between South Africa and its immediate neighbours, **including** Lesotho, ranged virtually across the whole field of human endeavour and brought Lesotho considerable material benefit from its proximity to South Africa. He stated **categorically** that the South African Government **consistently** followed a policy of non-interference in the internal affairs of all its neighbouring **States**.<sup>24</sup>

The President of the Council pointed out that in the **official** letter to him the representative of South Africa had not specifically requested to be allowed to

speak before the voting on the draft resolution; and that during the informal consultations it **had been** unanimously agreed to have the vote on the **draft** resolution **first** and to conduct deliberations on the agenda item **subsequently**.<sup>25</sup>

Mr. Johnstone Makatini stated that **what Lesotho** was **actually** being asked to do by South Africa was to align **itself** with the **apartheid** regime against the liberation movement, and added that ANC was not apologetic about waging armed struggle **against** a **régime** that was the only one since Nazi **Germany** whose policies had been accused of being a **crime** against humanity. ANC regarded the struggle as its contribution to the struggle for **the** preservation of peace in this world, in addition to its being an Inescapable duty on the part of the South African people. Offering an analysis of the past and present policies of the South African Government, **the speaker** suggested that the reasons for South **Africa's** **hostility** towards Lesotho stemmed from the latter's strict compliance with United Nations **resolutions**.<sup>26</sup>

**Decision** of 29 June 1983 (2455th meeting): resolution 535 (1983)

On 9 February 1983, the Secretary-General submitted the **report**<sup>27</sup> of the mission that he had dispatched to Lesotho from 11 to 16 January as a first step towards the implementation of resolution 527 (1982). The report contained **an** account of **the** mission's consultations with the Government of Lesotho concerning its need for assistance from the international community following the South African attack. The report described in detail ways and means to strengthen the capacity of Lesotho to receive and maintain South African refugees.

**At** its 2455th meeting, on 29 June 1983, the Council included the report of the Secretary-General in its agenda and considered the item at that meeting. The President invited the representative of Lesotho, at his request, to participate in the discussion without the right to **vote**.<sup>2</sup>

The representative of Lesotho informed the Council about the problems confronting his country and expressed his Government's gratitude for the **support** and assistance it had received in alleviating the most immediate needs of the victims of the South **African** attack whose peaceful lives had been disrupted.\*

Following a brief suspension of the meeting, the Council proceeded to vote on the draft **resolution**<sup>29</sup> prepared in the course of the Council's consultations, **and** adopted it unanimously as **resolution** 535 (1983).<sup>30</sup> The resolution reads as follows:

*The Security Council.*

Recoiling its resolution 527 (1982),

**Having examined the report of the Mission to Lesotho appointed by the Secretary-General in accordance with resolution 527 (1982),**

**Having heard the statement of the Chargé d'affaires of the Permanent Mission of the Kingdom of Lesotho expressing the deep concern of his Government at the frequent aggressive acts by South Africa against the territorial integrity and independence of Lesotho,**

**Reaffirming its opposition to the system of apartheid and the right of all countries to receive refugees fleeing from apartheid oppression,**

**Convinced of the importance of international solidarity with Lesotho,**

**I. Commends the Government of Lesotho for its steadfast opposition to apartheid and its generosity to the South African refugees;**

2. *Expresses* its appreciation to the Secretary-General for having arranged to send a mission to Lesotho to ascertain the assistance needed;
3. *Endorses* the report of the Mission to Lesotho under resolution 527 (1982);
4. *Requests* Member States, international organizations and financial institutions to assist Lesotho in the fields identified in the report of the Mission to Lesotho;
5. *Requests* the Secretary-General to give the matter of assistance to Lesotho his continued attention and to keep the Security Council informed;
6. *Decides* to remain seized of the question.

