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day when genuine peace between Israel and its Arab neighbours will become a reality. We have searched for a reasonable outcome of the negotiations in the Council, one which would protect the vital interests of all parties and damage the vital interests of none; which would ameliorate rather than exacerbate the dangerous passions and divisions in the area.

36. In that search we were aided by the co-operative spirit, restrained positions and good faith of Iraq's Minister for Foreign Affairs, Mr. Saadoon Hammadi. We sincerely believe the results will move that turbulent area a bit closer to the time when all the States in the region have the opportunity to turn their energies and resources from war to peace, from armaments to development, from anxiety and fear to confidence and well-being.

37. The PRESIDENT (*interpretation from Spanish*): The next speaker is the representative of Israel. I invite him to make his statement.

38. Mr. BLUM (Israel): This has been a lengthy debate. It has been deliberately protracted in a conscious effort to confound and confuse the issues. In the course of it, we have heard many statements which, regrettably, are simply not worthy of serious consideration.

39. How, for example, are we to regard the profound concern for human life expressed in such high-minded terms by Viet Nam in the light of the atrocities that it has perpetrated and is perpetrating in South-East Asia? How, for example, are we supposed to react to protestations by the Soviet Union concerning aggression and violation of national sovereignty when the Soviet occupation of the whole of Afghanistan is still going on, and, indeed, naked Soviet aggression against the Afghan people is still being perpetrated? And when Hungary and Czechoslovakia entered the fray, they in fact only served to remind us that Afghanistan is not the first victim of Soviet aggression.

40. On the other hand, there have been those who have taken part in this debate with great sincerity. Besides them, there are no doubt many outside this chamber for whom the subject of this debate has also raised far-reaching questions.

41. My country has approached the matter before the Council with the utmost seriousness and has raised questions of great import, to which we have not received any substantive answers.

42. We have been told that Iraq's nuclear programme was designed for peaceful purposes. Yet solid and decisive evidence points emphatically in the opposite direction.

43. Iraq's nuclear activities have troubled many Governments and experts around the world. We indicated some of the questions arising in this regard;

but the representative of Iraq did not answer the questions we raised. He chose not to answer them simply because Iraq has not acted in good faith.

44. Because of their extreme importance, permit me to repeat and enlarge upon those questions which I should like to address to the Foreign Minister of Iraq. First, why did Iraq first try in 1974 to acquire a 500-megawatt nuclear reactor of a kind designed primarily to produce large quantities of plutonium for military use? Moreover, why is it now trying to buy an up-scaled, Cirene type plutogenic reactor, whose military use is clear, but whose commercial use is not proven? Secondly, why did Iraq insist on receiving a 70-megawatt reactor which has no usable application as an energy source, which does not correspond to any peaceful energy plan and which, incidentally, is far too large for Iraq's most ambitious scientific needs? Thirdly, why did Iraq insist on receiving weapons-grade nuclear fuel, rather than the less proliferant alternative of "Caramel" fuel which it was offered? Fourthly, what is Iraq's demonstrable need for nuclear energy, given its abundant oil reserves? Fifthly, if Iraq has a need of this kind for either the short or the long term, why has it not developed a commercial nuclear energy programme? Why has it not made any transactions which would be relevant to such a programme? Sixthly, why, if it is genuinely interested in nuclear research, did it rush to buy plutonium separation technology and equipment that cannot be justified on scientific or economic grounds? Seventhly, why has Iraq been making frantic efforts to acquire natural uranium, wherever and however it can, in at least four continents, some of which uranium is not under IAEA safeguards? Why has Iraq taken the highly unusual step of stockpiling uranium, before it has built power reactors?

45. I think that all these questions are fairly intelligible to the layman and must make everyone think. They are certainly intelligible to the expert, who will confirm that they point in one direction only —namely, a weapons-oriented nuclear programme.

46. Let me, just for the sake of illustration, elaborate on one of these questions: Iraq's insistence on receiving weapons-grade nuclear fuel and its adamant refusal to accept a less proliferant variety when offered. The International Nuclear Fuel Cycle Evaluation (INFCE), an international body, convened under the auspices of IAEA, to deal, *inter alia*, with the non-proliferation aspects of the nuclear fuel cycle, was greatly concerned with the already wide distribution of enriched uranium and the production of fissile material in nuclear reactors of the 1 to 5 megawatt size, not to speak of a 70-megawatt facility like Osirak. Consequently, INFCE has set up study groups under the auspices of IAEA, to make recommendations on the subject. The report of Working Group 8, entitled "Advanced fuel cycle and reactor concepts", document INFCE/PC/2/8 of January 1980, is most illuminating.

