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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
EIGHT HUNDRED AND SEVENTY-FOURTH MEETING

Held at Headquarters, New York,
on Friday, 11 August 1989, at 11 a.m.

President: Mr. DJOUDI

(Algeria)

Members: Brazil
Canada
China
Colombia
Ethiopia
Finland
France
Malaysia
Nepal
Senegal
Union of Soviet Socialist Republics
United Kingdom of Great Britain and
Northern Ireland
United States of America
Yugoslavia

Mr. ALENCAR
Mr. FORTIER
Mr. DING Yuanhong
Mr. GRILLO
Mr. TADESSE
Ms. RASI
Mr. BLANC
Mr. HASMY
Mr. RANA
Mrs. DIALLO
Mr. LOZINSKIY
Sir Crispin TICKELL
Mr. OKUN
Mr. PEJIC

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The meeting was called to order at 11.30 a.m.

EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT (interpretation from French): As this is the first meeting of the Security Council for the month of August, I should like to take this opportunity to pay a tribute, on behalf of the Council, to His Excellency Mr. Dragoslav Pejic, Permanent Representative of Yugoslavia to the United Nations, for his service as President of the Security Council for the month of July 1989. It is right and proper to point out that Ambassador Pejic presided over the Security Council's work with outstanding skill and devotion and demonstrated great human and professional qualities. In so doing, he fully justified the respect and prestige which his country, Yugoslavia, enjoys both in this body and in the United Nations in general. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Pejic for the great diplomatic skill and unfailing courtesy with which he conducted the Council's business last month.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 25 APRIL 1989 FROM THE PERMANENT REPRESENTATIVE OF PANAMA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/20606)

The PRESIDENT (interpretation from French): Members will note that the Council Chamber has been equipped so that they can view a video presentation. I have been informed by the representative of Panama that his delegation intends, during his statement, to show video material relating to the item under consideration. In keeping with past practice and as agreed in the Council's prior consultations, I have requested the Secretariat to make the necessary technical arrangements.

In accordance with the decision taken at the 2861st meeting on 28 April 1989, I invite the Minister for External Relations of Panama to take a place at the Council table.

At the invitation of the President, Mr. Ritter (Panama) took a place at the Council table.

The PRESIDENT (interpretation from French): The Security Council will now resume its consideration of the item on its agenda. Members of the Council have before them document S/20733, containing the text of a letter dated 7 August 1989 from the Permanent Representative of Panama to the United Nations addressed to the President of the Security Council.

The first speaker is the Minister for External Relations of Panama, Mr. Jorge Ritter. I welcome His Excellency and invite him to make his statement.

Mr. RITTER (Panama) (interpretation from Spanish): Mr. President, I should like first to express the satisfaction of my country and my delegation at seeing you presiding over the Security Council. We are confident that your well known diplomatic skills will ensure the success of the Council's meetings this month. I place this on record because of the friendship that your country has always displayed towards Panama and because of your constant dedication to the causes of third world countries and peoples.

At the meeting of the Security Council on 28 April 1989, convened at the request of the representative of Panama, I reported on the grave dangers to peace, to my country and to the region caused by the United States flagrant intervention in Panama's internal affairs, by its policy of destabilization and coercion against Panama and by its permanent threat of the use of force against the Panamanian State.

Those dangers that I brought to the Council's attention on that occasion have become even more apparent as a result of the increase in the activities of the United States armed forces on Panamanian territory, in violation of the sovereignty and territorial integrity of the Republic of Panama of the provisions of the Panama Canal Treaty of 1977 and its associated agreements, as well as of the United Nations Charter.

(Mr. Ritter, Panama)

This situation compels me to come before the Council once again to reopen consideration of this issue and to bring to members' attention the need to take specific measures to avert an armed conflict, because this is the nature of the current situation despite the staggering inequality between the Power behind the threat of aggression and our own capacity to defend ourselves.

The Security Council is accustomed to hearing denunciations of acts of war or preparations for war and to deliberate on the basis of resolutions or actions in the light of fait accomplis. An invasion, an air raid or a land mobilization, each of which is a violation of frontiers and gives rise to hostilities, is highly visible and has an immediate impact on world public opinion, and accordingly comes to the attention of this body, the guardian of peace, with an abundance of pictorial and other documentation. The dead, the wounded, the destruction caused by such acts of war cannot be concealed. They are facts which cannot be rebutted or denied; they cannot be ignored by the Security Council. The intervention of the Security Council in such cases, which unfortunately have been all too common since the end of war proclaimed at the time as the war to end all wars, has made great contributions to the ideal of mankind living in harmonious, peaceful and fruitful coexistence.

There have been many military conflicts and international crises which the opportune intervention of the United Nations, with the support of the Council and the good offices of the Secretary-General, has de-fused or helped settle. Such intervention has made it possible in recent times to achieve important advances towards restoring peace in parts of Africa and the Middle East, which for many years have been suffering desolation and death without the hope of any foreseeable solution.

(Mr. Ritter, Panama)

The situation in Panama, however, is most unusual. The Panamanian nation has had 86 years of close links with the United States. That association gave the world a maritime route that on 14 August will celebrate its seventy-fifth anniversary of service in international trade and transport. The military installations that Panama provided to the United States during the Second World War were a strategic advantage of striking importance in the struggle against fascism. The Panama Canal has been vital to the development of the nations of the American continent and to the trading relations of the nations of all continents.