## NOTES

- <sup>1</sup> S/15515. *OR*, 3 7th yr., *Suppl. for Oct.-Dec. 1982*.
- <sup>2</sup> See chap. III of the present *Supplement* for details.
- <sup>3</sup> 2409th mtg., paras. 3 and 113.
- <sup>4</sup> 2406th mtg., paras. 6-11.
- <sup>5</sup> *Ibid.*, paras. 16-37.
- <sup>6</sup> S/15524, adopted without change as resolution 527 (1982).  
For the vote, see 2407th mtg., para. 3.
- <sup>7</sup> 2407th mtg., paras. 6-17.
- <sup>8</sup> *Ibid.*, paras. 25-46.
- <sup>9</sup> *Ibid.*, paras. 5-168.
- <sup>10</sup> *Ibid.*, paras. X2-97.
- <sup>11</sup> *Ibid.*, paras. 111-125.
- <sup>12</sup> *Ibid.*, paras. 128-132.
- <sup>13</sup> *Ibid.*, paras. 149-161.
- <sup>14</sup> 2408th mtg., paras. 18-26.
- <sup>15</sup> *Ibid.*, paras. 29-39.
- <sup>16</sup> *Ibid.*, paras. 42-55.
- <sup>17</sup> *Ibid.*, paras. 73-84.
- <sup>18</sup> *Ibid.*, paras. 87-100.
- <sup>19</sup> 2409th mtg., paras. 18-29.
- <sup>20</sup> *Ibid.*, paras. 33-46.
- <sup>21</sup> *Ibid.*, paras. 94-101.
- <sup>22</sup> *Ibid.*, paras. 116-124.
- <sup>23</sup> *Ibid.*, paras. 127-160.
- <sup>24</sup> *Ibid.*, paras. 161 and 162.
- <sup>25</sup> *Ibid.*, paras. 167-205.
- <sup>26</sup> S/15600.
- <sup>27</sup> 2455th mtg.
- <sup>28</sup> S/15846, adopted as resolution 535 (1983).
- <sup>29</sup> For the vote, see 2455th mtg.

15. LETTER DATED 19 FEBRUARY 1983 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

## INITIAL PROCEEDINGS

By a letter dated 19 February 1983 addressed to the President of the Council, the representative of the Libyan Arab Jamahiriya requested an urgent meeting of the Council to consider the deteriorating situation near the Libyan shores that could jeopardize the security and peace of the region and the world. The letter stated that the situation had arisen from the provocative military action of the United States Administration's moving its aircraft-carrier *Nimitz* with some naval vessels close to the Libyan coast and sending four AWACS aircraft to one of the neighbouring countries. In a letter<sup>2</sup> dated 18 February 1983, the representative of the Libyan Arab Jamahiriya had called to the attention of the Council the

seriousness of such provocations by one of its members,

At its 2415th meeting, on 22 February 1983, the Council included the item in its agenda. Following the adoption of the agenda and in accordance with the relevant provisions of the Charter and rule 37 of its provisional rules of procedure, the Council invited the following, at their request, to participate in the discussion without the right to vote: at the 2415th meeting, the representatives of Benin, Democratic Yemen, Egypt, Ghana, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, the Sudan and the Syrian Arab Republic; at the 2417th meeting, the representatives of Czechoslovakia, the German Democratic Republic, Hungary, Madagascar and Viet Nam; and at the 2418th meeting, the representatives of Algeria, Bulgaria, Cuba and Ethiopia. At the 2416th meeting, the Council invited Mr. Clovis Maksoud and at the 2418th meeting it invited Mr. Ike F. Mafole, under rule 39 of the provisional rules of procedure.<sup>3</sup> The Council considered the item at its 2415th to 2418th meetings, on 22 and 23 February 1983.

At the 2415th meeting, the representative of the Libyan Arab Jamahiriya reviewed Libyan-American relations and discussed reasons for the present American hostility against his country. Referring to several previous communications,<sup>4</sup> he quoted numerous violations of the Libyan airspace and territorial waters by the United States Air Force and Navy. Citing various American newspapers, he dismissed the American claims that the movement of the American Sixth Fleet and the AWACS had been related to the alleged Libyan mobilization on the Sudanese borders with a view to interfering in the affairs of that country.

He quoted *The New York Times*, which said that "the plan, according to American officials, was to lure Libya into striking and then to destroy as much of its air force as possible". He condemned the United States' strategy of intervention in the affairs of States that refused to acquiesce in its policies and interests. He accused the United States of shirking its responsibilities as a major Power and a permanent member of the Council. He charged that the United States was indeed at the vanguard of international terrorism which was part of the daily conduct of its policy.

He concluded that although the Libyan Arab Jamahiriya was convinced of the goodwill of most of its members it knew that the Council would be unable to adopt any effective measures in view of its structure. However, the Council had to face its responsibility and condemn the aggression. What had happened to the Libyan Arab Jamahiriya might happen to other States unless an end was put to the arrogance and cynicism of the United States Administration.<sup>5</sup>

The representative of the United States referred to the letter<sup>6</sup> dated 22 February 1983 to the President of the Council, in which the Government of the United States had rejected the charges of the Government of the Libyan Arab Jamahiriya and had called attention to what was called a threat to international peace and security posed by the policies of the Libyan Government. The United States Government and the American people had never sought, and did not seek, any confrontation with the Government or the people of the Libyan Arab Jamahiriya and had never engaged