47. In section 4.2., headed "Measures to increase proliferation resistance", the summary of the report states:

"The trade in and widespread use of highly enriched uranium and the production of fissile materials constitute proliferation risks with which INFCE is concerned."

It recommended that proliferation resistance can be increased by:

"Enrichment reduction preferably to 20% or less which is internationally required to be a fully adequate isotopic barrier to weapons usability of ^{235}U ."

48. In another section of the same report, dealing with French reactors of the Osiris type—which would include Osirak—the authors state:

"The Osiris core was covered from the highly enriched uranium to the low enriched UO_2 Caramel fuel, with startup of the reactor in June 1979. The general success of the work developed on Caramel fuel . . . permits Osiris to be completely loaded with Caramel assemblies."

49. In layman's terms, had Iraq so wished, it could have successfully operated Osirak on Caramel-type fuel, thereby at least eliminating the option of diverting weapons-grade nuclear fuel. But it refused to do so, and insisted on receiving weapons-grade enriched uranium.

50. But to come back to my list of questions as a whole: if Iraq's representatives could not address themselves to them, other people have done so. They include three eminent French nuclear scientists, who have made a serious examination of these and other disturbing questions related to Iraq's nuclear development programme.

51. The French scientists are: George Amsel, Director of Research at the Centre National de la Recherche Scientifique, Unit for Solid Physics at the Ecole Normale Supérieure; Jean-Pierre Pharabaud, Engineer at the Centre National de la Recherche Scientifique, Laboratory of High Energy Physics at the Ecole Polytechnique; and Raymond Sehe, Chief of Research at the Centre National de la Recherche Scientifique, Laboratory of Particle Physics at the College de France.

52. The analysis and conclusions of these three prominent scientists are to be found in a comprehensive memorandum entitled "Osirak et la prolifération des armes atomiques", which they presented to the French Government and public in May of this year.

53. It is of great interest and relevance to compare their scientific findings and conclusions with the

version presented to the Council. It was alleged here that two "hypotheses"—namely the diversion of enriched uranium and the production of plutonium, for the manufacture of a nuclear weapon—are both groundless.

54. Let us look at what the French scientists say about each of these hypotheses—or, to be more accurate, about these possibilities. Chapter II of their memorandum is entitled "Possibilités de prolifération". Paragraph 5 thereof is headed "Les possibilités d'obtention d'explosifs nucléaires liées à Osirak".

55. Concerning the uranium path, they indicate that two options exist: (a) the use of the fresh enriched uranium; and (b) the use of slightly irradiated enriched uranium.

56. Even assuming that the diversion of the enriched uranium were to be detected and that the supplier would immediately halt further deliveries of enriched uranium, the authors of the memorandum conclude that Iraq already possesses sufficient weapons-grade material to produce two nuclear bombs.

57. As regards the production of plutonium, the French scientists observe in their memorandum that, by introducing a blanket of natural uranium around the reactor core of Osirak, plutonium can be produced. After the chemical separation of the plutonium, the yield per annum would be sufficient for one nuclear bomb. This separation can be carried out in the facility based on the hot-cell installation supplied to Iraq by Italy. This method does not involve any diversion of the enriched uranium fuel. In addition, plutonium production can be accomplished even if the supplier imposes the use of the less enriched "Caramel" type of fuel in the nuclear reactor.

58. Given the nuclear facilities and materials and the complementary technology that Iraq had at its disposal, to try to dismiss in the Council either of these paths leading to the manufacture of a nuclear weapon as "groundless hypotheses", or even to make light of them, is irresponsible. Such an attitude flies in the face of incontrovertible scientific data, readily available to informed observers.