In 1977 as a corollary to the process of decolonization, in which the world is still engaged, Panama and the United States signed treaties guaranteeing to the Republic of Panama full jurisdiction over the whole of its territory and providing the world with a neutral, safe Panama Canal open to ships of all flags. To Panamanians the Torrijos-Carter Treaties on Panama and its neutrality were a positive step in its struggle for national liberation by establishing a programme of decolonization for the elimination of the colonial enclave created by the United States in the heart of our territory. Despite the generally frustrating experiences that our country has had in its relations with the United States in connection with the Canal, in 1977 we once again displayed the good faith that should govern the conduct of all States in fulfilling their international obligations in accordance with the United Nations Charter.

The Panama Canal and its adjacent zone had up to that time served as a lever for the manifold designs of United States strategy in Latin America, particularly in Panama, Central America and the Caribbean. Indeed, the use of our geographical location had facilitated United States political, economic and military expansion to other regions of the world.

(Mr. Ritter, Panama)

As we have stated on other occasions, only a few days after the Panama Treaties came into effect, Panama was obliged to protest United States violations of their provisions, and the last decade has witnessed an increase in such violations. Scarcely had 10 years elapsed since the signing of the Treaty than Panama found itself called upon to face new difficulties. For more than two years the United States Government has stepped up its hostile acts aimed at destabilizing Panama's domestic affairs and undermining the rights Panama acquired under the Treaties, thus depriving our State of its territorial integrity and perpetuating the existence of United States military bases beyond the agreed deadline.

The adoption by the United States Government of measures violating the provisions of the Panama Canal Treaty and other agreements has worsened the existing crisis in relations between Panama and the United States. The following are some of the more noteworthy violations:

First, in an act which was an attack on the economic security of the Panamanian State, the United States has authorized employees of the Canal Commission to use military stores and commissaries, although this right expired on 1 October 1984, under article XIII of the Agreement on the implementation of article III of the Panama Canal Treaty.

Secondly, the Government of the United States has arrogantly refused to pay the Panamanian Government the share of the Canal tolls stipulated in the Treaty - an annual fixed amount of \$10 million. It has also withheld payment of the surplus, which also may total as much as \$10 million annually, as well as payment of another \$10 million annually to reimburse the Republic of Panama for the public services it provides in operating the Canal, pursuant to article XIII of the Canal Treaty.

(Mr. Ritter, Panama)

Thirdly, the United States Government has assigned new functions to the Secretary of the Board of Directors of the Panama Canal Commission, enabling him to arrogate to himself the powers of Administrator of the Canal shortly before that post is supposed to be assumed by a Panamanian.

Fourthly, the United States Government has suspended implementation of the regulations of the Board of Directors with respect to the obligation of holding two meetings of the Board every year in Panama. It has done so for the blatant purpose of excluding Panamanians from attending such meetings.

Fifthly, the United States Government has refused to accept the candidacy of a Panamanian citizen for appointment as Administrator of the Panama Canal, despite the procedure established in article III, paragraph 3 (c), which stipulates that on 1 January 1990 a Panamanian citizen shall be appointed as Administrator. The Republic of Panama has already fulfilled its duty in nominating a candidate. Yet the United States has failed to appoint that person, which means, as we see it, that on 1 January 1990 the Panama Canal will not have an Administrator.

Sixthly, the United States Government has refused to pay the Panamanian Government the requisite taxes on rents and educational insurance for Panamanian employees of the Canal Commission, thus disregarding bilateral agreements providing for Panama's retention of those taxes.

(Mr. Ritter, Panama)

Moreover, there is no reason for any further delay. I have come to the Security Council in the sure and clear expectation of an imminent catastrophe, knowing that a nation with such a small population and so little territory can easily succumb to a merciless decision of the world's major military Power, without having time to have recourse to corrective action by the Council and the condemnation of the international community.

I would stress that the case of Panama is different from any that the Council has so far considered in its mission of preserving peace and restoring it wherever it has been broken. The United States Army does not have to invade Panama, because it is already deployed there; it is entrenched and in combat positions in the very heart of Panamanian territory. The United States Air Force does not have to move to Panama to mount an attack, because it is already present, permanently mobilized, carrying out manoeuvres and operations of intimidation and harassment, even in the air corridors intended for commercial, civil aviation, with all the risks involved. The same applies to joint operations of land and naval forces, which are also present in the territory and in the waters over which Panama has jurisdiction.

On 30 September 1988, at the forty-third session of the General Assembly, our President stated that Panama was living under the threat of armed aggression. That statement, the activities that my Government subsequently began with a view to making the facts of the situation in Panama known to the world, and the ceaseless series of visits we have received from representatives of political, workers', business and youth organizations from other nations, have until now been our only form of external protection.

Furthermore, as the situation we are experiencing has imposed new ways of proceeding on the conduct of the State's affairs, the armed forces are on permanent

(Mr. Ritter, Panama)

alert, which means that any mad adventure mounted against our nation cannot be conceived of as bloodless.

There is another unusual aspect of the Panamanian situation that I have come to point out. If it became a precedent it would trample underfoot all the guarantees in the Charter for countries lacking military power, because the interpretation, scope and applicability of the principles and provisions of the text establishing the Organization would be subject to the unilateral whims of a nation having the force to impose its will.

