

on the peninsular part of Malaysia" and that Indonesia had been following "the policy that Malaysia must be destroyed". In conclusion, the representative requested the Council to "adjudge Indonesia guilty of the gravest act of aggression", and in violation of the Charter.<sup>343</sup>

At the same meeting the representative of Indonesia \* stated that his Government had welcomed the independence of Malaya in 1957 and subsequently a Treaty of Friendship was concluded. But both Malaya and Singapore had, since 1958, continued to be used as active bases for secessionist rebels against the Republic of Indonesia. Indonesia had not been *a priori* opposed to "the idea of Malaysia". It would have been better had Malaysia been formed as a South-East Asian project, founded on the co-operative will for freedom of the peoples in South-East Asia, rather than as a British-Malayan project. On the suggestion of President Macapagal of the Philippines, a summit conference of the three Heads of Government of Malaya, Indonesia and the Philippines had been held from 30 July to 5 August 1963. The conference produced the Manila Accord which laid down the procedure for the formation of the projected Federation of Malaysia. The Accord provided that the establishment of the Federation, originally planned for 31 August 1963 might be postponed, pending the result of the agreed upon reassessment of the wishes of the people of Sabah and Sarawak by the Secretary-General of the United Nations. The Government of Malaya, however, declared on 29 August 1963 that the Federation of Malaysia would be proclaimed on 16 September 1963, without awaiting the results of that reassessment. The representative of Indonesia cited many acts of violation of Indonesian territory by British and later British-Malaysian aircraft. Indonesia was thus compelled not only not to recognize the existence of an independent and sovereign Malaysia, but also to return its confrontation. The representative of Indonesia did not deny the presence of Indonesian volunteers in Malaysia and stated that they had been fighting there for some time.<sup>344</sup>

The representative of the Philippines \* said that his country was friendly to both Malaysia and Indonesia and that his Government wanted to help enlarge the area of understanding between the two. The Manila Accord of 31 July 1963 was in effect a blueprint for peace and prosperity in the area.

The representative further stated that the Philippines was quite ready to help the Council to seek a peaceful solution of the problem.<sup>345</sup>

**Decision** of 17 September 1964 (1152nd meeting):

*Rejection of the Norwegian draft resolution*

At the 1150th meeting, the representative of Norway submitted a draft resolution<sup>346</sup> in which, after expressing its concern that the armed incidents in South-East Asia had seriously endangered peace and security in the area, the Security Council would: (1) regret all the incidents which had occurred in the whole region; (2) deplore the incident of 2 September 1964 complained about; (3) request the parties concerned to make every effort to avoid the recurrence of such incidents; (4) call upon the parties to refrain from all threat or use of force and to respect the territorial

integrity and political independence of each other,<sup>346a</sup> and thus to create a conducive atmosphere for the continuation of their talks; and (5) recommend to the Governments concerned thereupon to resume their talks on the basis of the joint communiqué issued by the Heads of Government following the meeting which took place in Tokyo on 20 June 1964. The conciliation commission provided for by that joint communiqué, once established, should keep the Security Council informed concerning the development of the situation.

At the 1152nd meeting, the Norwegian draft resolution was voted upon and failed of adoption. The vote was 9 in favour and 2 against (one of the negative votes being that of a permanent member of the Council).<sup>347</sup>

The President (USSR) stated that there were no more speakers on his list it might be considered that the Council had concluded the agenda for the meeting.<sup>347a</sup>

**QUESTION OF RELATIONS BETWEEN GREECE AND TURKEY**

INITIAL PROCEEDINGS

By letter<sup>348</sup> dated 5 September 1964, addressed to the President of the Security Council, the representative of Greece complained of a "series of increasingly hostile steps" taken recently by the Turkish Government in the field of Greco-Turkish relations which had culminated in the expulsion of Greek residents from Istanbul. At the same time, repeated aggressive statements from the Turkish authorities indicated that "on the expiration on 16 September 1964 of the 1930 Convention of Establishment, Commerce and Navigation between Greece and Turkey, denounced by Turkey last March, these measures will be further intensified and accelerated". It was further stated that representations had been made to the Turkish Government and "other approaches" including the good offices of the Secretary-General had been employed with no results. Moreover, certain of those matters had already been brought to the notice of the Security Council.<sup>349</sup> In view of the dangerous situation brought about by those actions and in order to forestall further actions of a similar nature likely to endanger international peace, a meeting of the Security Council was requested to consider the matter and take appropriate measures.