59. Indeed, it also flies in the face of statements by French officials. As reported in *The New York Times* of 18 June 1981, Dr. Michel Pecqueur, the head of the French Atomic Energy Agency, while trying to defend the agreements between his country and Iraq, conceded that:

"in theory the reactor could be used to produce a 'significant quantity' of plutonium, which means enough for a bomb, by irradiating a large amount of natural or depleted uranium. The plutonium could then be extracted in a 'hot-cell' laboratory supplied by Italy, although this reprocessing is technically difficult."

60. Then there are the admissions made by the chief nuclear attaché at the French Embassy in Washington who, according to *The New York Times* of 17 June, agreed that Osirak had what he termed "high neutron flux" which "meant that it could have produced a considerable amount of plutonium". The French official concerned took issue with the estimate of the annual production of 10 kilograms of plutonium, and suggested that "5 kilograms was a better figure". In other words, the only point at issue is whether Osirak could have produced enough plutonium for one bomb in a period of 12 months or in something between 12 and 24 months. And does anyone here seriously believe that there is an essential difference if it were to take Iraq one year or a few months longer to produce a nuclear bomb?

61. In another article in *The New York Times* of 18 June, two professors of nuclear science and engineering at Columbia University explain how Osirak provides the neutron bombardment for converting natural uranium into plutonium. In the same article, the chief nuclear attaché at the French Embassy in Washington is quoted as saying that:

"the basic design of the French export model, known as Osiris, shows a cavity in the reactor that can hold material for neutron bombardment."

62. In the course of this debate, great play has been made of the fact that Iraq is a signatory to the nuclear Non-Proliferation Treaty and that its nuclear reactors have been inspected periodically by IAEA. Let me again draw the attention of members of the Council to the French scientists' memorandum. Chapter III is entitled "Les sauvegardes". It is an extensive analysis of the Non-Proliferation Treaty safeguards systems and takes up about one third of the whole paper. Among the more significant points made are:

63. First, the country being inspected has to approve in advance the name of the individual inspector whom IAEA wishes to designate. The country being inspected can reject the inspector whom the Agency has nominated.

64. Parenthetically, let me mention in this regard that, according to information submitted yesterday, since 1976 only Soviet and Hungarian inspectors have inspected Osirak.

65. To come back to the scientists' memorandum: the second point they make is that the frequency of routine inspections is a function of the size of the reactor. For Osirak, this means no more than three or four inspections a year.

66. Thirdly, for routine inspections, advance notice is given.

67. Fourthly, in principle, the possibility exists of unscheduled inspections, that is to say, surprise visits;

but in practice advance notice of three or four days is given, even for such unscheduled inspections.

68. Fifthly, the inspectors must have access to everything relating to fissionable material. However, they are not policemen; they can only inspect what has been declared. Thus, any hot-cells and chemical-separation facilities constructed in secret elsewhere will escape all inspection.

69. Sixthly, the inspectors within the facility are always accompanied by representatives of the State concerned.

70. Seventhly, the effectiveness of the safeguard measures depends on the co-operation of the country concerned. In this connection, the authors of the memorandum observe that for IAEA and France, Iraq's good faith has been taken for granted and its assurances at face value, without any guarantees.

71. Eighthly, experience shows that inspections can be blocked for a certain period without causing any reaction. On this point, the authors of the memorandum rightly recall:

"That is what happened on 7 November 1980 at the beginning of the Iran-Iraq war, when Iraq informed IAEA that the inspectors from the Agency could not at that time get to Baghdad to monitor the two reactors. A well-informed French source at that time stated: We are in a completely new situation which has not been foreseen in any international treaty."*

72. In brief, there are several serious loopholes in the non-proliferation safeguards system that can easily be exploited by a country, such as Iraq, if it is determined to obtain a nuclear weapon.

73. The flaws in the safeguards system are now coming into the open. No less an authority than the former Director of Safeguards Operations at IAEA in Vienna, Mr. Slobodan Nakicenovic, attested to the inadequacies of the Non-Proliferation Treaty safeguards on Austrian Radio on 17 June. Incidentally, Mr. Nakicenovic was appointed Director of Division of Safeguards and Inspections of IAEA in September 1964. He was initially responsible for the development of instruments used in the Agency's inspection work. As Director of the Division, he was charged with the task of implementing all the safeguards agreements to which the Agency was a party.