Since 1 October 1979, when the Panama Canal Treaty and the Treaty on the permanent neutrality of the Panama Canal entered into force, as expressly provided for in those treaties, whenever the armed forces of the United States wished to mobilize outside the defence zones laid down in the treaties their wishes were to be communicated to the Panamanian representative on the joint board which is the bi-national liaison and co-ordination machinery created by the Panama Canal Treaty. Those activities were invariably co-ordinated with the Panamanian Defence Forces, and Panamanian military units provided an escort for the United States Armed Forces, accompanying them from the moment they left a Defence zone until they returned to it or to another of the authorized defence zones.

That procedure is clearly laid down in the Treaties now in force, which, in their desire to preserve the integrity of Panamanian sovereignty, go so far as to prohibit United States military personnel moving about in uniform outside the defence zones, with the natural exception of those going to work from housing far from the military installations or those on special, specific missions related to the defence or protection of the Canal.

(Mr. Ritter, Panama)

Year after year those requirements for the regulation of the United States military presence in Panama were complied with. Manoeuvres outside the defence zones were always planned and executed jointly by the two countries; the Panamanian defence forces took part in them and they were co-ordinated in the joint board by the logistic staffs.

Similarly, naval movements in the waters under Panama's jurisdiction were subject to communications and co-ordination, and flights by the United States Air Force were carried out in compliance with the rules of the Panamanian aviation authorities.

Suddenly, without any explanation, the armed forces of the United States decided to ignore those requirements imposed by the Treaties now in force. As a result, hostile mobilizations were begun, mobilizations that on 18 April 1988 were brought to the attention of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States (OAS).

Since then those hostile acts have increased, and in recent months they have gone beyond all reasonable limits. I ask the members of the Council to judge whether the acts I have described and those I am about to describe do or do not amount to acts of aggression as defined in the annex to General Assembly resolution 3314 (XXIX), which says:

"Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.

"Explanatory note: In this Definition the term 'State':

"(a) Is used without prejudice to questions of recognition or to whether a State is a member of the United Nations". (General Assembly resolution 3314 (XXIX), annex, Article 1)

(Mr. Ritter, Panama)

Article 3 provides:

"Any of the following acts, regardless of a declaration of war, shall ... qualify as an act of aggression:

"...

"(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement". (ibid., Article 3)

All of the acts described there have been directed against the Republic of Panama, escalating in an unprecedented manner. I wish to state, in very summary form, some actions that can only be described as acts of aggression.

First, on 5 January 1989, at 1.25 in the morning near the Miraflores locks, which are essential to the operation of the Canal, 54 United States soldiers stationed at the military base called "Clayton" and belonging to the 87th Brigade of the Fifth Infantry Battalion moved through an area control of which is given to Panama by the Canal Treaties. They were equipped with 5 M-60s, 17 grenade launchers and 37 M-16 rifles. Their action was a flagrant violation of the Canal Treaties, which prohibit that kind of unilateral movement.

Secondly, in an irresponsible, dangerous and illegal act, on 9 March 1988 at 1.20 a.m. a Black Hawk combat helicopter of the United States Air Force flew over the Panamanian military area known as Jose Domingo Espinar at an extremely low altitude.

(Mr. Ritter, Panama)

By May 1989, the military forces of the United States had perpetrated 56 such incidents, all of which were in violation of the provisions of the Torrijos-Carter Canal Treaties. But let me now mention incidents that have occurred since the Council last met on this matter.

On 8 June this year, without prior warning or consultation of any kind, the United States armed forces began deploying motorized units, armoured and artillery vehicles, a large contingent of troops, and reconnaissance and combat helicopters. A UH-58 helicopter, whose crew was not familiar with the area, crashed into high tension wires and fell to earth. All those on board died in the flames of the crash, as the result of an action that violated the Panama Canal Treaty. They fell victim to orders which, even under United States domestic legislation, were illegal, because the Panama Canal Treaties are also the law of the United States.

On 18 June 1989, United States armoured vehicles, combat helicopters and assault forces heavily armed with machine-guns and rifles, proceeded illegally towards the village of Chilibre, in the environs of the Panamanian capital, and occupied the water filtration plant which provides drinking water for one third of the population of the Republic. The drinking-water installations of Panama City and neighbouring areas continued to be occupied for 24 hours. The explanation that was given by the Southern Command was that they were carrying out military exercises.

The following week, on the twenty-fifth, motorized detachments and assault troops, with combat helicopters flying at a very low altitude, once again surrounded important military installations in Panama.

The presentation that I am giving the Council does not cover all the facts. It is based on a selection of certain of the most significant events. We have documentation of several hundred cases of Panamanian citizens having been detained, assaulted or humiliated by United States soldiers.

(Mr. Ritter, Panama)

Recently, the Republic of Panama once again was attacked and its security seriously threatened by the armed forces of the United States. On 4 August 1989, in the area of Fuerte Amador, equipped with UH-60 helicopters and Hummer vehicles, four "Dragon" missile launchers and an M-50 machine-gun, United States soldiers stationed themselves at the entrance to a housing complex in the area occupied by civilians and took aim at the installations of the military police of the Fifth Company, Victoriano Lorenzo of the Panama Defence Forces and the building of the General Command of the Commission for the Defence and Security of the Canal of the Defence Forces of Panama. Another two missile launchers were aimed at sites frequently used by the civilian population.

