

1. *Confirms* its agreement to the measures envisaged in the Secretary-General's letters of 14 and 22 April 1988, in particular the arrangement for the temporary dispatch to Afghanistan and Pakistan of military officers from existing United Nations operations to assist in the mission of good offices;

2. *Requests* the Secretary-General to keep the Security Council informed of further developments, in accordance with the Geneva agreements.

36. LETTER DATED 19 APRIL 1988 FROM THE PERMANENT REPRESENTATIVE OF TUNISIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

INITIAL PROCEEDINGS

By a letter¹ dated 19 April 1988, the representative of Tunisia informed the President of the Council that on Saturday, 16 April, an armed commando had entered a residence in the suburbs of Tunis and shot down a Tunisian citizen, as well as two guards, and assassinated Mr. Khalil al-Wazir "Abu Jihad", a member of the Executive Committee of the Palestine Liberation Organization (PLO). At the same time, an Israeli aircraft flying near the Tunisian coast had jammed the telecommunications network in the area where the attack was carried out.

Tunisia requested an urgent meeting of the Council to consider the situation created by the attack, and invited the Council to condemn Israeli terrorism forcefully and to take the appropriate steps to avert and prevent the repetition of such acts.

The Council considered the matter at its 2807th to 2810th meetings, from 21 to 25 April 1988. At the 2807th meeting, the President invited, at their request, under rule 37 of the Council's provisional rules of procedure, the representatives of Egypt, Gabon, Jordan, Kuwait, Lebanon, Morocco, Mozambique, Pakistan, Saudi Arabia, Somalia, the Syrian Arab Republic and Tunisia. The Council also invited, at the 2808th meeting, the representatives of Bangladesh, Cuba, Mauritania, Qatar, Turkey, the Ukrainian Soviet Socialist Republic, the United Arab Emirates and Yemen; at the 2809th meeting, the representatives of Bahrain, Greece, the Lao People's Democratic Republic and Zimbabwe; and at the 2810th meeting, the representatives of the Congo and Djibouti. At the request of Algeria,² the Council further invited, at the 2807th meeting, Mr. Clovis Maksoud, Permanent Observer of the League of Arab States.

The President drew the Council's attention to a letter³ dated 21 April 1988 from the representative of Algeria requesting that the Council invite Dr. Nasser Al-Kidwa, Alternate Permanent Observer of the PLO, in accordance with past practice. The President pointed out that the proposal had not been made pursuant to rule 37 or rule 39 of the provisional rules of procedure but, if approved, the invitation to participate in the debate would confer on the PLO the same rights as those conferred on Member States invited under rule 37.

Regarding the proposed invitation to the PLO, the representative of the United States of America reiterated his Government's consistent position that the only legal basis on which the Council could grant a hearing to persons speaking on behalf of non-governmental entities was rule 39.

The United States requested that the terms of the proposed invitation be put to the vote.⁴

The Council voted upon and adopted the proposal, which received 10 votes to 1, with four abstentions.⁵

The first speaker at the 2807th meeting was the Minister for Foreign Affairs of Tunisia. He related that, on 16 April 1988, a group of Israelis equipped with 9-millimetre Uzi sub-machine guns had broken into the Tunisian residence of Mr. Khalil al-Wazir "Abu Jihad", a member of the Executive Committee of the PLO, had killed a Tunisian gardener and two Palestinian guards, and had shot Mr. Al-Wazir to death in front of his wife and children.

At the same time that the assassination had been taking place, an aircraft bearing Israeli insignia had been flying not far from the Tunisian coast. The aircraft had appeared to be a civilian airliner but was actually a military aircraft which provided logistical support to the group of terrorists by jamming the telecommunications network in the area of the attack.

He offered the following as conclusive evidence of the premeditated nature of the operation: (a) the advance infiltration of three individuals into Tunisian territory in order to provide logistical support to the terrorist group; (b) the rental of vehicles to transport the terrorists, who carried false identity papers; (c) the presence at the time of the operation of an aircraft flying near the scene of the crime; (d) the jamming of telecommunications from the beginning to the end of the operation; and (e) the vehicles which were left on the beach, and the footprints heading towards the sea, showing that the commandos had entered and left Tunisian territory by sea.

He claimed that statements made by Israeli leaders established the Israeli Government's responsibility for the operation. Ariel Sharon, commenting on the assassination, had said that he had been insisting for years on the need to liquidate what he called the "leaders of terrorist organizations". An Israeli military leader had said on Israeli armed forces radio that Abu Jihad was one of the four main targets of the Israeli intelligence services and had to be cut down. Following the attack, Mr. Shamir, head of the Israeli Government, had congratulated the terrorists, while Mr. Ezer Weizman, Israeli Government Minister and member of the Council of Ministers, had criticized the assassination in the strongest terms.

