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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDREDTH MEETING

Held at Headquarters, New York,
on Thursday, 21 December 1989, at 3.30 p.m.

President: Mr. PEÑALOSA

(Colombia)

Members: Algeria
Brazil
Canada
China
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. DJOUDI
Mr. ALENCAR
Mr. FORTIER
Mr. YU Mengjia
Mr. TADESSE
Mr. TORNUDD
Mr. BLANC
Mr. HASMY
Mr. RANA
Mr. BA
Mr. BELONOGOV

Mr. RICHARDSON
Mr. PICKERING
Mr. PEJIC

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The meeting was called to order at 3.55 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN PANAMA

LETTER DATED 20 DECEMBER 1989 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21034)

The PRESIDENT (interpretation from Spanish): In accordance with the decision taken at the 2899th meeting, I invite the representative of Nicaragua to take a place at the Council table.

At the invitation of the President, Mr. Serrano Caldera (Nicaragua) took a place at the Council table.

The PRESIDENT (interpretation from Spanish): I should like to inform the Council that I have received letters from the representatives of Cuba, El Salvador, the Libyan Arab Jamahiriya and Peru in which they request 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 those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Oramas Oliva (Cuba), Mr. Castaneda Cornejo (El Salvador), Mr. Treiki (Libyan Arab Jamahiriya) and Mr. Luna (Peru) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from Spanish): The Security Council will now resume its consideration of the item on its agenda.

(The President)

I should like to draw the attention of members of the Council to document S/21036, which contains the text of a letter dated 20 December 1989 from the Chargé d'affaires, ad interim, of Brazil to the United Nations addressed to the Secretary-General.

The first speaker is the representative of Yugoslavia.

Mr. PEJIC (Yugoslavia): At the outset, let me express my delegation's satisfaction at seeing you, Sir, the representative of friendly and non-aligned Colombia, presiding over the deliberations of the Security Council at this crucial moment. Your vast diplomatic experience, dedication and wisdom, demonstrated already on so many occasions in these chambers, are the best guarantee that you will carry out this responsible duty successfully. I assure you that in your efforts you can count on the full co-operation and understanding of the Yugoslavia delegation.

(Mr. Pejic, Yugoslavia)

I should like also to convey my delegation's appreciation to the Permanent Representative of the People's Republic of China, His Excellency Mr. Li Luye, for the very skilful and exceptionally effective guidance of the work of the Council during the busy month of November.

On behalf of my delegation and in my capacity as Chairman of the Co-ordinating Bureau of the non-aligned countries in the United Nations, which at its meeting yesterday considered the situation in Panama, I should like to state that it was with profound shock and dismay that we learned of the armed intervention by United States military forces against non-aligned Panama.

Non-aligned countries have always considered as unacceptable any foreign intervention, especially military intervention, under any pretext, since it represents a gross violation of sovereignty. That is how we perceive the action of United States forces in non-aligned Panama.

We express our firm objection to that act, which constitutes a violation of and disregard for the independence, sovereignty and territorial integrity of Panama. Our concern is even greater since that intervention was carried out at a moment when we all believed that an orientation towards relaxation of the international situation and international tension and towards the search for solutions through dialogue and negotiations had been universally accepted.

We are particularly surprised that this deplorable act has been undertaken at a time when the countries of the region were striving to find peaceful solutions to existing problems in Central America. It will no doubt not only damage the stability of the region but also seriously affect the prevailing positive atmosphere in international relations.

Non-aligned countries have always strongly opposed and condemned the use or threat of force, coercion, military intervention and other forms of interference in

(Mr. Pejic, Yugoslavia)

the internal affairs of other countries, regardless of the pretext or excuse. At their ninth summit Conference, held in Belgrade, the Non-Aligned Countries reaffirmed the inalienable right of the Panamanian people freely to decide on their own political, economic and social system without any form of external pressure, interference or intervention. They also expressed the hope that the Panamanian people might in the shortest possible time express freely and democratically its will to choose its own way of internal development, fully exercising its civil and political rights without foreign interference. That position was further reaffirmed in the communiqué adopted by the Co-ordinating Bureau yesterday in New York.

Therefore, we cannot but re-emphasize our strong objection to military intervention and interference in the internal affairs of Panama. The use of force and the violation of the independence and territorial integrity of that non-aligned country cannot resolve the dispute that exists between the United States and Panama. We also seriously doubt that democracy can be promoted by foreign military means. We are aware of the problems with which the Panamanian people has of late been faced in its internal development. Yet, whatever one may think about the régime of General Noriega, it is up to the Panamanian people to decide what kind of Government or internal development is most suitable for its country.

We therefore strongly believe that the only way to resolve the ongoing situation is through dialogue and negotiations in a broader regional context.

At its meeting yesterday, the Co-ordinating Bureau of the Non-Aligned Countries called on the United States to cease immediately all military operations and withdraw its troops. Otherwise, we feel, the continuation of the hostilities can lead only to a further aggravation of tensions in the region, with dangerous consequences for regional stability and the ongoing efforts to restore peace and security in Central America.

The PRESIDENT (interpretation from Spanish): I thank the representative of Yugoslavia for the kind words he addressed to me.

Mr. RANA (Nepal): Allow me at the outset to offer you, Sir, our warm felicitations on your assumption of the presidency of the Security Council for the month of December. It is an added honour for your great country, Colombia, with which Nepal has close ties of friendship and co-operation. Having had the honour and privilege of working closely with you, we are fully familiar with your diplomatic skill and accomplishments, and therefore feel confident in your wise and able guidance.