On 8 August 1989 the United States armed forces moved military equipment, including armoured vehicles, along our highways. Confronted by a peaceful protest of Panamanian citizens at this deployment of military personnel and equipment, these soldiers deliberately damaged the vehicles of those citizens with their armoured cars and threatened them with their firearms. They insulted and trampled underfoot the Panamanian flag which the group of demonstrators was carrying and proceeded to assault and detain Panamanian citizens, including civil and military authorities, who appeared on the scene to ensure the safety of those Panamanians.

While these events were taking place, land and naval forces of the United States were making incursions into the Amador area.

The population of the central region of the country was threatened by a low-altitude overflight by three A-37 aircraft of the United States Air Force, in violation of Panamanian airspace and the regulations of international air navigation.

Only two days ago, in blatant violation of the Panama Canal Treaties, armoured vehicles and United States troops of the illegal Southern Command blocked the access routes to Fuerte Amador, a military area shared by the armies of both

(Mr. Ritter, Panama)

countries, blocking Panamanians' access to the area and detaining two Panamanian policemen who were carrying out their customary duties of controlling traffic in the access area.

Yesterday, on 10 August, three military aircraft flew in formation over the main barracks of the Defence Forces, and in an incredible act of harassment against defenceless citizens, a Black Hawk combat helicopter repeatedly and menacingly overflowed the Panamanian Ministry of Foreign Relations.

Yesterday, in an act of insolent arrogance, the United States Army seized the highway linking Panama City with the rest of the country, and the country with the rest of Central America. In a manner banned by even their own national authorities, the soldiers subjected bus passengers to humiliating searches.

Today, four United States Air Force planes overflowed my country's capital.

I should like to point out that there has been an attempt to justify some of these actions on the basis of a supposed right of the United States armed forces to move without restrictions of any kind throughout Panamanian territory. Not only is there no such provision in any existing treaty but, furthermore, the interpretation that is given to that supposed right is tantamount to the kind of interpretation that an army of occupation in a conquered area might give. The purpose is to fabricate an incident by taking the provocation to the extreme, causing Panamanians to react in self-defence, or by using any other method to justify the launching of an operation to take Panama by force.

I do not believe it really essential for me to dwell on the genesis of this dangerous conduct. The Council is already fully aware of Panama's strategic value, not only because the Canal is located there, but because of its priceless geographical location, especially with respect to communications between the two distinct commands which make up the sophisticated military complex of the United States and which far exceed the Canal's defence needs.

(Mr. Ritter, Panama)

The Council has heard - and probably will hear again - frivolous allegations referring to the political process in the country, the role of the armed forces in national development, and the nature of its institutional leadership, all of which is in open and shameless violation of the principle of non-intervention, since these allegations amount to a subjective and unilateral assessment of Panama's internal affairs, which cannot serve as a basis for any military action whatsoever on the part of any other State. For that reason, I shall not elaborate on Panama's policy.

The situation which I am bringing to the attention of the representatives of the members of the Security Council is that there exists a state of imminent war. This is an urgent matter that calls for immediate attention; it jeopardizes the basic and fundamental function of the body set up precisely to deal with matters of war and peace among nations.

(Mr. Ritter, Panama)

The 1977 Panama Canal Treaty and the related agreements, together with the Treaty on the neutrality of the Canal - both of which are in force since 1979 - represent a timetable for decolonization entered into in solemn agreement and, as such, their implementation depends on the prevalence of a legal order to regulate the conduct of every nation in its relations with other nations.

The Treaties grant limited rights to the United States Government, and nowhere in them is there any text arrogating to the United States Government the authority irresponsibly to scatter explosives over the fields and streets of the Republic of Panama - which have already caused deaths and resulted in the wounding of many of our citizens who remain hospitalized.

In no provision is there any authorization whatsoever for Panamanian airspace to be used by combat aircraft which, in failing to co-ordinate their flight plans with our air navigation authorities, have endangered the flights of commercial airlines of Panama, the United States and other countries.

These Treaties do not offer the slightest possible grounds for the United States Armed Forces to occupy Panamanian installations vital to the civilian population, or to emplace artillery targeted against Panamanian Defence Forces installations of primary significance.

There is nothing in these agreements that can be interpreted as justification for the deployment of contingents of heavily armed troops in our cities and towns or for the carrying out of exercises by its combat aircraft giving every indication of an armed attack.

When the Commander of the United Armed Forces in Panama arbitrarily and illegally decided that there were no limits or restrictions on those Forces' movements or actions, the Republic of Panama - given the offensive military power of that nation - was thereby converted into an invasion target awaiting only the order to fire by the invader.

(Mr. Ritter, Panama)

The situation is becoming increasingly serious, for there are cases of criminal conduct by United States military personnel and their Commander-in-Chief is constantly boasting publicly that he can massacre Panamanians.

The Panama Canal Treaties prohibit United States civilians and military personnel from meddling in the internal affairs of the Panamanian nation, and the military power they represent on our territory is currently being used not only to intimidate and threaten us with a view to bending our will but also to create the necessary scenario to disguise the fabricated pretext to proceed to the acts of war they envisage.

The facts I have brought to the attention of the countries members of this Council and to the international community as a whole make it incumbent upon the Republic of Panama to make some statements faithfully reflecting the various options that have been chosen as part of its foreign policy.

I reiterate that Panama is fully aware of the important international role it has been fulfilling since the beginning of this century with regard to a significant part of its sovereign territory which has been committed to the service of international maritime traffic, thus contributing to sustaining, consolidating and expanding world trade.