He cited numerous media stories which indicated that the assassination had been planned and implemented by Israel, including several as yet unconfirmed reports that the decision had been taken by the Israeli Government itself. He noted that international media, as well as experts on terrorism, had remarked that the operation had been

¹S/19798.
²S/19815.
³S/19814.

⁴S/PV.2807, pp. 3-4.
⁵Ibid., p. 4.

identical to an earlier operation carried out by Israel against another Palestinian leader.

Under the circumstances, he stated, it would require blindness and great favouritism to acquit Israel. Tunisia condemned terrorism in all its forms, regardless of who committed it. In the light of its international responsibilities and moral authority, the Council was duty-bound to condemn the political assassination and State terrorism practised by Israel, as well as Israel's violation of the sovereignty and territorial integrity of Tunisia.⁶

The representative of the PLO stressed the responsibility of the Israeli Government at the highest levels for the attack on Tunisia. In that connection, he argued that the United States had a special responsibility because of its relationship with Israel and its technical capabilities, which enabled it to know in advance of such operations and to influence them. He claimed that the biased position of the United States deterred the implementation of international law and made it possible for Israel to continue to commit such acts.

What had happened in Tunisia was an act of State-sponsored terrorism, he stated, and required a firm stand by the Council. The PLO could not understand or accept the double standard of some countries that opposed international terrorism but took a different position when it came to terrorist acts carried out by their allies. Failure to give due attention to such terrorist acts would lead to more serious actions in the world, including the creation of a state of chaos in international relations.

The PLO was convinced that the Israeli act of terrorism would have serious consequences in the Middle East, including a negative impact on efforts to achieve peace in the region. The PLO could not imagine that any party that wanted to maintain the minimum credibility necessary for its endeavours for peace could fail to participate directly in efforts to mitigate the consequences of what had happened and to punish those responsible.⁷

The representative of the Syrian Arab Republic, speaking in his capacity as Chairman of the Arab Group, declared that the statement of the Minister for Foreign Affairs of Tunisia left no room for doubt that the assassination had been planned and undertaken by the Israeli intelligence service after approval by the Israeli Council of Ministers. He recalled that the Council, by its resolution 573 (1985), had condemned a previous Israeli act of aggression against Tunisia and had called upon Israel to refrain from perpetrating such acts or from threatening to do so. The latest Israeli action, committed in defiance of the Council, proved that Israel persisted with impunity in its outlaw behaviour and terrorist acts.

He stated that the assassination of Abu Jihad was more than an act of State terrorism; it was a flagrant, premeditated violation of Tunisia's sovereignty and territorial integrity. The Council, whose role in the maintenance of international peace and security had been paralysed owing to repeated abuse of the right of veto, must shoulder its responsibilities. It must condemn the Israeli act of aggression against and violation of Tunisia's sovereignty and territorial integrity and the assassination of Abu Jihad.⁸

The representative of Jordan, addressing the Council on behalf of the Organization of the Islamic Conference, also stressed the responsibility of the Government of Israel for the assassination. He accused the Israeli leadership of having a concept of Israeli security whereby Israel alone determined what threatened it and then acted as it saw fit, irrespective of international law and practice. It occupied Arab lands and acted under arbitrary laws against the owners of those lands; it ejected them and attacked States that offered them hospitality, and it carried out military operations of sabotage and reprisal, all under the cover of self-defence.

He stated that the actions committed by Israel contravened the principles of international law, the norms of State conduct, and the principles upon which the United Nations was founded: especially the principle of the non-use or threat of use of force against the territorial integrity or political independence of other States, as well as the principle of the sovereign equality of States and the principle of the right of peoples to self-determination.

He called upon the Council to adopt a resolution reaffirming its resolution 573 (1985) and compelling Israel to respect its international obligations in keeping with the principles of the Charter, and in particular Article 2 (4). He also called upon the Secretary-General to keep the matter under review and to report to the Council on any new information and on progress made in the implementation of the resolution.⁹

At the 2807th meeting, the representative of France affirmed his country's condemnation of all acts of violence and its support for dialogue and mutual recognition, which would pave the way towards negotiations. The assassination of one of the main Palestinian leaders was a brutal blow to the goal of establishing peace on the basis of the principles of law and justice, as well as an intolerable attack against Tunisian sovereignty. The Council must express in the strongest possible terms the international community's condemnation of the attack and assure Tunisia of the United Nations sympathy and active solidarity.¹⁰

The representative of the United Kingdom of Great Britain and Northern Ireland declared that the murder of Khalil al-Wazir had been a senseless act of terrorism. He indicated that it was not known with certainty who was responsible, nor whether a Government had directed the murderers.