I wish also to pay a tribute to your predecessor, His Excellency Ambassador Li Luye, Permanent Representative of China, for the exemplary manner in which he conducted the affairs of the Council during the month of November.

The Security Council is meeting to consider the serious developments in Panama, which we are following closely and with concern. The threat or use of force in settling disputes among and between States, in this age and at this time, is not only a dangerous practice but also a disturbing precedent. The international community is therefore duty-bound to deplore and discourage such tendencies. As a small non-aligned country, Nepal views the United States military intervention in Panama with grave concern. I need hardly emphasize that such actions are contrary to the principles of the Charter of the United Nations and established norms of international law. We are also distressed by the reported loss of life and destruction of property resulting from that action.

My delegation would not like at this stage to go into the merits of the case, which is a matter of bilateral relations between two sovereign States. We strongly believe, however, that bilateral differences cannot and should not justify military intervention. Based on that position of principle Nepal has consistently opposed intervention in the internal affairs of States, whenever and wherever they have occurred.

(Mr. Rana, Nepal)

Our concern at the present case is heightened because it takes place at a time when there is a steady trend towards the relaxation of international tensions, with corresponding efforts to enlarge areas of co-operation and accommodation. Our concern is all the greater because the action involves a major Power and a permanent member of the Security Council, which has a special responsibility under the Charter for the maintenance of international peace and security.

His Majesty's Government of Nepal is concerned at the United States action in Panama also because of the serious consequences it may have for the ongoing efforts of the countries of Central America to find a peaceful negotiated settlement of the problems, thereby ensuring peace, stability and security in the region.

My delegation therefore calls for a speedy end to the military action which constitutes a violation of the independence, territorial integrity and sovereignty of Panama. We expect the Security Council to take prompt and firm measures that would ensure the inalienable right of the people of Panama to decide its destiny free from interference and intervention from outside.

The PRESIDENT (interpretation from Spanish): I thank the representative of Nepal for his kind words addressed to my country and to me.

MR. TADESSE (Ethiopia): First of all, I wish to extend to you, Sir, the sincere congratulations of the Ethiopian delegation on your assumption of the presidency of the Security Council for the month of December. I am sure that your wisdom, your special acumen for skilful negotiations and your ability to steer us through the difficult maze of issues will definitely contribute to the effective fulfilment of the Council's responsibilities.

Similarly, allow me to pay a tribute to your predecessor, Ambassador Li Luye, the Permanent Representative of China, who so ably guided the Council's deliberations during the eventful month of November.

The Security Council is convened at an extremely critical moment when one of the tenets of the United Nations, which constitutes the bedrock of existing international order and stability, has been grossly violated. I am, of course, referring to the principle of non-use of force in inter-State relations and, in particular, to the settlement of disputes among States.

By all accounts the intervention of the United States forces in Panama, which started in the early morning of 20 December 1989, in whatever form it may have happened or under whatever pretext it may have been launched, flies in the face of the Charter principles of the United Nations. It reveals an unnecessary flexing of big-Power muscle against a small, non-aligned Member of the United Nations. It is not only a negation but also makes a mockery of the very notions that the United States itself propounds against recourse to violence in advancing certain perceived political values and/or in the settlement of outstanding differences.

In this connection I wish to state most unequivocally my delegation's sense of distress and outrage at the intervention of the United States forces in Panama and the senseless loss of innocent lives. It is even more saddening that such an act

(Mr. Tadesse, Ethiopia)

of interference is taking place against the backdrop of an international political climate in the throes of transformation in favour of dialogue, détente and the peaceful settlement of conflicts.

The Security Council is charged with the heavy responsibility of maintaining international peace and security and of working strenuously for the removal of threats of any kind that tend to jeopardize the climate of international co-operation. In the view of my delegation the intervention of the United States forces in Panama is a grave flouting of existing international norms and practices and, as such, poses a serious threat to the peace of the region and of the world at large. It not only sours the international atmosphere and leads to the heightening of tension; it is also a significant setback on the path of progress towards a more secure globe free from intimidation, blackmail and threat of violence.

In light of the foregoing there can be no justification for military interference in the internal affairs of a sovereign State, no matter how eloquently one may wish to explain the act. It simply is unacceptable. It is against the grain of the ideals and goals the Non-Aligned Movement has fought so hard to uphold. It is not in accord with the conduct of a big Power, a permanent member of the Security Council, which bears special responsibility for world peace and security.

We are all aware of the simmering misunderstandings and conflicts between the Governments of the United States and Panama, which have been in the news for some time. As neighbours and as parties to a Treaty it was incumbent upon them to resolve their differences through existing mechanisms for the settlement of disputes. Even if regional arrangements and mechanisms did not yield the desired results, the Security Council would have been one of the forums for the expression of grievances and for the moral authority of the United Nations to be fully tapped. Instead, the precipitate action by the United States to resort to the

(Mr. Tadesse, Ethiopia)

military option is not only deplorable; it also presents the Security Council with a serious challenge.

In my delegation's view the Security Council should declare in no uncertain terms that force is an anachronism in international relations. It should urge the United States to cease its military operation immediately and to withdraw its interventionist forces from Panama without delay. It should reiterate its rejection of any violation of the territorial integrity, sovereignty and independence of a United Nations Member State.