We emphasize that this peaceful and beneficial role that contributes to peace and progress for all mankind will continue to be a vital part of our destiny, and we shall carry it out fully in keeping with our potential as an independent nation.

However, while Panama is placing such a valuable asset at the disposal of all mankind, we also firmly seek to be treated with the justice of which Panama is worthy and demand that its right to preserve its dignity and honour be recognized. Hence we seek respect for our sovereignty and the unconditional adherence to all the clauses of the Canal Treaties, which constitute the regulations for the functioning and maintenance of the inter-oceanic path.

(Mr. Ritter, Panama)

Panamanians categorically state that the military threat - which is in violation of the Canal Treaties and responsibility for which falls exclusively on the United States Government - daily poses a serious threat to the functioning of the Canal and to peace in this very sensitive part of Central America, whose stability is absolutely vital to the users of the Canal. I repeat: the very functioning of the Canal is now threatened.

We have on many occasions warned of this danger without the evidence that has been presented having up to now led to concerted international action leading to the necessary moral force being brought to bear to put an end now to preparations for armed aggression and other violations until the termination of the Panama Canal Treaty on 31 December 1999.

The Organization of American States (OAS) has also received detailed information accurately describing the real causes of the dispute. However, on many occasions when the Special Mission designated by the OAS went to Panama, in a diplomatic effort aimed at finding formulas for peace, even before receiving expressions of welcome and encouragement in its task it encountered massive military mobilizations by the United States Armed Forces which left the defence areas fixed by the Canal Treaties and carried out incursions throughout the territory in an insulting display of lack of respect for that regional organization.

We believe that the time has come for the international community as a whole to turn its eyes to this part of the world, for Panama has almost become a theatre of war.

Since there is no time to be lost, we have recourse to the Security Council with a sense of greater urgency than ever before and, in our concern for a canal that is of benefit to all, we have decided in this solemn moment to submit to the Security Council, custody of the Canal Treaties, so that this body may see to their strict implementation and guarantee the normal and efficient functioning of the

(Mr. Ritter, Panama)

inter-oceanic path, which is now endangered by constant violations of the Treaties governing its administration.

The Panama Canal, although governed by a bilateral Treaty, deserves to be given the greatest international attention, since an act of war committed with impunity or disguised through old tricks is something that affects everyone and is of utmost importance to all, given the precedent it would create and the perilous path on which it would take mankind.

My request is a modest and simple one. I am not calling for votes of condemnation or for exhortations for rectification.

What the situation in Panama calls for is the presence of military observers, which, we hope, could go as early as next Monday, 14 August, the date on which, coincidentally, we shall celebrate 75 years since the Canal was put at the service of world navigation.

I should like categorically to point out that, if the United States decides to take Panama by force of arms, the cost will be far greater than what is believed by those who now incite and promote recourse to military means and much time will pass before peace is restored to the banks of the Panama Canal.

The community of nations can ensure that the United States put an end to its aim of belligerent annexation through political domination, since the evidence of the observers to be designated would ensure that the facts could not be hidden and that they would be recorded in the annals of history as a crime.

Hence the deterrent of reaction of the conscience of the peoples of the world and of the people of the United States itself, with its increasing devotion to peace, would prevent such an act of barbarism. We do not ask for anything else.

That, then, is the substance of the Panamanian request and the reason for my appearance today before this body.

(Mr. Ritter, Panama)

This morning I also handed a note to the Secretary-General setting forth the desire of the Government of Panama for a good offices mission of the Secretary-General to avoid an imminent breach of the peace in the region and to observe the situation on the ground and advance urgent measures aimed at contributing to decrease tension between the two countries.

There is nothing here that is a figment of the imagination. The state of tension existing between the United States Army and the Panamanian Defence Forces is real and growing rapidly. The imminent danger of a catastrophic confrontation must give way to speedy preventive action on the part of the rest of the international community.

Only the high level of professionalism of the Panamanian Defence Forces has prevented the escalation of provocations, military manoeuvres, harassment and humiliation of the population from giving rise to a massacre of colossal proportions. But when a peaceful people like that of Panama stores up resentment and frustration because the most powerful army in the world is arrogantly trampling on its dignity the emotional reaction cannot be contained. This dispute could have a disturbing outcome of unforeseeable magnitude. Omar Torrijos, in less dramatic circumstances than today's stated something that is still dangerously valid:

"The United States is running out of excuses and the Panamanian people is running out of patience".

The PRESIDENT (interpretation from French): I thank the Minister for Foreign Relations of Panama for the kind words he addressed to me.

Mr. OKUN (United States of America): It gives me a great deal of pleasure at the very outset to welcome you, Sir, to the presidency for this month of August. Your country and mine have enjoyed and continue to enjoy close, cordial and productive relations. The United States delegation looks forward to a good period under your distinguished leadership of this Council.

(Mr. Okun, United States)

At the same time, let me express the sincerest appreciation of my delegation to Ambassador Pejic for his thoughtful leadership of the Council last month. He guided us through some difficult problems with unfailing skill, humour, tact and wisdom and we are grateful for his actions on the common behalf.

It is truly unfortunate that this important body must spend its valuable time and resources to listen to the groundless complaints of the representative of General Noriega's régime. The document circulated by the régime in calling for this meeting and the statement just made to this Council are full of fabrications and falsehoods.