In a second letter<sup>350</sup> dated 8 September 1964, the representative of Greece again called the attention of the Security Council to a statement made by the Turkish Government which contemplated the need for Turkey to intervene militarily in Cyprus.

By letter<sup>351</sup> dated 6 September 1964, the representative of Turkey requested an urgent meeting of the Security Council "to discuss and take appropriate measures to forestall the immediate danger to international peace and security arising from provocative military actions and the attitude of the Greek Government

<sup>346a</sup> For discussion of this question, see chapter XIII, part II, Case 3.

<sup>347</sup> 1152nd meeting: para. 64.

<sup>347a</sup> 1152nd meeting: para. 125.

<sup>348</sup> S/5934, O.R., 19th yr., Suppl. for July-Sept. 1964, p. 268.

<sup>349</sup> S/5665 and S/5702, O.R., 19th yr., Suppl. for April-June 1964, pp. 72-74, 140-142.

<sup>350</sup> S/5941, O.R., 19th yr., Suppl. for July-Sept. 1964, pp. 271-272.

<sup>351</sup> S/5935, O.R., 19th yr., Suppl. for July-Sept. 1964, pp. 269-270.

<sup>343</sup> 1144th meeting: paras. 29-45, 50-62. See also chapter XI, part I (Note) and foot-note 3.

<sup>344</sup> 1144th meeting: paras. 68-114.

<sup>345</sup> 1145th meeting: paras. 4-14.

<sup>346</sup> 1150th meeting: para. 72.

against the Government of Turkey". The letter, after stating that the Greek Government had effected large concentrations of troops and military equipment in the Dodecanese Islands in violation of treaty stipulations and the concentration of military forces on the frontiers of Turkey, called for the dispatch by the Security Council of a fact-finding mission<sup>352</sup> to the area in order to enable the Security Council to take speedy measures in consequence. It was feared that those actions of the Greek Government when taken in conjunction with its threat of "all-out war" in case Turkey resorted to its treaty rights in Cyprus, created an immediate threat to peace in the area with repercussions on the peace of the world.

At the 1146th meeting on 11 September 1964 the Council included<sup>353</sup> in its agenda items entitled:

"Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council (S/5934), and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council (S/5941).

"Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council (S/5935)."

and considered the matter at the 1146th and 1147th meetings held on 11 September 1964. The representatives of Greece and Turkey were invited<sup>354</sup> to participate in both meetings, while the representative of Cyprus was invited to participate at the 1147th meeting.<sup>355</sup>

**Decision** of 11 September 1964 (1147th meeting):

#### *Adjournment*

At the 1146th meeting on 11 September 1964, the representative of Greece \* complained of repeated violations of Greek air space by Turkish military aircraft, and enumerated a number of hostile and provocative acts taken by Turkey against Greece, including the harassment and expulsion from Turkey of Greek nationals as well as Greeks of Turkish nationality. He asserted that the real motive behind Turkish action was retaliation for Greek support to Cyprus, and that in fact Turkey was telling Greece "Either you stop supporting Cyprus, or we shall exterminate the Greek population of Istanbul". Turning to the Turkish allegation that "Greece is stepping blindly into a war with Turkey", he contended that in the face of Turkish action against Cyprus and its provocation against Greece, the policy of his Government had been of utmost restraint. He asserted further that the policy and intention of his Government was one of peace and contrasted that policy with the large-scale manoeuvres in the coastal region opposite Cyprus and in the region bordering on Greece by the Turkish army and naval forces. He reminded the Council that Turkish aircraft had violated the air space of Cyprus and Greece, while its naval units on many occasions violated the territorial waters of Cyprus. The intention of the Turkish Government was further revealed by its attitude regarding the military contingent it maintained in Cyprus. Noting that his Government was willing to co-operate unreservedly with the United Nations in its effort to act as mediator and to restore peace, he asserted that it would seek a solution of the

Cyprus issue in accordance with the United Nations Charter. On the other hand, Turkey from the very beginning of the crisis had "spoken, thought and acted only in terms of military intervention". After renewing his Government's promise to co-operate with the United Nations in seeking an equitable solution, he warned that such efforts would be of no avail if the overwhelming threat of war posed by Turkey was not removed.<sup>356</sup>