As members of the Non-Aligned Movement, we find the massive use of force against small nations extremely alarming. The United Nations should muster its authority and respectability to continue to inspire the faith of its smaller and weaker Members, which have no defence other than the protection offered by its Charter principles for their survival as sovereign and independent States.

In this regard the present crisis over Panama affords the United Nations, and the Security Council in particular, the opportunity to take a clear stand in respect of international law and in condemnation of the naked use of force against a small Member State. We are confident that the Council will, at the conclusion of its deliberations, send this clear and loud message and live up to its stature and to global expectations.

The PRESIDENT (interpretation from Spanish): I thank the representative of Ethiopia for his kind words to me.

Mr. TORNUDD (Finland): First, I wish to congratulate you, Sir, on the assumption by Colombia of the presidency of the Security Council for the month of December. This month seems to be a demanding one for the President, and my delegation pledges its full co-operation with you and wishes you every success in your work.

At the same time, I wish to thank His Excellency Ambassador Li Luye of China for his most friendly and patient handling of the duties of the presidency during the previous month of November.

The Government of Finland has already expressed its concern over the present situation in Panama. In our view all international controversies should be resolved by peaceful means without recourse to the use of force.

We certainly recognize the right to self-defence under international law. In our view it is clear, however, that the military intervention undertaken by the United States in Panama, with considerable loss of life, was a disproportionate response to the recent incidents in Panama, reprehensible as they were.

(Mr. Tornudd, Finland)

This matter should be considered on the basis of the principles of international law, in particular those enshrined in the United Nations Charter. Our position has nothing to do with our attitude towards various acts of violence, drug-trafficking or unconstitutional behaviour for which the Panamanian authorities may be responsible. Such behaviour is of course unacceptable.

The restoration of legitimate democracy in Panama should be encouraged. Any available international mechanisms should be utilized to promote respect for human rights and the maintenance of peaceful law and order in that country. We regret in particular the annulment of the elections in May 1989.

The Organization of American States (OAS) has made commendable efforts to promote democracy and peaceful solutions in Panama. In May the OAS expressed concern about the grave events and the abuses by General Noriega in the crisis and the electoral process in Panama, and urged the authorities in Panama to refrain from any measure or act that could aggravate the crisis. The OAS also exhorted all States to refrain from any action that may infringe on the principle of non-intervention in the internal affairs of States.

In the present situation, we would hope that the Security Council could express its grave concern about the events in Panama, and immediately call for a cease-fire and the withdrawal of those United States forces that are not legitimately in the national territory of Panama under existing agreements. We would also hope that the Council could affirm the right of the Panamanian people freely to elect their legitimate authorities.

That seems to us to be the only way towards the restoration of peace in Panama and a reduction of the tension that now affects the whole region.

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

Mr. DJOUDI (Algeria) (interpretation from French): At the outset I would address to you, Sir, my warmest congratulations on your accession to the presidency of the Council for the month of December. Your many qualities, which are so well known to all the members of the Council, prompt us to express our conviction that you will, with your customary skill, be able to assume the burden, which present circumstances make even heavier, not only as the representative of a friendly country, Colombia, but indeed as a representative of all Latin America.

I should also like to pay a particular tribute to Ambassador Li Luye, of the People's Republic of China, who presided over the Security Council with so much tact and efficiency last month.

What has happened in Panama undeniably reflects an abrupt regression with respect to everything that in the course of the last four decades has been defined by the international community as a code of conduct and as rules that are incumbent upon all States, great and small.

The Charter of the United Nations, the Declaration on principles governing friendly relations among States, of 1970, the document that defines aggression, the principles of the Conference on Security and Co-operation in Europe, held in Helsinki in 1975, the growing role and authority of the International Court of Justice - all are valuable landmarks affirming those rules that should govern any civilized society that respects the law, freedom and justice.

Thus respect for the sovereignty and territorial integrity of States, the inviolability of frontiers, non-interference in domestic affairs, the right of peoples to self-determination, the non-use of force, and the peaceful settlement of disputes are regarded by Algeria, as by all Member States of the United Nations, as axiomatic in inter-State relations.

There can be no doubt that it is because those fundamental principles have not been observed that we are meeting here today. The intervention of United States

(Mr. Djoudi, Algeria)

armed forces in Panama, a non-aligned country and a Member of our Organization, quite obviously represents a violation of the principles set forth in the Charter and the fundamental norms of international law.

Yesterday, in a statement made by its spokesman, the Algerian Government expressed its profound concern at this military intervention. We also express our alarm at the large number of casualties among innocent civilians.

Algeria associates itself with the strong condemnation voiced by almost the entire international community at this example of the disturbing resurgence of the logic of power. The action is all the more reprehensible in that it has been perpetrated by a State that is a permanent member of the Security Council and thus bears special responsibility as regards international peace and security and peace-keeping and should therefore have displayed restraint and respect for established principles.

This action likewise establishes a grave precedent in so far as it is fraught with a potential threat to the security of small States through an abusive and erroneous interpretation of the provisions of the Charter of the United Nations. Whatever their nature, and however serious disputes may be, armed intervention can never be justified, and it should be unambiguously condemned.

What has happened runs counter to the whole climate of détente at present prevailing internationally, and it inevitably raises questions about the underlying motives that made military intervention preferable to the promotion of dialogue and negotiation through exhaustive recourse to peaceful means.