The truth is simple and openly verifiable to anyone who cares to observe events in Panama. In fact the truth has been amply laid out at the Organization of American States (OAS) in a series of three extraordinary meetings of foreign ministers: 16 and 17 May; 5 and 6 June; and 19 and 20 July. It is not far-fetched to conclude that the Noriega régime's manoeuvring today is an effort to divert attention from what the OAS is trying to do.

As we all know, on 7 May the Panamanian people went to the polls. Despite intimidation, repression and massive efforts at fraud, the candidates opposed to General Noriega won by a margin of over three to one. This outcome was documented by a host of international observers and by the Catholic Church. General Noriega proceeded to declare the elections annulled and to unleash goons on the electoral victors, brutally beating the candidates themselves and murdering one of their bodyguards in cold blood. Who can forget the picture of this unmitigated brutality broadcast throughout the world? And what was the Noriega régime's response? To claim that the United States had bought the world press to publish falsified photographs.

(Mr. Okun, United States)

Governments throughout the Western hemisphere and the rest of the world condemned, publicly and privately, General Noriega's abuses of the rights and persons of his own people. The OAS became engaged in the crisis on 17 May when the twenty-first meeting of the Consultation of the Ministers of Foreign Affairs adopted a resolution which, after considering that the

"grave events and the abuses by General Manuel Antonio Noriega in the crisis and the electoral process in Panama could unleash an escalation of violence" and that

"the crisis... could endanger the international peace and security", resolved to entrust three foreign ministers and the Secretary-General of the OAS with

"the urgent mission of promoting... conciliation formulas for arriving at a national accord that can bring about, through democratic mechanisms, a transfer of power in the shortest possible time...".

The Noriega régime's response to this was to claim that the United States had bought the votes of the nations of our hemisphere.

The Meeting of Foreign Ministers extended the Mission's mandate on 6 June and again on 19 July. The OAS Mission, in its 19 July report to the Foreign Ministers, concluded that

"the continued presence of General Noriega as Commander-in-Chief of the Defence Forces has been identified both by supporters and by the opposition as one of the factors, if not the factor, which must be addressed in order to solve the crisis as a whole, and more particularly the legal and political situation arising from the annulment of the 7 May electoral process".

On 20 July the Meeting of Foreign Ministers, after considering the report of the OAS Mission, decided

(Mr. Okun, United States)

"to request the Mission to assist the parties in the conduct of the negotiations so that they may bring about, through democratic mechanisms and in accordance with domestic procedures in effect in Panama, a transfer of power on 1 September 1989 and the holding of free elections as soon as possible".

The OAS Mission was in Panama last week for a resumed session of the tripartite talks in pursuit of its mandate. Each of the three parties to the talks has submitted a proposal and the talks are expected to resume later this week. The United States has joined the other nations of our hemisphere in supporting the efforts of the OAS Mission. The President of the United States has personally consulted with his colleagues throughout the region in our mutual effort to find a peaceful solution to the crisis through multilateral diplomacy. And what is the Noriega régime's response to the OAS? Continued insistence on placing General Noriega's own personal interests above those of his people. It seems that in General Noriega's view the Panamanian people, who voted three to one against him, as well as the international press and the Governments of the Western hemisphere, are all agents of the United States.

The truth regarding United States activities in Panama is also simple and openly verifiable to anyone who cares to observe events there. General Noriega's representative says that the United States is trying to rescind the Canal Treaties. Let us put that canard to rest once and for all. The United States entered into those Treaties because we judged that they served our national interests. In our judgement they continue to serve our national interests and those of world commerce. They are enshrined in international law and under our Constitution as the law of this land. The President of the United States has repeatedly reaffirmed that the United States will respect fully its obligations under the Treaties.

(Mr. Okun, United States)

All United States current military activities in Panama are conducted in complete accord with the Panama Canal Treaties, without exception. They are provided for in the Treaties; the United States has followed the letter of the Treaties in carrying them out. Mr. Ritter knows this full well, but perhaps he hopes that his audience does not. He hopes that the simple incantation of the charges of intervention will sway this body, which has ample reason to hold the principle of non-intervention in the highest respect. He hopes that a fraudulent appeal to that principle will lead the members of the Council to overlook General Noriega's violent and wilful denial of his people's right to self-determination through fair, free elections and peaceful protest. In reality, however, there is no truth to these claims.

Since February of last year, the Noriega régime has violated various provisions of the Panama Canal Treaties on almost 900 separate occasions - all of them deliberate and many of them quite serious. Many of these violations have involved threats to and the physical abuse of members of the United States armed forces stationed in Panama. Others have involved attempts to inhibit the normal functions under the Treaties of United States military and Government agencies.

In addition, over the past 16 months, the régime has repeatedly sent armed patrols into areas in which the United States has the right to control access under the Treaty. This has resulted in a number of shooting incidents between United States and Panamanian forces, and in one unfortunate incident the accidental death of an American soldier. General Noriega continues to attempt to interfere with Canal operations by repeated harassment of Canal workers, significantly increasing the cost of Canal operations to the detriment of world commerce.

The Government of the United States has shown extraordinary restraint in response to these Treaty violations and other hostile actions by the Noriega

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régime. But President Bush made it clear in his address of 10 May, following the Noriega régime's bloody and brutal repression of the democratic opposition, that we will protect the safety of our personnel and our interests by exercising our rights under the Treaties.

