

CONFIDENTIAL

DESKBY 210900Z

FROM UKMIS NEW YORK 210056Z JAN 82

TO IMMEDIATE F C O

TELEGRAM NUMBER 83 DATED 20 JANUARY 82

INFO IMMEDIATE WASHINGTON, PARIS, DAMASCUS, AMMAN, JEDDA, TEL AVIV  
INFO PRIORITY DUBLIN, CAIRO, BEIRUT, MADRID, TOKYO, KINSHASA,  
PANAMA CITY, TUNIS.MIPT: SECURITY COUNCIL : GOLAN HEIGHTS1. FOLLOWING IS TEXT OF MY EXPLANATION OF VOTE:

MY GOVERNMENT HAVE ALREADY MADE CLEAR ITS POSITION REGARDING THE ISRAELI DECISION TO EXTEND THE LAW, JURISDICTION AND ADMINISTRATION OF THE STATE OF ISRAEL TO THE GOLAN HEIGHTS. AS I STATED TO THIS COUNCIL ON 16 DECEMBER, THE TERRITORY OF ONE STATE IS NOT TO BE ACQUIRED BY ANOTHER BY THE USE OF FORCE. WE TOTALLY REJECT AND CONDEMN THE UNILATERAL INITIATIVE BY ISRAEL TO CHANGE THE STATUS OF THE GOLAN HEIGHTS.

TOGETHER WITH THE OTHER MEMBERS OF THE COUNCIL WE JOINED IN UNANIMOUS SUPPORT FOR THE ADOPTION OF RESOLUTION 497. AS STATED IN THAT RESOLUTION, WE CONSIDER THE ISRAELI DECISION TO BE NULL AND VOID AND WITHOUT INTERNATIONAL LEGAL EFFECT. SIMILARLY WE HOLD THAT ALL THE PROVISIONS OF THE FOURTH GENEVA CONVENTION OF 12 AUGUST 1949 CONTINUE TO APPLY TO THE SYRIAN TERRITORY OCCUPIED BY ISRAEL SINCE JUNE 1967. WE STRONGLY CONDEMN ISRAEL'S FAILURE TO ABIDE BY SECURITY COUNCIL RESOLUTION 497 AND TO RESCIND ITS DECISION.

AGAINST THIS BACKGROUND, MR PRESIDENT, IT WILL BE EVIDENT THAT MY GOVERNMENT AGREES WITH MUCH OF THE THINKING BEHIND THE DRAFT ON WHICH THE COUNCIL HAS JUST VOTED. INDEED THERE IS MUCH IN IT THAT WE CAN SUPPORT. WE ARE ONLY TOO WILLING TO MAKE CLEAR TO THE GOVERNMENT OF ISRAEL THE COMPLETE UNACCEPTABILITY OF THEIR ACTION IN EXTENDING ISRAELI JURISDICTION TO THE GOLAN HEIGHTS. WE CAN IN NO WAY CONDONE SUCH ACTION WHICH WE REGARD AS BOTH PROVOCATIVE AND SERIOUSLY DAMAGING TO THE OBJECTIVE OF PROMOTING LASTING PEACE AND SECURITY IN THE MIDDLE EAST. OUR PATIENCE AND THAT OF THE INTERNATIONAL COMMUNITY HAS BEEN SORELY TRIED. IF ISRAEL BY SUCH ACTIONS CONTINUES TO DISTANCE HERSELF FURTHER FROM ACCOMMODATION WITH HER NEIGHBOURS SHE CANNOT EXPECT TO ESCAPE THE CONSEQUENCES INDEFINITELY.