What is more, ongoing dialogue had already been initiated among the five countries of Central America and the eight countries of Latin America. There can be no doubt that the countries of the region have given evidence of political tenacity in resolving problems confronting them. Enjoying, as they do, the constant support of the international community and our Secretary-General, the

(Mr. Djoudi, Algeria)

Governments and States of that region have consistently worked to restore confidence and to create the conditions necessary for the advent of an era of peace, understanding and co-operation on the basis of the fundamental principles of non-interference in the internal affairs of States and the right to self-determination.

It is to be hoped that this demonstration of armed force, and particularly the potential threats with which it is fraught, will not thwart the peace efforts in that much troubled region, which though fragile are very real, since the peoples of Latin America place all their hopes in them.

On the basis of the ideals and principles that bind us all through our adherence to the Charter of the United Nations, Algeria would urge the cessation of military intervention and the immediate, unconditional withdrawal of foreign troops from Panama. We call upon the parties concerned to resolve outstanding problems by peaceful means, and we express the hope that through normalizing the situation it will be possible for the Panamanian people, and it alone, to decide its future.

Algeria has complete faith in the genius of the peoples of Latin America to promote and help in the speedy return of normalcy in Central America.

The PRESIDENT (interpretation from Spanish): I thank the representative of Algeria for the kind words he addressed to me.

Mr. ALENCAR (Brazil): May I congratulate you, Sir, on having assumed the presidency of the Security Council for the month of December. The manner in which you have conducted the business of the Council in the first three weeks of this month shows that the confidence we placed in you from the very beginning was amply justified.

I should also like to express our appreciation for the efficient manner in which your predecessor, Ambassador Li Luye of China, led us in the month of November.

Yesterday, a few hours after the United States military intervention in Panama, the Brazilian Government issued a declaration on the subject. That declaration was circulated today and reads as follows:

"The Brazilian Government learned early this morning, with surprise and great concern, of the United States military action in Panama. Faithful to the legal norms and principles which govern the relations among States, embodied in the United Nations Charter and in the charter of the Organization of American States, and considering the fact that a Meeting of Consultation on the subject remains open, Brazil, which condemns the use of force in international disputes, deplores the events in Panama and issues a vehement appeal that a prompt and peaceful solution to the crisis be found, based on respect for the principles of self-determination and non-intervention."

(S/21036, annex)

We expect that in its deliberations on this serious question the Security Council will be guided by a sense of respect for these principles and by the urgent need for their implementation.

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

Mr. HASMY (Malaysia): I should like, first of all, to congratulate you most warmly, Sir, on your assumption of the presidency of the Security Council for the month of December. My delegation is confident that, given your vast diplomatic skills and experience, you will be able to steer the work of the Council to a successful conclusion. I should also like to express our appreciation to Ambassador Li Luye of the People's Republic of China for the skilful manner in which he managed the work of the Council last month.

Malaysia is seriously concerned about the situation in Panama resulting from the military intervention of the United States. We are outraged by the action of the United States, which violates both the spirit and the letter of the United Nations Charter as well as internationally accepted principles of civilized conduct in international relations. Malaysia holds sacrosanct the principles of respect for the sovereignty and territorial integrity of States and of strict non-intervention in the internal affairs of States. We hold these principles dear - principles enshrined in the Charter of the Organization - because they are the rules which we Members of the Organization live by and are sworn to uphold through our national Constitutions. Indeed, they are the only rules which provide a modicum of guarantee of the viability and integrity of small States against big or powerful ones. In a world of sovereign States there can be no other rules, or exception to these rules, which were fashioned by the founding fathers of the Organization.

My delegation has studied carefully the explanation by the United States relating to its military intervention in Panama and is mindful of the circumstances that prompted the United States action. We deplore the violence that had been used against several off-duty United States military officers, which resulted in the death of one of them and precipitated the United States military intervention.

(Mr. Hasmy, Malaysia)

However, in our view there are no justifications for an outright military intervention by the United States in Panama. In our view major States, particularly those sitting as permanent members of the Council, have the added responsibility of ensuring the maintenance - indeed, the promotion - of international peace and security, rather than precipitating instability and uncertainty.

Malaysia would therefore add its voice to the call already made by many Members of the Organization on the United States to desist from further action which would exacerbate the situation and to withdraw its invading forces from Panama. We call on the United States to uphold the utmost respect for the sovereignty, independence and territorial integrity of Panama and to allow the people of Panama to sort out their internal problems by themselves. In an era that is witnessing dramatic changes in favour of peace, conciliation and political accommodation among States, it is regrettable that a major international player in these very same events has resorted to the use of force to settle its own differences with a small neighbour. In our view, only the immediate cessation of United States military intervention in Panama would help restore international confidence in the rule of law in relations among States, of which the United States has been a leading proponent.

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

The next speaker is the representative of Cuba. I invite him to take a place at the Council table and to make his statement.

Mr. ORAMAS OLIVA (Cuba) (interpretation from Spanish): We are pleased to see you, Sir, the representative of a fraternal Latin American country, presiding over the Security Council - and especially today, when the dignity of Latin America

(Mr. Oramas Oliva, Cuba)

has once again been trampled underfoot, when the sovereignty of a Latin American country has been grossly violated, when the most sacred principles upheld by Latin America for decades have been flouted. It is therefore our conviction that you, Mr. President, with your experience and skill, combined with your sensitivities as the representative of a Latin American country, will be able successfully to conduct the debate upon which we have now embarked.

We also wish to extend our best wishes and appreciation to your predecessor, the Permanent Representative of the People's Republic of China, for his distinguished and effective work as President of the Security Council in November.