74. These serious weaknesses in the safeguards system were incisively analysed in a leading article in *The Washington Post* of 16 June 1981 entitled "Nuclear Safeguards or Sham", in which the Non-Proliferation Treaty safeguards system was shown to be

* Quoted in French by the speaker.

hollow. Having asked why IAEA had done nothing about several suspicious features of the Iraqi nuclear programme, the article observed that the treaty

"is written in such a way that a violation does not technically occur until nuclear material—uranium or plutonium—is diverted from its approved use. But this may occur within a few days of its insertion into a nuclear bomb. Since IAEA inspectors come around only a few times a year, the international safeguards system amounts to only an elaborate accounting procedure that relies on the good intentions of the parties being safeguarded."

75. In these circumstances, it is surely not unreasonable to raise serious doubts about the efficacy of the Non-Proliferation Treaty safeguards system. There is certainly room for grave reservations when the country supposedly bound by these safeguards makes no secret of its ambitions to obliterate another country.

76. In this connection, let me refer to a report in today's edition of *The New York Times* based on information from officials and diplomats at IAEA in Vienna. One of them has lifted the veil from Iraq's nuclear programme. He is quoted as saying:

"If you ask whether Iraq had it in mind to make nuclear weapons one day, then I'd say a lot of people at the agency thought it probably did. A lot of things it was doing made sense only on that assumption."

77. Could it be that this was the reason why Israel was muzzled last week in Vienna and denied the possibility of presenting its case to the Board of Governors of IAEA before that body proceeded to condemn my country?

78. There is no question that Iraq regards itself as being in a state of war with Israel. Its leaders admit this openly and have called time and again for the liquidation of my country. Such a flagrant violation of Article 2, paragraph 4, of the Charter of the United Nations is apparently perfectly in order. As far as we have been able to ascertain, the Security Council, or for that matter the United Nations as a whole, has never called Iraq to account for this, over the last 30 or so years. It is apparently perfectly in order to use the threat of force against Israel, to train and send in terrorists to commit mindless acts of murder, and to join in Arab wars of aggression against Israel in 1948, in 1967 and in 1973, and then to retreat to safety, using other Arab countries as a buffer between its heroic army and Israel.

79. In the light of Iraqi declarations and deeds, and Iraq's refusal even to sign an armistice agreement with Israel, Israel had full legal justification to exercise its inherent right of self-defence to abort the Iraqi nuclear threat to Israel.

80. We have been reminded here of the *Caroline* affair. But that incident, as is well known—and the representatives of the United Kingdom and the United States will bear me out in this—occurred almost a century and a half ago. It occurred precisely 108 years before Hiroshima. To try and apply it to a nuclear situation in the post-Hiroshima era makes clear the absurdity of the position of those who base themselves upon it. To assert the applicability of the *Caroline* principles to a State confronted with the threat of nuclear destruction would be an emasculation of that State's inherent and natural right of self-defence.

81. In this connection, I cited in my statement of 12 June [2280th meeting] Sir Humphrey Waldock, who observed a few short years after Hiroshima that:

"it would be a travesty of the purposes of the Charter to compel a defending State to allow its assailant to deliver the first and perhaps fatal blow. . . . To read Article 51 otherwise is to protect the aggressor's right to the first strike."

82. Yet some of those who have taken part in this debate obviously consider themselves greater authorities in international law than Sir Humphrey Waldock, who happens to be the President of the International Court of Justice.

83. No doubt they would also dismiss the views of another eminent international lawyer, Stephen Schwebel, who was only recently elected to the International Court of Justice, and who in a lecture at the Hague Academy of International Law some 10 years ago, observed:

"Perhaps the most compelling argument against reading Article 51 to debar anticipatory self-defence whatever the circumstances is that, in an age of missiles and nuclear weapons, it is an interpretation that does not comport with reality."

84. Serious people do not haughtily brush aside the views of the President of the International Court of Justice and of its judges. Nor are they cavalier about the views of such a pre-eminent authority on international law as Professor Myres McDougal of Yale Law School, who, writing in *The American Journal of International Law* in 1963, stated:

"under the hard conditions of the contemporary technology of destruction, which makes possible the complete obliteration of States with still incredible speed from still incredible distances, the principle of effectiveness requiring that agreements be interpreted in accordance with the major purposes and demands projected by the parties could scarcely be served by requiring States confronted with necessity for defense to assume the posture of 'sitting ducks'. Any such interpretation could only make a mockery, both in its acceptability to States and in its potential application, of the Charter's major purpose

of minimizing unauthorized coercion and violence across State lines.”

