

in Iraq and that certain segments of civil society had managed to organize and were filling the void created by the collapse of state institutions.³⁴³

The representative of China stated that the Council should fully implement the oil-for-food programme and fully utilize its resources.³⁴⁴ The representative of France reiterated that, although there was no humanitarian catastrophe *per se* in Iraq, the situation remained nonetheless extremely fragile.³⁴⁵

³⁴³ Ibid., pp. 7-8.

³⁴⁴ Ibid., pp. 8-9.

³⁴⁵ Ibid., pp. 10-11.

Following the statements, the representatives of UNDP, WHO, UNICEF and ICRC and the Under-Secretary-General responded to questions from Council members.³⁴⁶

³⁴⁶ Ibid., pp. 12-15 (Administrator of UNDP); pp. 15-16 (Executive Director of WHO); pp. 16-18 (Director of UNICEF); p. 18 (President of ICRC); and pp. 18-19 (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator).

35. Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

Letter dated 5 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council

Initial proceedings

Deliberations of 5 October 2003 (4836th meeting)

By a letter dated 5 October 2003 addressed to the President of the Security Council,¹ the representative of the Syrian Arab Republic requested an emergency meeting of the Council to consider the violations of Syrian and Lebanese airspace committed on 5 October 2003 by the Israeli air force and the missile attack carried out by the latter on the same day against a civilian site situated inside Syrian territory.

By a letter dated 5 October 2003 addressed to the President of the Security Council,² the representative of Lebanon also requested an urgent meeting of the Council to consider a situation threatening the stability along the Israeli-Lebanese border. The representative of Lebanon requested the Council to meet immediately and consider the measures that needed to be taken to deter Israel from further violating the airspace of Lebanon.

¹ S/2003/939.

² S/2003/943.

At the 4836th meeting, held on 5 October 2003 in response to the requests contained in the above-mentioned letters, which the Council included in its agenda, statements were made by all members of the Council and the representatives of Algeria, Bahrain, Cuba, Egypt, the Islamic Republic of Iran, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Morocco, Qatar, Saudi Arabia, the Sudan, Tunisia and Yemen, as well as the Permanent Observers of the League of Arab States and Palestine.³

At the meeting, the representative of the Syrian Arab Republic stated that the air strike by Israel was a violation of the Charter of the United Nations, of international law and of the Agreement on Disengagement of 1974. He maintained that the "Israeli aggression" was no isolated incident, but had been preceded by another violation by Israel, on 2 January 2003, that had resulted in the death of a soldier of the Syrian Arab Republic. He requested the Council to

³ The representatives of Djibouti, Oman, Somalia and the United Arab Emirates were invited to participate but did not make statements.

condemn the air strike and noted that he had submitted a draft resolution⁴ which reflected the positions usually adopted by the Council in the face of similar acts of aggression and threats.⁵

The representative of Israel stated that on 4 October 2003 a Palestinian suicide bomber had killed 19 civilians and wounded 60 others in a restaurant in Haifa. Islamic Jihad, which had “headquarters in Damascus” had claimed responsibility. He noted that the massacre was the latest of over 40 “terrorist atrocities” committed by Islamic Jihad in the past few years. The representative maintained that the Syrian Arab Republic provided “safe harbour and training facilities” for “terrorist organizations” such as Islamic Jihad, Hamas and Hizbullah, both in separate facilities and in army bases in the Syrian Arab Republic. He gave a number of examples of the extent and nature of the involvement of the Government of the Syrian Arab Republic in the “deliberate murder of innocent civilians”. He argued that each of those acts constituted a grave violation of international law and resolutions of the Council including resolution 1373 (2002), as well as a threat to international peace and security. The representative described the target of the air strike at the village of Ein Saheb as a “terrorist” facility sponsored by the Syrian Arab Republic and the Islamic Republic of Iran, and explained that the “measured defensive response” of Israel to the suicide bombing of the previous day was a clear act of self-defence in accordance with Article 51 of the Charter.⁶

The representative of Pakistan stated that the attack perpetrated by Israel against the Syrian Arab Republic had not met the strict requirements set out in the Charter with regard to the use of force. It had been an arbitrary attack, and in legal and political terms it was clearly a violation of the Charter and of resolutions 242 (1967), 338 (1973), 350 (1974), 1397 (2002) and others.⁷

The representative of the United States called on all sides to avoid heightening the tension in the Middle East and to think carefully about the consequences of their actions. He noted that his Government had been

notified of the Israeli action after the event. He asserted that the Syrian Arab Republic was “on the wrong side of the war on terrorism” and stressed the need for it to cease harbouring terrorist groups.⁸

The representative of Lebanon maintained that “mixing up” the Haifa bombing with an action against the Syrian Arab Republic or linking it with the “State terrorism” practised by Israel was a contravention of the norms of international law. He requested the Council to meet its responsibilities and take the proper measures to condemn Israel and deter it from committing acts of aggression.⁹

The representatives of Morocco and Jordan stressed that Article 51 did not apply in this matter, as the Israeli attack could not be considered legitimate self-defence. Therefore the attack was in violation of Article 2(4), which called on Member States to refrain from the use of force against the territorial integrity of any State.¹⁰

Most of the members of the Council expressed regret at the situation and urged both sides to observe restraint in their relations with one other. They also condemned both the suicide bombing of 4 October 2003 and the air strike of the following day. Several speakers also expressed a commitment to the road map peace plan for the Israeli-Palestinian conflict.¹¹

Most other speakers strongly condemned the air strikes and denounced them as in contravention of the Charter and international law. They also traced the root of the dispute to the situation in the Palestinian territories.¹² A number of speakers also condemned the suicide bombing.¹³

⁸ *Ibid.*, pp. 13-14.

⁹ *Ibid.*, pp. 15-16.

¹⁰ *Ibid.*, p. 17 (Morocco); and pp. 17-18 (Jordan).

¹¹ *Ibid.*, p. 9 (United Kingdom); pp. 9-10 (Russian Federation); p. 10 (Germany); pp. 10-11 (France); p. 11 (Chile); pp. 11-12 (Mexico); p. 12 (Angola); pp. 12-13 (Guinea); and p. 13 (Cameroon).

¹² *Ibid.*, pp. 14-15 (League of Arab States); pp. 15-16 (Lebanon); pp. 16-17 (Algeria); pp. 17-18 (Jordan); p. 19 (Tunisia); pp. 19-20 (Kuwait); pp. 20-21 (Saudi Arabia); pp. 21-22 (Islamic Republic of Iran); pp. 22-23 (Bahrain); p. 23 (Libyan Arab Jamahiriya); pp. 23-24 (Yemen); p. 24 (Qatar); and pp. 24-25 (Sudan).

¹³ *Ibid.*, p. 17 (Morocco); p. 18 (Egypt); p. 19 (Palestine); and p. 21 (Cuba).

⁴ Not issued as a document of the Council.

⁵ S/PV.4836, pp. 2-4.

⁶ *Ibid.*, pp. 5-7.

⁷ *Ibid.*, pp. 8-9.