The augmentation of American military forces in Panama under the President's direction was in direct response to the hostile actions of the Noriega régime, as are the exercise of our rights under the Treaties and the increased readiness of our military forces there. Our message to General Noriega on this subject is clear, and he is not happy with it. We will meet our Treaty commitments and obligations; we will protect United States lives and property; we will ensure the safe and efficient operation of the Canal.

Prior to the current crisis, and General Noriega's overthrow of the legal Government of Panama, there existed between Panama and the United States a relationship which was a model of co-operation between a small country and a large one. General Noriega's actions ended that co-operation. Once he has given up his illegal efforts to cling to power and democratic government has been reconstituted in Panama, we are prepared to resume that traditional co-operative relationship and a joint Canal defence effort.

Let us be clear. The United States has no interest in which political parties hold power in Panama. We have worked closely in the past with the Panamanian Revolutionary Party (PRP) and would do so in the future if they won a fair election. We have worked closely with them in the past and look forward to doing so under a democratic civilian government. We have no interest in harming the military or other institutions of Panama. The United States interest in Panama is an interest shared by all the countries of the world: a stable environment for the operation of the Panama Canal in accordance with the Panama Canal Treaties.

(Mr. Okun, United States)

General Noriega has destabilized his own country by alienating his own people. Genuine stability can return only when the will of the people is respected through an ongoing democratic process.

The call for the United States to abide by the Treaties is therefore ridiculous - we have done so and will continue to do so. Rather it is General Noriega who must abide by the will of his people, who have called in overwhelming numbers for him to step down from power and to allow democratic government to take root.

The crisis in Panama centres on the person and on the conduct of General Noriega. The Organization of American States explicitly recognized that fact in its May resolution calling for a democratic transfer of power in Panama. The OAS Special Mission of Foreign Ministers explicitly reaffirmed that fact in its 19 July report of its findings on Panama.

The Noriega régime has several purposes in calling for this meeting. It wants to distract international attention from the efforts by the Organization of American States to promote his surrender of power and a transition to legitimate, representative, democratic government. It wants desperately to find a way to cast doubt on the propriety of the support of the United States, and thus of all others, for the democratic opposition in Panama. And it seeks to portray the meeting of the Security Council somehow as acceptance by the members of this forum to a claim to the legitimacy of the régime following that régime's overwhelming rejection by the Panamanian people in the 7 May elections.

Having failed to control the outcome of the election despite massive fraud and intimidation, having annulled the resulting victory by the democratic opposition, having violently suppressed the protests of the democratic opposition, and then having flouted the views expressed by his hemispheric neighbours through the OAS,

(Mr. Okun, United States)

General Noriega now seeks to use the Security Council to buttress his assertion in Panama that he has legitimacy in the eyes of the world. Who here today - apart from General Noriega's representative - would claim that the will of the Panamanian people is represented in the absurd complaints placed abusively before us in their name?

The Noriega régime's notoriety now rivals that of some of the worst dictatorships of this century, and sadly it is justifiably so. This puppet régime has engaged in shameless acts of electoral fraud and manipulation to deprive the Panamanian people of the right to choose their own government. It is guilty of political murder and torture, of drug smuggling, money laundering, gross violations of human rights, involvement in attempts to overthrow neighbouring democratic governments - the list is indeed appalling.

As the OAS has concluded, the real problem in Panama is obvious: it is General Manuel Antonio Noriega. He hangs on to power only through force and only for personal benefit. His own people want him to leave and to do so immediately. The only solution to Panama's current problems is that called for by the OAS - for General Noriega to step down and to allow the installation of a democratic government. False charges made in this Council cannot hide this, and this body should waste no more of its time on them.

The United States has a commitment under the Panama Canal Treaties to ensure the efficient and safe operation of the Canal until it is turned over to the Panamanian people in the year 2000. This commitment is important to the international community and to the Panamanian people. We take it with the utmost seriousness. We will continue to observe both the letter and the spirit of the Treaties; we will insist that the Noriega régime do the same; and we will not tolerate interference in our fulfilment of our treaty obligations from any quarter.

The PRESIDENT (interpretation from French): I thank the representative of the United States for his kind words addressed to me.

The Minister for External Relations of Panama has asked to speak. I call upon him to make his statement.

Mr. RITTER (Panama) (interpretation from Spanish): I regret the fact that the representative of the United States, instead of speaking to the criminal acts being committed in Panama, should have presented the customary statement which we hear in all international bodies and which gives no response to any of the charges of acts of aggression or violation that Panama has brought to the attention of the Council.

I do not want to take up too much of the time of the Security Council, but I should like to ask you, Mr. President, to permit the members of the Council to view for a few minutes a film taken by an amateur in Panama City near the district where the headquarters of the Panamanian Defence Forces are located and from the bridge that links Panama City with the rest of the country, far - I repeat: far - from the defence zones. All this took place without any co-ordination with the military authorities. But before the film, and without getting into polemical discussions about whether or not the United States is complying with the Treaty, I should like to read out an article of the Treaty of which members may not be aware but which it would be a shame if the United States representative was unfamiliar with. This article states:

(Mr. Ritter, Panama)

"For the transit of any military convoy or any large number of vehicles in a single unit outside the defence zones, the United States forces shall consult with the combined board to make appropriate transit arrangements, time and circumstances permitting, including an escort by Panamanian transit patrols".