This year the Security Council has been working intensively to resolve or attenuate various conflicts the world over. The steadfast efforts of its members in the cause of peace have been recognized. This year the international community has been appreciative of and has repeatedly welcomed the atmosphere of détente. We all hoped that the efforts now being made for peace would reach all the corners of the world, including our small countries. We truly want peace for all.

(Mr. Oramas Oliva, Cuba)

However, it has been necessary to convene the Council in order to consider an act of armed aggression by the United States Government against the people of Panama. Troops of the Southern Command, reinforced by troops of the 82nd Airborne Division, invaded Panama at 1 a.m. on 20 December 1989.

Events before that armed aggression showed clearly that the United States was carrying out further acts of provocation to find a pretext to start an action which had already been decided upon. That is confirmed by the fact that, as has become known, the Director of the United States Central Intelligence Agency informed Congressional leaders in the early morning hours of 20 December that the action against Panama had been in preparation for three months and that it had been well thought out and planned.

None the less, we must make it clear that the increase in the number of marines and their military equipment in that country and the surrounding areas dates back much earlier, as was pointed out in yesterday's edition of The New York Times, last May the President of the United States ordered the sending of 1,800 marines and soldiers to reinforce the 10,300 United States troops already deployed in Panama.

For more than two years now we have been warning in every international forum of the possibility of a Yankee intervention in Panama. The United States has conducted a constant policy of destabilization, coercion and the threat of the use of force against the State of Panama.

It was with growing concern that we listened to statements by high officials of the United States Government and followed the press campaign unleashed by the mass media of that country aimed at creating doubts about Panama. Not only were hostile and aggressive actions against that fraternal Latin American country

(Mr. Oramas Oliva, Cuba)

increased, but the possibility of the military option, whose use we are witnessing now, was brazenly left open.

The armed aggression by the United States against Panama, in flagrant violation of international principles and norms, such as the United Nations Charter, has no justification whatsoever.

Ever since the rise of the Yankee empire it has unceasingly intervened in our American nations, indiscriminately using the time-worn arguments of "defending freedom and democracy" and "protecting the lives of Americans and their property". On that pretext the United States has trampled underfoot the rights of our peoples to decide their destiny freely.

In Cuba, whenever the United States has wanted to protect the lives of its nationals and its interests, it has deposed the Government, occupying my country or intervening. It did it in 1898 and 1899; it occupied our country from 1906 to 1909; in 1912 and 1917 it did it again; and in 1961 it launched the Bay of Pigs invasion. Moreover, it is still illegally occupying the Guantanamo naval base.

Panama is today another clear victim of the interventionist policy of the United States towards our peoples. It invaded Panama in 1856, 1865 and 1903; in 1912 it did so in order to supervise elections; it sent in troops in 1921 and 1925; in 1964 it massacred students demanding the return of the Canal to Panamanian sovereignty; and now it has perpetrated its most recent act of vandalism.

As the leader of the Latin American independence movement, Simon Bolivar, said,

"The United States seems destined by Providence to shower misery on our America in the name of freedom".

(Mr. Oramas Oliva, Cuba)

Having caused destruction and fires in a number of residential areas, and the deaths of dozens of innocent civilians, the United States, while maintaining a state of war, carrying out acts of harassment and deploying forces in territory under Panamanian jurisdiction, is involved in a disinformation operation and the manipulation of United States and international public opinion. It is trying to impose on international public opinion a version of events in the style of United States best sellers.

Yesterday the President of the Council of State and of the Council of Ministers of the Republic of Cuba, Fidel Castro, in a letter addressed to you, Sir, as President of the Council and to the Secretary-General, denounced the attempt by the United States to pose as the country that had been attacked, as the victim of foreign aggression. As is pointed out in that letter,

"The President of the United States is attempting to justify the gross violation of international law and the Charter of the United Nations by invoking Article 51 of the Charter, no less, which recognizes that every State has the 'right of self-defence'. Such disdain for the intelligence of Member States is on a par with the shamelessness of those who, themselves guilty of the crime of aggression, try to pass themselves off as victims." (S/21038, annex, para. 3)

International public opinion should be aware that what is really at stake in Panama is not the situation of United States citizens or their property, or an interest in restoring democracy; rather, what is happening is an attempt by the United States not to comply with the Panama Canal Treaties and not to yield authority over the installation to a Government which is the legitimate successor to that of General Omar Torrijos and which is seeking to fulfil his aspirations.

(Mr. Oramas Oliva, Cuba)

Panama's claim to sovereignty over the Canal and the territory occupied by the United States, its demand that the United States military bases there be done away with and its determination to achieve those objectives by negotiations have always given the Panamanian cause the broadest possible support in the Non-Aligned Movement, and it has been defended by the other peoples of Latin America.

The aggression by the United States super-Power against that small, third-world country is a crime that we cannot tolerate. We cannot by our silence be accomplices to this barbaric act. For the situation in Panama has gone so far that it is putting to the test all the efforts that the international community has gradually been making to ensure that peace shall reign.

If imperialism can trample underfoot the principles of the Charter, if it can disregard the will of the peoples of Latin America and of the international community, then all of us, including those gathered here today, will be less independent and more vulnerable. The heroic people of Panama must feel that it is not alone and that the international community supports it unreservedly in upholding its sovereign right to decide its own destiny and to defend itself by all means against brutal aggression.

