

AMENDED DISTRIBUTION 20 JANUARY

CONFIDENTIAL

DESKBY 200900Z

FROM UKMIS NEW YORK 200352Z JAN 82

TO IMMEDIATE F C O

TELEGRAM NUMBER 79 DATED 19 JANUARY 82

INFO IMMEDIATE WASHINGTON, PARIS, DAMASCUS, AMMAN, JEDDA, TEL AVIV  
COLOMBO (FOR PS/MR HURD).INFO PRIORITY DUBLIN, CAIRO, BEIRUT, MADRID, TOKYO, KINSHASA,  
PANAMA CITYMY TELNO 69: SECURITY COUNCIL- GOLAN HEIGHTS

1. TODAY'S MEETING OF THE NON ALIGNED MEMBERS OF THE COUNCIL PRODUCED THE REVISED DRAFT IN MY IMMEDIATELY FOLLOWING TELEGRAM. THIS IS THE ORIGINAL JORDANIAN DRAFT, WITH AN AMENDMENT TO THE LAST PREAMBULAR PARAGRAPH AND WITH OPERATIVE PARAGRAPHS 3 AND 4 REPLACED BY A NEW OPERATIVE 3 WHICH IS A VARIANT OF THE ZAIREAN FORMULA INVITING MEMBER STATES TO CONSIDER APPLYING SANCTIONS AGAINST ISRAEL. THE NEW PARAGRAPH IS SOMEWHAT AMBIGUOUS AND UNGRAMMATICAL BUT IT CAN BE CONSTRUED AS BEING ENTIRELY VOLUNTARY, IE AS REQUIRING MEMBER STATES TO DO NO MORE THAN CONSIDER APPLYING MEASURES AND REFRAINING FROM PROVIDING AID ETC. (attached)

2. THE ARABS CLAIM THAT SPAIN, ZAIRE AND PANAMA WILL ALL VOTE IN FAVOUR, THUS GIVING THE DRAFT TEN VOTES. DE PINIES (SPAIN) HAS TOLD ME THAT HE WILL DO SO AND KAMANDA (ZAIRE) THAT HE IS ALMOST CERTAIN TO. THE AMERICANS HOWEVER ARE MAKING FURTHER REPRESENTATIONS IN KINSHASA AND PANAMA CITY, AND PROBABLY IN MADRID AND LOME TOO.

3. THE REVISED DRAFT WAS CIRCULATED THIS EVENING (19 JANUARY) AND THE PRESIDENT IMMEDIATELY CALLED INFORMAL CONSULTATIONS OF THE WHOLE COUNCIL. NISIBORI (JAPAN) RAISED THE AMBIGUITY IN OPERATIVE PARAGRAPH 3. HE AND DORR (IRELAND), WITH MY SUPPORT AND THAT OF KAMANDA (ZAIRE), PROPOSED THAT "TO REFRAIN" BE REPLACED BY "REFRAINING" WHICH WOULD BRING THE ENGLISH TEXT INTO LINE WITH THE FRENCH. NUSEIBEH SAID SEVERAL TIMES THAT THE VERB "CONSIDER" WAS INTENDED TO APPLY TO BOTH "APPLYING" AND TO "TO REFRAIN". BUT HE REFUSED TO ACCEPT THE AMENDMENT BECAUSE THIS WOULD REQUIRE FURTHER REFERENCE TO DAMASCUS. AFTER A HALF-HEARTED ATTEMPT BY THE AMERICANS TO POSTPONE THE VOTE TILL 21 JANUARY, IT WAS AGREED TO MEET AT 2100Z TOMORROW (20 JANUARY) TO VOTE ON THE REVISED DRAFT.

4. THE AMERICANS HAVE TOLD US THAT THEY WILL DEFINITELY VOTE AGAINST THE DRAFT. I HAVE SPOKEN TO DORR (IRELAND) FROM WHOM I GOT THE CLEAR IMPRESSION THAT HE AND JAPAN WOULD BE INCLINED TO FOLLOW US AND FRANCE.

CONFIDENTIAL

/ 5. IT IS

CONFIDENTIAL

5. IT IS OBVIOUSLY IMPORTANT, AS IT HAS BEEN ALL ALONG, THAT WE AND THE FRENCH SHOULD STICK TOGETHER. GIVEN THAT WE WERE BOTH PREPARED TO ACQUIESCE IN THE IMPOSITION OF CERTAIN MANDATORY SANCTIONS BY ABSTAINING ON THE ORIGINAL TEXT, IT WOULD BE LOGICAL FOR US TO VOTE IN FAVOUR OF THIS WEAKER TEXT, EVEN THOUGH IT IS IN CHAPTER VII, SINCE IT CONTAINS NO MANDATORY MEASURES.

6. HOWEVER, FROM MY CONVERSATIONS WITH THE FRENCH, IRISH AND JAPANESE THIS EVENING, I GOT THE STRONG IMPRESSION THAT ALL THREE WERE DISPOSED TO RECOMMEND ABSTENTIONS TO THEIR CAPITALS. IF WE TAKE THE LEAD IN PERSUADING THE FRENCH TO VOTE IN FAVOUR, WE COULD BE RESPONSIBLE FOR DELIVERING, APART FROM OUR OWN, THREE MORE POSITIVE VOTES FOR THE RESOLUTION. DO WE REALLY WANT TO DO THIS IN VIEW OF THE DANGEROUS PRECEDENT WHICH A MOVE INTO CHAPTER VII ON GOLAN WILL SET WHEN THE COUNCIL CONSIDERS FUTURE BREACHES OF INTERNATIONAL LAW BY ISRAEL ON THE WEST BANK, GAZA, JERUSALEM, ETC?. THE AMERICANS WHO ARE AT PRESENT ASSUMING THAT WE WILL ABSTAIN WOULD QUICKLY GET TO KNOW IF WE HAD BEEN RESPONSIBLE FOR MAKING THEM THE ONLY MEMBER NOT TO VOTE IN FAVOUR.

7. MY INCLINATION THEREFORE IS TO RECOMMEND AN ABSTENTION UNLESS THE FRENCH ARE DETERMINED TO VOTE IN FAVOUR IN WHICH CASE WE SHOULD DO THE SAME. I WOULD NOT FIND IT DIFFICULT TO DRAFT AN EXPLANATION OF VOTE TO COVER AN ABSTENTION.

PARSONS

STANDARD  
NENAD  
MED  
NAD  
UND  
EESD  
ECD  
WED  
RID  
CABINET OFFICE

ADDITIONAL DISTRIBUTION  
ARAB/ISRAEL DISPUTE