AT THE SAME TIME, MY GOVERNMENT WOULD HAVE WISHED THE COUNCIL TO HAVE BUILT ON THE BASIS OF ITS EARLIER UNANIMITY. FROM THE OUTSET WE HAVE URGED ON DELEGATIONS THE NEED FOR THE COUNCIL TO PROCEED BY CONSENSUS IF WE ARE TO ACHIEVE THE

OBJECTIVE, WHICH MY GOVERNMENT SHARES, OF BRINGING ISRAEL TO RESCIND ITS DECISION AND TO REFRAIN FROM ANY SIMILAR ACTION IN FUTURE. WE REGRET THAT OUR ADVICE WAS NOT TAKEN. THE DRAFT RESOLUTION ON WHICH WE HAVE JUST VOTED CLEARLY DID NOT PROVIDE THE BASIS FOR SUCH A CONSENSUS. THIS WAS ONE REASON WHY WE DECIDED TO ABSTAIN. WE ALSO HAD CERTAIN RESERVATIONS ON THE TEXT. WE ARE DUBIOUS, FOR EXAMPLE, ABOUT THE COUNCIL MAKING A DETERMINATION UNDER ARTICLE 39 OF THE CHARTER THAT THE ISRAELI ACTION CONSTITUTES AN "ACT OF AGGRESSION". WE WOULD REGARD SUCH A DETERMINATION AS THE MOST SERIOUS AND FAR-REACHING OF ALL THOSE DETERMINATIONS WHICH THE COUNCIL IS EMPOWERED TO MAKE. WE NOTE THAT EVEN AT THE TIME OF THE KOREAN WAR, IN WHICH HUNDREDS OF THOUSANDS OF LIVES WERE LOST, THE COUNCIL DID NOT GO BEYOND A DETERMINATION IN RESOLUTION 82 THAT THE EVENTS IN QUESTION CONSTITUTED A BREACH OF THE PEACE.

WE BELIEVE THAT THE COUNCIL SHOULD INSTEAD, IN THE PRESENT CASE, HAVE SOUGHT A CONSENSUS THAT WOULD HAVE, WITHOUT MAKING A CHAPTER VII DETERMINATION, CALLED UPON ALL STATES TO REFRAIN FROM ANY ACTS OR DEALINGS WHICH WOULD IMPLY RECOGNITION OF OR LEND SUPPORT OR ASSISTANCE TO ISRAEL'S DECISION. THE COUNCIL COULD ALSO HAVE REQUIRED THAT ALL MEMBER STATES SHOULD REFRAIN FROM PROVIDING ISRAEL WITH ANY ASSISTANCE THAT WOULD BE USED SPECIFICALLY IN THE OCCUPIED SYRIAN GOLAN HEIGHTS; THAT MEMBER STATES SHOULD REFUSE TO HAVE ANY CONTACT WITH ISRAELI INSTITUTIONS THERE AND THAT THEY SHOULD NOT PARTICIPATE IN ANY EVENTS OR ACTIVITIES ORGANISED THERE BY THE GOVERNMENT OF ISRAEL. THIS IS NOT AN EXHAUSTIVE LIST. FOR ITS PART MY GOVERNMENT IS CONSIDERING WHICH OF SUCH MEASURES IT SHOULD TAKE ON A UNILATERAL BASIS.

FINALLY, MR PRESIDENT, MY GOVERNMENT BELIEVES THAT WE SHOULD NOT REGARD THE COUNCIL'S INABILITY ON THIS OCCASION TO REACH CONSENSUS AS A FAILURE, BUT RATHER AS TEMPORARY SETBACK. MY GOVERNMENT REMAINS WILLING ON THIS ISSUE TO WORK FOR A TRUE CONSENSUS WITHIN THE COUNCIL WHICH WE BELIEVE PROVIDES THE BEST MEANS TO ACHIEVE OUR COMMON OBJECTIVE OF GETTING THE GOVERNMENT OF ISRAEL TO RESCIND ITS ILLEGAL ACT.

PARSONS

STANDARD  
NENAD  
MED  
NAD  
UND  
EESD  
ECD  
WED  
RID  
CABINET OFFICE

ADDITIONAL DISTRIBUTION  
ARAB/ISRAEL DISPUTE

2  
CONFIDENTIAL