(Mr. Oramas Oliva, Cuba)

Cuba has been denouncing the hypocrisy of United States policy on the international scene. The invasion of Panama by United States troops is the most brazen example of that hypocrisy.

The Government of the United States, with its enormous machinery of propaganda, has attempted to impose on international public opinion a picture of itself as the promoter of democracy, of freedom, of peace and human rights, as the defender of international détente and the atmosphere of co-operation. But nothing could be further from the truth. On the contrary, the Government of the United States has taken advantage of the atmosphere of détente to intensify its acts of aggression against our peoples.

As the Minister for Foreign Affairs of Cuba stated during the general debate at the forty-fourth session of the General Assembly:

"We cannot conceive, much less accept, that while talks and negotiations between the United States and the Soviet Union are being held with a view to agreements that contribute to disarmament and international peace and security, the United States continues at the same time to apply its hostile policies and actions against independent nations in different parts of the world." (A/44/PV.8, p. 71)

How can one explain the fact that, at the same time that the United States talks of peace and democracy, it invades Panama with impunity, without gauging the grave consequences of this act of barbarity for the convulsed Central American region? How can it talk of international détente at the same time as it carries out acts of provocation from the Guantanamo naval base, firing irresponsibly on Cuban posts of the revolutionary armed forces of Cuba, which are patrolling the perimeter of the base? It is inadmissible for the Government of the United States to claim to be unaware of the danger of such senseless behaviour, which could have

(Mr. Oramas Oliva, Cuba)

grave consequences at a time when it is sharpening the brutal economic blockade and increasing its military provocative manoeuvres against Cuba.

In a word, United States policy is becoming increasingly aggressive and dangerous. This stance is immoral and must be denounced.

As the First Vice-President of the Council of State and the Council of Ministers of the Republic of Cuba, General Raul Castro, stated at the ninth summit meeting of the non-aligned countries:

"The security and peace of the rich are not the security and peace that we the poor countries are fighting for. We want peace with sovereignty, with independence, with dignity, with justice, with development. We want peace that is truly universal and excludes interference and aggression."

Today the Ministry for Foreign Affairs of my country issued a statement containing a forceful condemnation by the people and Government of Cuba of this new act of imperialist aggression against our Latin American countries, and calling on international public opinion and all States to express their solidarity with the people of Panama, who are now confronting the United States invaders, and demanding the immediate withdrawal of United States troops from Panamanian territory.

The Government of the Republic of Cuba wishes to sound a warning about the grave consequences for the entire Latin American region and relations between Latin America and the United States of the inevitable and explosive reaction that the military intervention of the United States in Panama will cause among the peoples of our America.

The Security Council has the primary responsibility of maintaining international peace and security. It must therefore act urgently to stop the United States invader. To that end it is necessary in our opinion to condemn the brazen invasion of Panama by the United States; demand the immediate cessation of

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the military intervention and the total and unconditional withdrawal of all the United States forces that have invaded Panama, in flagrant violation of international law, the United Nations Charter and the internationally accepted norms that govern relations between States; denounce any intention to remain on the territories that the invading troops have penetrated; support the right of the Panamanian people to decide its own destiny, and strictly respect Panama's national sovereignty, trampled underfoot by the United States troops; express solidarity with the struggle of the patriotic Panamanian forces, which at this moment are standing up to the aggressor and are heroically resisting this imperialist aggression, shedding their blood in "Dignity Battalions" and the Panamanian defence forces; denounce the establishment by force by the United States Administration of a puppet government, the recognition of which would only lead to complicity with this brutal aggression, placing at risk the self-determination of all the peoples of Latin America.

In conclusion, I must inform the Security Council that we have reliable news that both the Panamanian Red Cross and the International Red Cross are finding obstacles being placed in the path of their humanitarian work by the invading forces. It is important to guarantee that they can carry out that work. The invading forces - the United States Government - must give guarantees to the Security Council and the international community that both Red Cross bodies will be able to function immediately, in accordance with the relevant international conventions.

The PRESIDENT (interpretation from Spanish): I thank the representative of Cuba for the kind words he addressed to me.

The next speaker is the representative of Peru. I invite him to take a place at the Council table and to make his statement.

Mr. LUNA (Peru) (interpretation from Spanish): I should like to thank the Security Council for giving me this opportunity to speak here on this very delicate subject.

First, I wish to congratulate you, Sir, on your assumption of the presidency of the Council for the month of December. Your skills and experience ensure that Latin America could not be better represented in the presidency of the Council at this time.

We also thank the representative of China for the able way in which he led the Council's work last month.

In the light of recent events in Panama, I wish to state that the Government of Peru vigorously and unequivocally condemns the invasion of that country by military forces of the United States of America. This act is a flagrant violation of Panama's sovereignty and of the principle of non-intervention enshrined in the United Nations Charter and the charter of the Organization of American States.

The events that have occurred in the Republic of Panama go against the tide of history. They are a grim re-enactment of imperialistic practices that democratically minded people in Latin America had thought were surely a thing of the past. Indeed, the inter-American diplomatic action, on the one hand, and the determination to co-ordinate Latin American policies, on the other, had successfully blocked such practices, by common agreement and through strenuous efforts, and by adhering for many long years to certain ethical and legal standards in international relations. Therefore, this situation can only elicit a blanket condemnation from the peoples and Governments represented here.