85. Indeed, the concept of a State's right to self-defence has not changed throughout recorded history. Its scope has, however, broadened with the advance of man's ability to wreak havoc on his enemies. Consequently the concept took on new and far wider application with the advent of the nuclear era. Anyone who thinks otherwise has simply not faced up to the horrific realities of the world we live in today, and that is particularly true for small States whose vulnerability is vast and whose capacity to survive a nuclear strike is very limited.

86. We have been told in the course of this debate that one cannot isolate the subject before the Council from the root cause of the Arab-Israel conflict. Israel agrees, and this debate has, if nothing else, been an object lesson of what the root cause of the Arab-Israel conflict really is—that is, the absolute refusal of most Arab States to recognize Israel and its right to exist.

87. Take, for example, the new Syrian representative whose maiden speech [see 2284th meeting] we had the pleasure of hearing on Tuesday of this week. It goes without saying that Syria deeply laments the smashing of Saddam Hussein's nuclear capability. With his bosom friend and ally the representative of Iraq sitting at his side, the representative of Syria made his country's attitude towards Israel patently clear by describing my country as a "cancer in the region" suffering from "congenital deformities". He is obviously a soul-mate of the representative of another Arab State with which his country has fraternal relations, namely the distinguished representative of the Palestinian Arab State of Jordan, who has in the past delicately alluded to bubonic plague and venereal disease in referring to my country. Those epithets are more than mere pejoratives. They demonstrate the inability of most Arab States to reconcile themselves to Israel's existence and to its right to exist like any other sovereign State.

88. This, and only this, is the root cause of the Arab-Israel conflict. And there will be no solution to the conflict until the rejectionist Arab States come to terms with Israel and negotiate peace with us.

89. But that does not mean that the Middle East is doomed to live under the threat of nuclear war until a comprehensive peace is achieved. Israel has always supported the principle of non-proliferation. In 1968 Israel voted in favour of General Assembly resolution 2373 (XXII), on the Non-Proliferation Treaty. Since then Israel has studied carefully various aspects of the Treaty as they relate to conditions prevailing in the Middle East—conditions which, regrettably, preclude the Treaty's implementation in the region.

90. The Non-Proliferation Treaty envisages conditions of peace. However, as I have just pointed out,

most Arab States not only deny Israel's right to exist but are also bent on destroying my country and hence reject any peace negotiations with us.

91. Almost half the States in the new Arab League—the new Arab League, with its headquarters at Tunis—are not bound by the Non-Proliferation Treaty régime. And some Arab States which are parties to the Treaty have entered reservations specifically dissociating themselves from any obligation towards Israel in the context of the Treaty.

92. Moreover, other Arab States, also parties to the Treaty, are not only suspected of searching for a nuclear-weapons option but are known to have been involved in unsafeguarded transfer of nuclear material. Libya, for instance, was reported in 1979 to be involved in an unsafeguarded international uranium deal between the Niger and Pakistan—that is, two States not party to the Treaty. Libya has also purchased several hundred tons of uranium from the Niger, apparently without involving IAEA.

93. Beyond the Middle East, Pakistan is considered to have all its known nuclear facilities under safeguards. But, as is also well known, it has in parallel embarked on the reprocessing and uranium-enrichment courses through the acquisition of unsafeguarded equipment by exploiting loopholes in the export guidelines of the London Club member States.

94. In the light of the foregoing, it is clear that the Non-Proliferation Treaty is no effective guarantee against the proliferation of nuclear weapons in the Middle East.

95. In such circumstances, Israel is of the view that the most effective and constructive step which could be taken would be to establish a nuclear-weapon-free zone in the Middle East, based on the Tlatelolco model,² freely arrived at by negotiations among all the States concerned and anchored in a binding multilateral treaty to which they would all be signatories. It is for this reason that Israel has resubmitted its proposal for a nuclear-weapon-free zone in the Middle East. The details of that proposal are set out in my letter of 15 June to you, Mr. President [S/14534]. While obviously it would not solve the Arab-Israel conflict as a whole, we believe that our proposal, if advanced, would constitute a significant contribution to the future well-being and security of all the States of the Middle East.