In subsequent agreements, Panama and the United States agreed that the term "convoy" would be used to mean three or more vehicles. The same Panama Canal Treaty states that the Republic of Panama shall take the necessary measures to co-ordinate air traffic in the Republic of Panama so as to provide, consistent with the mission of United States forces, the greatest possible safety for civil and military air traffic.

I repeat what I said in my main statement - which, unfortunately, the representative of the United States did not address - that any military mobilization in Panama requires consultation with the combined board.

I should be grateful just for a few minutes of the Council's time in order to view this film. If I may, Mr. President, I should like to take a minute later to make a final statement.

A videotape was displayed in the Council Chamber.

The PRESIDENT (interpretation from French): I call on the Foreign Minister of Panama, who has asked to continue his remarks.

Mr. RITTER (Panama) (interpretation from Spanish): What the Council has just seen was not put together in a film studio; those were genuine pictures of soldiers, helicopters, ships and tanks.

Those who do not know Panama may like to know that they were seeing the occupation of a civilian area, the unauthorized search of civilians and the presence of tanks and military personnel outside the defence zones, without co-ordination with the Defence Forces of Panama, in order to intimidate the Panamanian civilian population.

I believe that those pictures speak for themselves and will convince those who might have felt I had come here inventing tales. Moreover, there is a great deal more in the film, but I do not want to take up too much of the Council's time by showing it all, so it will be made available to the Council.

I should like to provide clarification on a few of the assertions that have been made here, especially with respect to the Organization of American States (OAS).

The Government of Panama, in consultation with all the Foreign Ministers of Latin America, supported the resolution of 17 May, so to speak about the United States buying the Foreign Ministers is totally to misjudge the Foreign Ministers of our region and to make unjustified insinuations.

I should like to make one thing clear about the OAS Mission. At no stage has Panama sought, nor does it seek, to place obstacles in the way of that mission. On the contrary it has always facilitated its work. As I said in my statement, whenever the mission has gone to Panama, for the sole purpose of helping the parties in conflict in Panama, the Panamanian political forces, to find a national

(Mr. Ritter, Panama)

accord - which is its mandate: to assist the parties concerned and the political forces in Panama - it has encountered military manoeuvres of the kind we have seen. Those manoeuvres have been denounced by the very Ministers who have been in Panama, who find it shameful that a diplomatic mission of good offices should be hampered by such military manoeuvres.

That is why we deemed it necessary to bring the matter to the Security Council. The OAS mission in Panama has the very specific mandate of bringing about agreement nationally between the political forces.

It is clear that confrontation between the United States Army and the population and Defence Forces of the Republic of Panama is imminent. That is what justifies our appearance before the Council.

Has the United States complied so faithfully with the Panama Canal Treaties that it has not felt it necessary to respond to a single one of Panama's complaints of violations? Whatever the representative of the United States may say about its complying with the Treaty, I would ask it not to prevent a United Nations mission's going to Panama to verify what is happening there and the threat to international peace and security. I imagine that the United States will do everything possible to prevent such a mission, because it knows that we cannot come to the Security Council every day with film such as we have shown and that under claims of compliance it can go on concealing its continued violations of the Treaty.

As I have said, the Panama Canal Treaty, whose neutrality pact is open to all the countries of the world, is today largely a dead letter; the United States is not complying with it.

Let us hope that no obstacles will be placed in the way of verifying on the ground not only the violations of the Treaty, but also the imminent danger of confrontation.

Mr. OKUN (United States of America): I note that in his remarks, just concluded, and in the film, the representative of Panama did not challenge the points I made in my statement concerning, above all, the statements of the Organization of American States with regard to the source of the problem in Panama. Indeed, he could not challenge it, because it is General Noriega and the illegal régime in place there. Everything flows from that fact, and it is an irrefutable, tragic fact.

The representative of Panama seeks to frighten the Council with talk of some mythical American military invasions and the like, but what in fact did the film show? Even allowing for the unprofessional nature of the film, I must say I saw some people standing around; the roads were open; a few vehicles moved. One sees worse on New York City streets every day.

No, in this case the medium was not the message. I am a little surprised that it was brought forward. If there is anything in that film or in anything else brought to us that is valid to be looked at by us, since the film will be here I am sure the competent American authorities will look at it. But I find it hard to see what was in it.

What we face here, as I said earlier, is a very large attempt to divert attention and distract the Council from what is the root cause of the problem - General Noriega's illegal persistence in hanging on to power against the wishes of his people. That is the issue that must be addressed.

The PRESIDENT (interpretation from French): I call upon the Foreign Minister of Panama, who has asked to speak again.

Mr. RITTER (Panama) (interpretation from Spanish): I simply want to make one point.

Of all the accusations that are constantly repeated and added to, none amused me more than the allegation by the representative of the United States that I am trying to frighten the Security Council or the idea that a country such as mine could inspire fear in the five great Powers of the world and the whole international community.

What I reassert, and regret, is there has been not one answer with regard to the violations and acts of aggression that were filmed. In my statement I spoke of the patience of the Panamanian people, which is reflected in the pictures we have seen. There has not been a single answer, nor has there even been a single mention of a United Nations mission which could go to verify the situation. That is deplorable.

I once again thank the Council for its attention.

The PRESIDENT (interpretation from French): There are no further speakers for this meeting.

The next meeting of the Security Council to continue consideration of the item on the agenda will be fixed in consultation with the members of the Council.

The meeting rose at 1 p.m.