(Mr. Luna, Peru)

As is widely known internationally, my country, true to its legal traditions and in keeping with the democratic desires of our people, has condemned the undemocratic practices of the forces of General Manuel Antonio Noriega. Therefore our condemnation of this invasion can in no way be construed as supporting a dictatorial Government which we have repeatedly denounced. Peru has in fact, in a number of multilateral forums, initiated a number of actions aimed at ensuring the sovereign will of the people of Panama.

We have done so in line with the position of the Group of Eight, which decided to suspend Panama from the Permanent Mechanism for Consultation and Concerted Political Action. At the same time we have promoted formulas in the Organization of American States aimed at respecting the wish of all parties in Panama to restore democracy without prejudice to strict observance of the principle of non-intervention and full respect for and compliance with the Canal Treaties.

Peru has always promoted reconciliation of the principle of democratic solidarity with that of unrestricted respect for non-intervention. We have always acted in accordance with commonly accepted standards and with the clear desire to promote a regional consensus, which, while respecting Panama's sovereignty, would help its people to resolve its constitutional crisis. Thus the Foreign Minister of my country, at the first consultative meeting of the Foreign Ministers of the countries members of the OAS convened to consider the crisis that had already arisen, made the following statement seven months ago:

"I take this occasion to reaffirm Latin America's long-standing rejection of all means of coercion. But at the same time I would stress the need to avoid ambivalent responses and automatic reactions. We must denounce any form of unilateral intervention, which we Latin Americans reject, in particular in light of the threat to democracy in one State in the region. We must do so

(Mr. Luna, Peru)

without weakness, undue haste, or vehemence, but with the certainty and strength that flows from the new regional responsibility for the collective diplomatic defence of the democracies at present in jeopardy".

We are convinced that the quality of relations between Latin America and the United States must be safeguarded by crystal-clear agreements based on clear and shared principles. Consequently, an act of this kind, reprehensible as it is imprudent, can only have a negative impact on relations in the entire hemisphere. Public opinion in Latin America, and indeed in the world at large, inevitably finds it absurd that this one-sided conflict should have been undertaken in the first place and finds it ironic that the conflict might turn a pariah into a martyr. My Government will not be a party to so grotesque a deed.

Peru has shown on a number of occasions that the persistence of a régime such as General Noriega's is a blot on the democratic community which, even now, is being forged in Latin America. We consider that any effort aimed at eliminating an authoritarian and usurping power is legitimate, provided that the foundation of international relations is not undermined. That foundation of international relations is after all but an expression in the international arena of the profound desire of the peoples of the United Nations to make democracy the sole ethical alternative to anarchy in international relations. Therefore, our rejection of authoritarianism may be seen as being twofold: repudiation of the use of power against one's own people and of the use of power politics among the peoples of the world.

Finally, I wish to announce that yesterday, around noon, my Government issued a Presidential Communiqué which contains the points I have just set forth and which sums up the measures taken by the Government of Peru as a concrete expression of its rejection of that invasion. I have requested that that communiqué be circulated as an official document of the Security Council.

The PRESIDENT (interpretation from Spanish): I thank the representative of Peru for the kind words he addressed to me.

The next speaker is the representative of the Libyan Arab Jamahiriya. I invite him to take a place at the Council table and to make his statement.

Mr. TREIKI (Libyan Arab Jamahiriya) (interpretation from Arabic):

Mr. President, allow me to thank you, and through you the members of the Security Council, for giving me this opportunity to speak before the Council. On behalf of my delegation I should also like to express our congratulations to you, Sir, on your assumption of the presidency of the Security Council for this month. Your well-known abilities and diplomatic skills as well as our personal friendship make me confident that this Council will be able to achieve the desired success under your leadership.

I cannot fail to express our thanks and appreciation to Ambassador Li, the Permanent Representative of the People's Republic of China, on the exemplary manner in which he conducted the Council's business last month.

Once again the Security Council is faced with the problem of an act of aggression and intervention by one of its permanent members against a small State Member of the United Nations. Once again the Council is being put to the test - this time by blatant intervention by United States forces, in violation of the independence and sovereignty of Panama, a small non-aligned country.

A few days ago we adopted a resolution on the security of small States. Yet that resolution, on which the ink has not yet dried, was not respected. Small States are being subjected to acts of aggression and intervention. Therefore, the question before us is: what measures is this Council going to adopt? Will it uphold the Charter principles of peoples' right to life, to self-determination and to the choice of their own systems? Will those principles be upheld, or will alliances and narrow interests be the basis of the positions and measures to be taken?

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Jamahiriya)

Needless to say, the United States action is a flagrant violation of the principles of international law and the United Nations Charter. It is but one link in a chain of acts of aggression and intervention against small States: Grenada in 1983, Libya in 1986 and Panama in 1989, not to mention other countries such as Cuba. Nor will the aggression against Panama be the last link in that chain.

I ask again: what measures are to be adopted? The United States of America has attempted to justify this blatant act of intervention with legal pretexts, invoking Article 51 of the Charter. Although some of us have remained silent for reasons of our own, we all know that those pretexts are fallacious. We all know there can be no justification for such acts of aggression and intervention.

Today's Washington Post summarizes the opinions of various United States experts in international law on the unconvincing pretexts and arguments put forward by the United States Administration. Barry Carter, professor of international law at Georgetown University, said

"that policy 'is: You can use force to overthrow a government you don't like. The trouble is that the doctrine is awfully elastic. If we can use it, why can't others?'" (The Washington Post, 21 December 1989, p. A36)

Oscar Schachter, professor of international law at Columbia University and former chief legal counsel of the United Nations, said

"'I'm skeptical ...' Any claim of self-defence is supposed to be followed by a response that is both 'proportional' to the threat and 'necessary' to the threatened government. He expressed doubt that the American action, involving 22,500 troops, met those requirements.