The representative of Turkey \* recalled the troop concentration effected by the Government of Greece noted in his letter of submission and suggested that "the most serious aspect of these aggressive Greek moves is the attitude and activities of the Greek Government in the unfortunate issue of Cyprus which is no doubt the root of all danger to peace in this area". He alleged that the Greek Government had openly invaded the island of Cyprus in spite of the presence of the United Nations Peace-keeping Force. He further stated that the Greek Government had associated itself with the "Makarios régime" in Cyprus "in setting aside the Treaties of Guarantee of 1960" and had lent encouragement to that Government in disregarding the Constitution of the island which they themselves were pledged to guarantee, and further, had even condoned the "illegal and inhuman acts" of the Greek Cypriots. Moreover, the Greek Government had "spurned and brought to nil the mediation efforts" undertaken by the United Nations Mediator, thereby weakening further the possibility of achieving any agreed settlement. Under those circumstances, Greek action was directly responsible for the deterioration of the situation in Cyprus and relations between Turkey and Greece. Turning to the question of Greek citizens living in Istanbul, he explained the policy of his Government in terms of the contemplated termination of "privileges" formerly granted to Greek citizens under the Convention of Establishment of 1930. He contended that his Government's denunciation of that treaty was in conformity with the principles of international law, particularly in the light of the complete "change in the circumstances and the conditions under which the Convention of Establishment had been signed in 1930". At the same time he called attention to the condition of the Turkish minority in Cyprus. After defending the policy of his Government, he reiterated his request that the Council appoint a fact-finding commission to go to the island of Cyprus and bring to light the overt and covert acts of the Greek Government.<sup>357</sup>

At the 1147th meeting on 11 September 1964, the representative of France wondered whether the further expulsions which would seem to be envisaged by the Government of Turkey were in conformity with the Charter of the United Nations concerning human rights and the development of friendly relations among nations. He then suggested to the representative of Turkey that by displaying in that situation the spirit of tolerance, the Turkish Government could help to create a new climate and make a contribution towards the settlement of the current difficulties, that would be greatly appreciated by world public opinion.<sup>358</sup>

Similar views were expressed by the representatives of USSR,<sup>359</sup> Ivory Coast,<sup>360</sup> Norway,<sup>361</sup> United King-

<sup>352</sup> 1146th meeting: paras. 4-9, 34, 43, 49, 51, 57-66.

<sup>357</sup> 1146th meeting: paras. 76-80, 88-95, 103, 106.

<sup>358</sup> 1147th meeting: paras. 23 and 24.

<sup>359</sup> 1147th meeting: paras. 5 and 8.

<sup>360</sup> 1147th meeting: paras. 18 and 19.

<sup>361</sup> 1147th meeting: para. 25.

<sup>352</sup> See chapter V, part I (Note).

<sup>353</sup> 1146th meeting: p. 1.

<sup>354</sup> 1146th meeting: para. 1.

<sup>355</sup> 1147th meeting: para. 16.

dom,<sup>362</sup> Morocco,<sup>363</sup> United States,<sup>364</sup> Bolivia,<sup>365</sup> and Brazil.<sup>366</sup>

The representative of Cyprus \* denied allegations by the representative of Turkey regarding conditions of hardship facing the Turkish Cypriots particularly in the Kokkina area where members of the Turkish community were reportedly starving. In that connexion he cited a report<sup>367</sup> from UNFICYP concerning the supply of food in the area and other information to the effect that not only were food supplies ample but very large.<sup>368</sup>

The President (USSR) noting that certain members of the Council had expressed the desire to consult among themselves, proposed that the meeting be suspended for five minutes.<sup>369</sup>

Upon resumption of the meeting, the representative of Turkey \* remarked that although reports received from the Secretary-General had indicated that certain shipments of food had reached the Kokkina area, the situation was only slightly improved. Moreover, there was no reason to believe that that would continue. In order to be certain, he suggested that a committee made up of either the Commander of the United Nations Forces in Cyprus or his representative and a Greek, Turkish and British representative should go into the area, ascertain the facts and the needs of the people for continuous food supply and report by 13 September to the Security Council. The representative then assured the Council that "there is no question of mass deportations" of Greek citizens from Turkey. However, after the expiration of the Convention on Establishment, Commerce and Navigation of 1930, the Greek citizens who lived in Istanbul would be subject to the same regulations that applied to all foreign residents.<sup>370</sup>

The representative of Greece \* stated that in connexion with the question of availability of food in the besieged areas of Cyprus, his Government was prepared to leave it to the Secretary-General and his representative to determine what were reasonable quantities and supplies for those areas.<sup>371</sup>

The meeting was adjourned after the President stated that he would consult with the members to determine the date and time for the next meeting.<sup>372</sup>

### THE PALESTINE QUESTION

**Decision** of 17 December 1964 (1179th meeting):  
*Rejection of the Moroccan draft resolution*

**Decision** of 21 December 1964 (1182nd meeting):  
*Rejection of the joint United Kingdom-United States draft resolution*

By letter<sup>373</sup> dated 14 November 1964, the permanent representative of the Syrian Arab Republic requested that an urgent meeting of the Security Council be convened "to consider the latest aggression committed by Israel against the Syrian Arab Republic".

