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TO IMMEDIATE FCO

TELEGRAM NUMBER 3938 OF 28 DECEMBER

INFO IMMEDIATE PARIS UKMIS NEW YORK PRIORITY DAMASCUS JEDDA
ROUTINE TEL AVIV AMMAN CAIRO BEIRUT DUBLIN MADRID TOKYO KINSHASA
PANAMA CITY TUNIS ACCRA

MY TELNO 3932: SECURITY COUNCIL - GOLAN HEIGHTS

VELIOTES (ASSISTANT SECRETARY), WHO, ATTENDED MY EUROPEAN COMMUNITY LUNCH FOR HAIG TODAY, STAYED ON AFTERWARDS TO DISCUSS THE SECURITY COUNCIL MEETING ON GOLAN WITH ME AND THE FRENCH CHARGE, HAREL DRAPER (DEPUTY ASSISTANT SECRETARY) WAS ALSO PRESENT.

2. VELIOTES SAID THAT HAIG HAD NOW CONSIDERED THE IDEAS WHICH DRAPER HAD EARLIER DISCUSSED WITH US. THE US WISHED TO HAVE BRITISH AND FRENCH VIEWS BEFORE GOING ANY FURTHER. THE US WANTED TO SEE A RESOLUTION PUT FORWARD WHICH THEY COULD SUPPORT (AND WHICH WOULD FORESTALL A MUCH MORE FAR REACHING SYRIAN RESOLUTION). THIS MEANT THAT IT COULD NOT INCLUDE SANCTIONS (OR MEASURES OF ANY KIND HOWEVER LIMITED, UNDER CHAPTER 7 OF THE UN CHARTER). THE AIM WAS TO CONTAIN THE DAMAGE DONE BY ISRAELS' ANNEXATION AND TO TRY TO MAKE A POSITIVE OUT OF A NEGATIVE BY SECURING AGREEMENT TO A RESOLUTION WHICH, IN ADDITION TO RESTATING THE UNACCEPTABLE NATURE OF ISRAELI ACTION, WOULD GO ON TO STRENGTHEN THE BASIC ELEMENTS OF THE PEACE PROCESS I.E. SECURITY COUNCIL RESOLUTIONS 242 AND 338. EVEN IF THE AMERICANS FAILED IN THEIR EFFORTS TO PERSUADE THE ISRAELIS TO STATE PUBLICLY THEIR WILLINGNESS TO NEGOTIATE PEACE WITH SYRIA ON THE BASIS OF RESOLUTIONS 242 AND 338, I.E. WITHOUT PRECONDITIONS, IT WOULD BE IMPORTANT FOR THE INTERNATIONAL COMMUNITY TO RECORD ITS COMMITMENT TO THE PEACE PROCESS AND TO ASSOCIATE SYRIA WITH IT. THE SYRIAN POSITION, AS EXPLAINED TO THE US AMBASSADOR IN DAMASCUS, WAS THAT THE SYRIANS DID ACCEPT 242 AND 338 BUT IT WOULD BE A MAJOR STEP IF THEY WOULD COMMIT THEMSELVES UNEQUIVOCALLY THROUGH THE MEDIUM OF A NEW SECURITY COUNCIL RESOLUTION.

3. I SAID THAT WE SHARED THE US AIM OF AVOIDING CHAPTER VII BUT IT WAS DIFFICULT TO SEE HOW THE SYRIANS COULD BE PERSUADED TO GO ALONG WITH A RESOLUTION ACCEPTABLE TO THE UNITED STATES WITHOUT HAVING FIRST PUT FORWARD A MORE EXTREME DRAFT WHICH THE US WOULD PRESUMABLY VETO. VELIOTES SAID THAT HE HOPED TO HAVE HIS RESOLUTION ADOPTED WITHOUT FIRST HAVING TO VETO SOMETHING MORE EXTREME. THE AIM WOULD BE TO PERSUADE ENOUGH MEMBERS OF THE SECURITY COUNCIL OF THE MERITS OF THE US APPROACH TO DENY THE SYRIANS NINE VOTES FOR THE KIND OF LANGUAGE THEY WOULD FAVOUR. WE AGREED THAT, FOR THIS TACTIC TO SUCCEED, THE RESOLUTION WOULD NEED TO CONTAIN A FIRM STATEMENT MAKING CLEAR THAT, NOT ONLY WAS THE ISRAELI ANNEXATION NULL AND VOID BUT THAT IT WOULD NOT BE ALLOWED TO HAVE ANY EFFECT

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ON THE FUTURE OF THE PEACE PROCESS, IN OTHER WORDS IT WOULD BE DISREGARDED. THE RESOLUTION MIGHT ALSO APPEAL TO ALL MEMBER STATES TO AVOID ANY ACTION WHICH WOULD BE SEEN AS RECOGNITION OF ANNEXATION.

4. THE AMERICANS WOULD LIKE OUR PRELIMINARY REACTIONS AS SOON AS POSSIBLE (PREFERABLY BY THE END OF TOMORROW, LONDON TIME). IN THE MEANTIME, THEY WILL START TO DRAFT SOME LANGUAGE WHICH THEY WILL SHOW TO US AND THE FRENCH. IF WE ARE PREPARED TO SUPPORT THE AMERICAN APPROACH, THIS WILL STRENGTHEN THE US HAND IN THEIR DISCUSSIONS WITH THE SYRIANS IN DAMASCUS. DRAPER SAID THAT THE SYRIANS HAD ALREADY BEEN TOLD THAT THE US WOULD NOT SUPPORT SANCTIONS. THE US ALSO HAD REASON TO BELIEVE THAT FAHD HAD ADVISED ASSAD TO WORK COOPERATIVELY WITH THE AMERICANS. THE US AMBASSADOR IN JEDDA WILL BE SEEING FAHD ON WEDNESDAY. ONLY THEREAFTER, WILL THE AMERICANS LOBBY IN OTHER SECURITY COUNCIL CAPITALS.

5. COMMENT: THE AMERICAN IDEAS MAY SEEM A BIT THIN BUT, TO JUDGE FROM YOUR TELNO 910 TO UKMIS NEW YORK, THEY ARE NOT INCOMPATIBLE WITH OUR OWN THINKING AND REFLECT SIMILAR CONSTRAINTS, NOTABLY DIFFICULTIES WITH CHAPTER VII LANGUAGE. DRAPER TOLD US PRIVATELY AFTER THE MEETING THAT BECAUSE OF THE ATTITUDE OF STATE DEPARTMENT LAWYERS (WHO FEAR THAT THE WHOLE FUTURE OF THE PEACE PROCESS MIGHT END UP BEING DISCUSSED) HE HAS HAD TO DROP THE IDEA OF A REFERENCE TO THE ICJ FOR THE TIME BEING. BUT DRAPER THINKS IT MIGHT RE-EMERGE LATER (QUOTE MAYBE THE SYRIANS WILL THINK OF IT UNQUOTE). A REFERENCE TO THE COURT WOULD CERTAINLY ADD SUBSTANCE TO A DRAFT THAT CAN HAVE FEW ATTRACTIONS FOR THE SYRIANS IN ITS PRESENT OUTLINE FORM. THE AMERICANS, NONETHELESS, REMAIN AGREEABLY SURPRISED BY THE BUSINESSLIKE WAY IN WHICH THE SYRIANS ARE DEALING WITH THEM IN DAMASCUS.

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