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"The heart of it [the legal justification] has to do with factual assumptions that don't come through very clearly,' Schachter said. 'The dominant thing that comes through was the desire to get rid of Noriega.'"

(Ibid.)

According to the article, William Van Alstyne, a professor of constitutional law at Duke University, said the legal basis for justifying the aggression against Panama appeared weaker than the pretext used by Reagan when he sent troops to invade Grenada in 1983; according to the professor, the United States had received no request for intervention from anyone in Panama with legal standing.

As Ambassador Pickering has confirmed, the United States Administration claims it intervened on the request of the elected President, who was sworn in on a United States military base: that is, on territory not under Panamanian sovereignty. Members of the Council may make their own judgements on that.

We have been told that the intervention was aimed at assisting the Panamanian people and ensuring their well-being. This is a very strange way to assist a people. Yet we often hear such arguments. We would like to hear similar concern expressed for the Palestinian people and their right to life and to the establishment of a State of their own. We would have warmly applauded the United States had it sent its troops into occupied Palestine to save the children whose bones are broken daily and the women who have suffered miscarriages from exposure to asphyxiating gases.

We would have applauded the United States even more warmly had the troops sent to Panama under the banner of democracy been sent to South Africa to put an end to the apartheid régime and enable the people of South Africa to live in a democracy.

(Mr. Treiki, Libyan Arab
Jamahiriya)

It is regrettable that we hear talk of the interests of the Panamanian people when hundreds of Panamanians are being killed and injured. We mourn the victims, both Panamanians and United States soldiers, who have died in this aggression.

The aggression in Panama may not set a precedent, but it is very dangerous. We small peoples feel that what has happened in Panama can happen to any small country. Unfortunately, it is the logic of force and the logic of gunboat diplomacy that prevail in today's world.

I reiterate what I said before: small countries without the means to defend themselves that have believed the Charter protects them are daily losing their faith in the system of international security and in the Security Council, where law is interpreted so as to support the strong and allow the small and weak to be violated.

The Security Council is facing a test. The Council must adopt an unequivocal resolution denouncing aggression and calling for the withdrawal of the forces of aggression. We ask this of the Council not because we support Noriega or his régime, but because we must defend principles. If those principles are flouted and violated with impunity, anarchy and violence will reign supreme throughout the world. Everyone knows about Noriega's relations with the United States. We are the last to defend him. We are defending the right of peoples to self-determination.

Those who possess power can be tempted to use it. Power carries with it responsibility. The strength and greatness of a State are not expressed in acts of aggression and occupation of the territory of others, but in respect for international law and international conventions. The United States of America will not gain in prestige or international standing by committing an act of aggression against a small, peaceful people and by occupying its territory. The contrary is true.

(Mr. Treiki, Libyan Arab Jamahiriya)

Therefore, my delegation and my Government, which has condemned this act, call upon the United States of America to put an end to its aggression, to withdraw its forces, to commit itself to the United Nations Charter and to discharge its moral and international responsibilities. We call upon it to cease to arrogate to itself the functions of an international policeman.

Once again, I should like to repeat our support for the Panamanian people, our rejection of intervention and our call for the settlement of the dispute by peaceful means.

The PRESIDENT (interpretation from Spanish): I thank the representative of the Libyan Arab Jamahiriya for his kind words addressed to me.

The next speaker is the representative of El Salvador. I invite him to take a place at the Council table and to make his statement.

Mr. CASTANEDA CORNEJO (El Salvador) (interpretation from Spanish): I take this opportunity to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and on your brilliant work as President so far.

I should also like to extend my congratulations to your predecessor, the Permanent Representative of the People's Republic of China, for his work as head of this important body during the month of November.

At this time of grave historic responsibility for the United Nations Security Council El Salvador wishes, through me, to state firmly, clearly and categorically a position that has been unassailable throughout its history, a position in favour of the sovereignty of peoples as expressed through free and democratic elections.

On 7 May 1989 the people of Panama exercised its inalienable right freely and democratically to choose its Government. As a result of that free and sovereign expression of the will of the Panamanian people Mr. Guillermo Endara was elected.

(Mr. Castaneda, El Salvador)

constitutional President of Panama and Messrs. Ricardo Arias and Guillermo Ford were elected Vice Presidents. Even though that Government was freely and democratically elected, a group of persons commanded by Mr. Manuel Antonio Noriega, in defiance of the internationally recognized will of the Panamanian people, has forcibly prevented it from exercising its mandate. Mr. Noriega, by use of force, has acted in complete disrespect of the sovereign will of the valiant and heroic people of Panama and prevented them from exercising their right to self-determination.

The position my Government reiterates today is consistent with its unswerving position throughout its history. We support the sovereign right of the people of Panama freely and democratically to choose their leaders. We are a staunch advocate of complete respect for the principles of self-determination and of non-intervention in the internal affairs of other States. El Salvador is unreservedly in favour of the legitimate Government of Panama presided over by Mr. Guillermo Endara.

The PRESIDENT (interpretation from Spanish): I thank the representative of El Salvador for his kind words addressed to me.

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.

Following this meeting, the members of the Council will be holding informal consultations.

The meeting rose at 5.25 p.m.