96. It is for this reason also that Israel has submitted its proposal independent of other efforts being made to reach a comprehensive solution to the conflict. Hence Israel's proposal is an unlinked deal, standing on its own, separate and independent from anything else which may delay its fulfilment. Hence, too, we have submitted our proposal without prejudice to any political or legal claim which any of the States concerned may have on any other.

97. This is a moment of truth for all of us. We have been confronted with one of the most momentous questions facing mankind today.

98. Yet another biased, anti-Israel resolution by the Council will not bring peace any closer. But much may be achieved for the common good and security of all the States in the Middle East if they and the States adjacent to the region indicate their consent without delay to the holding of a preparatory conference to discuss the modalities of a conference where a treaty establishing a nuclear-weapon-free zone in the Middle East would be negotiated. Israel therefore reiterates its call to all the States concerned to give serious and urgent consideration to our proposal.

99. The PRESIDENT (*interpretation from Spanish*): I should like to inform members of the Council that I have just received a letter from the representative of the Libyan Arab Jamahiriya in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

It is so decided.

100. The PRESIDENT (*interpretation from Spanish*): I invite the representative of the Libyan Arab Jamahiriya to take a place at the Council table and to make his statement.

101. Mr. BURWIN (Libyan Arab Jamahiriya): I thank you, Mr. President, and through you the other members of the Council, for giving me this opportunity. I am sorry to have asked to speak at this time. However, the representative of the United States has chosen the wrong time to attack in all directions, including the direction of my country.

102. Although the item before the Council is the Israeli aggression against Iraq, the United States has chosen to attack everyone. This is the same tactic that has been used by the Israeli representative to divert attention from the issue. In her statement, the United States representative said that: "Libya, whose principal exports to the world are oil and terror, invaded and now occupies Chad" [*para. 23 above*]. Libya, upon the request from the Government of Chad and on the basis of a treaty between the two countries, assisted in putting an end to the civil war in Chad which had been going on there for about 16 years. Libya wants stability and progress in Chad. Also, the situation in Chad affects the security of Libya. Libyan troops have started withdrawing and will leave Chad completely when there is no outside danger to the security of Chad.

103. When the United States representative said, "Israel is an important and valued ally" [*para. 29*

above] and when she said that her Government was working for peace and the vital interests of all parties, did she mention the Palestinians? Did she mention the aggression against Lebanon? Israel could not have committed all these acts of aggression if it were not for the help and support it receives from the United States in all fields—economic, political, military, intelligence and information. The United States is intervening in Africa, Latin America and Asia by engaging in establishing military bases which affect the security of all the countries in those areas. United States warships and military aircraft are terrorizing Libya by their presence on the Libyan coast.

104. The PRESIDENT (*interpretation from Spanish*): Now I shall make a statement in my capacity as representative of MEXICO.

105. The Council is meeting in order to consider a case of aggression, admitted to by the violating State itself, and directed against a high-technology installation which was built as the result of international co-operation and the undeniable objective of which was to promote the independence and the progress of a developing country.

106. This act constitutes a serious violation of international legal order and thus produces tensions in the Middle East and tends to cancel any possibility for peaceful settlement in the region, for which so many efforts have been made by the United Nations.

107. We feared the imminence of new acts of aggression, but nobody would have imagined such violent action, conceived and carried out in a manner so offensive to the Arab nation, to the third world and to the international community as a whole.

108. That act has been committed at one of the most delicate political moments we have experienced since the Second World War. It is a moment when the super-Powers are attempting to redefine their spheres of influence and when many countries are resisting imprisonment in hegemonistic spheres and are struggling for the affirmation of their sovereign rights, for peace and for development.

109. All of this explains the significance of this debate. Few times in the life of the Council have more than 50 speakers come to consider an item. Few times have so many voices been raised to express the same things: alarm, indignation and condemnation.

110. At the end of this lengthy debate it would be difficult to add a new argument and it is unnecessary to repeat those which have been so clearly and convincingly put forward already. It would seem more opportune to attempt a summary of the statements which clearly show the convergence of views of the spokesmen of the international community.

111. The points of convergence are the following.