By letter<sup>374</sup> dated 14 November 1964, the permanent representative of Israel drew the attention of the Security Council to an incident which took place in the Dan sector of the Israel-Syrian border on 13 November 1964. The letter stated that the incident commenced when an Israel police patrol, while proceeding along the border track of Kibbutz Dan, within Israel territory, suddenly came under gun-fire from the nearby Syrian army position of Nukheila. Later two Syrian tanks joined in the attack and artillery started bombarding two nearby villages. Attempts by personnel of the United Nations Truce Supervision Organization in Palestine (UNTSO) to arrange a cease-fire were without avail. In the last resort, Israel planes had to be brought into play in order to silence the Syrian gun positions and halt the bombardment of the Israel villages. As a result, the Syrians promptly agreed to a cease-fire. The Israel casualties in that incident were 3 killed and 11 wounded, and considerable damage was sustained by the two Israel villages as a result of the bombardment. The letter further disputed the Syrian allegation that the Israel patrol vehicle had penetrated into Syrian territory before it came under fire. It was further held that as the incident was one of the gravest clashes on that border in recent years, it was deemed appropriate that the relevant facts be made available to the Council. In conclusion, it was stated that unless the Syrians stopped firing across the border, the Israel Government could not abrogate its duty to defend the lives and property of its citizens, and the integrity of its territory.

By a further letter<sup>375</sup> dated 15 November 1964, the permanent representative of Israel requested an urgent meeting of the Security Council to consider the "repeated acts of aggression committed by Syrian armed forces" and the "threats by official spokesmen of the Syrian Government against the territorial integrity and political independence of Israel".

At the 1162nd meeting on 16 November 1964, the Security Council had before it a provisional agenda which, under the general heading: "The Palestine Question", listed as subitems (a) and (b) the complaints submitted by Syria and Israel respectively.

The agenda was adopted<sup>376</sup> and the Security Council considered the question at its 1162nd, 1164th to 1169th, 1179th and 1182nd meetings held between 16 November and 21 December 1964. The representatives of Syria and Israel were invited<sup>377</sup> to take part in the discussion.

At the 1162nd meeting on 16 November 1964, the representative of the Syrian Arab Republic \* stated that on that occasion Israel had committed one of "the most wanton aggressions" in the series of attacks against Syria, and that the latest aggression by the Israel Air Force had been carefully planned and premeditated. It was not only a flagrant violation of the Armistice Agreement, but also a clear breach of the Charter. He disputed the Israel assertion in its letter of 14 November that the incursion into Syrian territory was made by a small routine Israel police patrol. It had been made by an armoured unit. The Syrian forces had opened fire on the armoured force only as a defensive action. He asserted that Israel had deliberately provoked that incident in order to have a pre-

<sup>362</sup> 1147th meeting: para. 43.

<sup>363</sup> 1147th meeting: paras. 44-47.

<sup>364</sup> 1147th meeting: paras. 55-61.

<sup>365</sup> 1147th meeting: paras. 64-66.

<sup>366</sup> 1147th meeting: paras. 67-68.

<sup>367</sup> S/5961, O.R., 19th yr. Suppl. for July-Sept. 1964, pp. 367-370.

<sup>368</sup> 1147th meeting: paras. 32-34.

<sup>369</sup> 1147th meeting: para. 72.

<sup>370</sup> 1147th meeting: paras. 86-90, 95.

<sup>371</sup> 1147th meeting: paras. 115-117.

<sup>372</sup> 1147th meeting: para. 134.

<sup>373</sup> S/6044, O.R., 19th yr., Suppl. for Oct.-Dec. 1964, p. 55.

<sup>374</sup> S/6045, *ibid.*, pp. 55-59.

<sup>375</sup> S/6046, *ibid.*, p. 60.

<sup>376</sup> 1162nd meeting: para. 3. See also chapter II, Case 2.

<sup>377</sup> 1162nd meeting: para. 4.