He stated that the British delegation condemned terrorism in all its forms, but found support or sponsorship of murder by Governments doubly repugnant. Murder of a political adversary indicated a refusal to listen to his arguments and to meet them in kind, as well as a rejection of the only processes that could lead to a resolution of the problems of Palestine. He further stated that Tunisia, which had a history of participation in United Nations peacekeeping and of contributions to the Council and had been generous in its hospitality to victims of other conflicts, deserved better than repeated assaults upon its security.¹¹

The representative of Senegal pointed out, among other things, that it would be difficult to halt the cycle of vio-

⁶Ibid., pp. 6-16.

⁷Ibid., pp. 17-26.

⁸Ibid., pp. 27-33.

⁹Ibid., pp. 36-46.

¹⁰S/PV.2807, pp. 46-47.

¹¹Ibid., pp. 47-50.

lence in the Middle East in the absence of a solution to the Israeli-Arab conflict, and stated that the cause of peace was not served by the assassinations of political leaders, nor by deportations, collective punishments or muzzling the press. His country believed in the possibility of a political solution to the Middle East conflict within the framework of the international peace conference on the Middle East, as laid down in many General Assembly resolutions.¹²

At the 2808th meeting, on 22 April 1988, the representative of Italy noted that world media had unanimously pointed to Israel's involvement in the killing of Khalil al-Wazir, while Israel had neither confirmed nor denied its involvement. On principle, Italy was averse to attributing responsibility when the facts were not unequivocally ascertained. Were the origin of this occurrence to be con-

firmed, it would be extremely grave, for the slaughter appeared not to be the deed of a terrorist group, but of a State. Moreover, the attack had infringed on the rights of a friendly nation that was known for its moderation.

He pointed out that this episode disrupted efforts being made by the United States Secretary of State, as well as by the Soviet Foreign Minister in his visit to the area. The effect had been to weaken the peace process, raising the question of whether this had actually been the goal. Yet there was no alternative to a negotiated solution to the Middle East conflict on the basis of resolution 242 (1967), and ways and means must be found to hold an international conference under the auspices of the Security Council at which all interested parties would be represented, including the PLO.¹³

¹²*Ibid.*, pp. 53-55.

¹³S/PV.2808, pp. 3-6.

37. STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL (IN CONNECTION WITH THE INCIDENT OF 20 JUNE 1988)

Decision of 24 June 1988: Statement of the President

By a letter dated 22 June 1988 addressed to the Secretary-General,¹ the Permanent Representative of Botswana to the United Nations transmitted a press release issued by his Government regarding attacks by South Africa on the territory of Botswana. It was followed on 23 June 1988 by a letter² summarizing the charges made against two members of the South African Commando Unit.

After consultations, the following statement³ was issued by the President of the Security Council on 24 June 1988 on behalf of its members:

Members of the Security Council have learnt with a profound sense of shock and indignation of South Africa's latest attacks on the territory of Botswana in flagrant violation of the sovereignty, independence and territorial integrity of that country carried out by the commandos of that regime on the night of 20 June 1988 which resulted in the injury of three unarmed Botswana policemen who were going about their normal duties near the capital city of Gaborone.

Members of the Security Council further express their grave concern at South Africa's total disregard of the resolutions of the Security Council, in particular Security Council resolution 568 (1985) by which the Security Council, *inter alia*, strongly condemned South Africa's attack on Botswana as an act of aggression against that country and a gross violation of its territorial integrity and national sovereignty.

Members of the Council are also deeply disturbed by the explosion of a bomb in Gaborone West which destroyed a vehicle and damaged a house belonging to a Botswana national on the morning of 21 June 1988. They noted that the Government of Botswana, after a thorough

investigation, had reached the conclusion that the two incidents were related.

They strongly condemn these aggressive acts, provocation and harassment perpetrated by South Africa against the defenceless and peace-loving nation of Botswana in violation of international law.

They reiterate their call to the South African Government to refrain from any further such aggressive acts and destabilization against Botswana and other front-line and neighbouring States as such acts can only aggravate tensions in southern Africa.

They further reiterate the fact that peaceful change in southern Africa can only be brought about by the total eradication of apartheid which is the root cause of tension and conflict in both South Africa and the region as a whole.

By a letter dated 24 June 1988⁴ addressed to the Secretary-General, the Chargé d'affaires a.i. of the Permanent Mission of South Africa to the United Nations forwarded the text of a message (annex I) dated 22 June 1988 from the South African Government addressed to the Government of Botswana and the text of a press release (annex II) dated 21 June 1988 issued by the South African Defence Force in Pretoria. The letter also contained a list of the military equipment that had been supposedly channelled through Botswana in the past six months, for use by terrorists inside South Africa.

By a letter dated 28 June 1988⁵ addressed to the Secretary-General, the Chargé d'affaires a.i. of the Permanent Mission of South Africa to the United Nations argued that the situation had not been reflected correctly and gave his account of the facts.

¹A/43/418-S/19952.

²A/43/422-S/19958.

³S/19959.

⁴S/19960.

⁵S/19968.