



**Security Council**

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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND  
SEVEN HUNDRED AND SECOND MEETING

Held at Headquarters, New York,  
on Wednesday, 30 July 1986, at 11 a.m.

**President:** Mr. KASEMSRI (Thailand)

<b>Members:</b>	Australia	Mr. HOGUE
	Bulgaria	Mr. GARVALOV
	China	Mr. LI Luye
	Congo	Mr. MOUSSAKI
	Denmark	Mr. BRUCKNER
	France	Mr. de REMOULARIA
	Ghana	Mr. DUMEVI
	Madagascar	Mr. RAKOTONDRAMBOA
	Trinidad and Tobago	Mr. GRANDERSON
	Union of Soviet Socialist Republics	Mr. SAPRONCHUK
	United Arab Emirates	Mr. SHIRIR
	United Kingdom of Great Britain and Northern Ireland	Sir John THOMSON
	United States of America	MR. WALTERS
	Venezuela	Mr. PABON GARCIA

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The meeting was called to order at 11.40 a.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 22 JULY 1986 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/18230)

The PRESIDENT: In accordance with the decisions taken at previous meetings on this subject, I invite the representative of Nicaragua to take a place at the Council table; I invite the representatives of Cuba, Czechoslovakia, Democratic Yemen, El Salvador, India, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Viet Nam to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mrs. Astorga Gadea (Nicaragua) took a place at the Council table; Mr. Oramas Oliva (Cuba), Mr. Kulawiec (Czechoslovakia), Mr. Al-Ashtal (Democratic Yemen), Mr. Meza (El Salvador), Mr. Krishnan (India), Mr. Al-Atassi (Syrian Arab Republic), Mr. Oudovenko (Ukrainian Soviet Socialist Republic) and Mr. Buixuan Nhat (Viet Nam) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of the Lao People's Democratic Republic and Poland in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity 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 accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Vongsay (Lao People's Democratic Republic) and Mr. Gorajewski (Poland) took the places reserved for them at the side of the Council Chamber.

**The PRESIDENT:** The Security Council will now resume consideration of the item on its agenda.

The first 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): I should like to express our congratulations to you, Sir, experienced diplomat that you are, a man whose negotiating skills are recognized by all, on your assumption of the presidency of the Security Council for the month of July.

Once again, the acts of aggression of the United States Administration against heroic Nicaragua have brought us here to the Council to attempt to stop the crime and to ask that the law and the norms of peaceful coexistence laid down in the Charter of the United Nations prevail. Throughout the seven years of the Sandinista revolution, the Washington Government has spent hundreds of millions of dollars to finance the Somocista assassins known as contras in order to overthrow a legitimate Government - a Government with which, moreover, it maintains diplomatic relations.

In the Council and in the General Assembly the Nicaraguan Government has emphasized its willingness to negotiate a peaceful solution, within the context of Contadora proposals and in direct talks with the United States Government. Today, however, it is an open secret that the Washington Administration has no interest in negotiating and that it is constantly placing obstacles in the path of any initiative in that direction. Because its objective is clear: it is the overthrow of the Sandinista revolution and the imposition on the Nicaraguan people a Somocista régime without Somoza. The most recent statements by the former United States Ambassador to Honduras, Mr. Persh, corroborate our statements.

An undeclared but brazen war is being waged by the Reagan Administration against Nicaragua, ranging from slander campaigns against the Sandinista leadership

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to an economic embargo, to the barbarous act of war constituted by the mining of Nicaraguan ports and to the official approval of \$100 million for the contras so that they can kill woman, children and the elderly and destroy the wealth of the Nicaraguan people. That policy can only be described as criminal.

President Reagan himself has said that it is immoral to impose an embargo against racist South Africa; yet he has unilaterally decreed such a measure against Nicaragua. The President has said that embargoes affect peoples, not Governments. Where is the logic in that reasoning and in the immoral policy being implemented against Nicaragua, the immoral policy of blockade still being applied against Cuba?

In response to countless acts of aggression and severe human and material losses, Nicaragua was compelled to appeal to the International Court in an effort to secure United States compliance with the purposes of the Charter of the United Nations, which are:

"To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace".

The International Court of Justice, following a painstaking, serious and well-balanced study, determined that the United States of America, by its unjustified and barbarous mining of Nicaraguan ports, had violated international law, in whose elaboration it had itself participated. How did the Reagan Administration react to the Court's decision? With the utmost arrogance, in contravention of the traditional United States position of supporting the Court in

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the settlement of disputes and in violation of the Convention that stipulates acceptance of the Court's compulsory jurisdiction.

The United States Administration's disdain for the Judgment of the International Court demonstrates once again that the United States is the greatest violator of universally accepted norms of international law and of the principles of the United Nations Charter. Non-compliance with the Court's ruling impels us to reflect on the existence of a body whose decisions even the United States had accepted as binding. The entire fabric of international law, so patiently woven over the course of so many years, could come unravelled thanks to the obdurate, arrogant attitude of the United States Government. It is unacceptable for any country, however powerful, to apply international law at its convenience.

We must give profound thought to these facts, whose consequences could affect us all for many years to come; we must all struggle to make reason and justice prevail in this case.

A few days ago, President Daniel Ortega, in a statement on the occasion of the seventh anniversary of the triumph of the Sandinista People's Revolution, said the following:

"Now that the sum of \$100 million has been allocated to the mercenary forces, now that there has been approval of the sending of weaponry and military advisers to those mercenary forces, the United States Government, in its desire to achieve the destruction of the Nicaraguan revolution, has a plan that has been expressed by Government spokesmen as follows: 'In this new phase, when we are giving the mercenary forces \$100 million, heavy weaponry and other types of weaponry, and when we are also providing United States military advisers to them, what should our objective be?'

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"The United States Government's strategists of death are pursuing 'a significant escalation in military activities throughout Nicaragua, including possible attacks on the capital.' A military escalation everywhere, including in Managua is being proposed."

We hope that the Security Council will assume its responsibilities and promote every initiative to preserve peace and avoid further bloodshed in Nicaragua, which, only because it wishes to control, by and for itself, its own destiny has suffered the loss of the lives of 14,260 persons, thanks to imperialist arrogance and stubbornness. May the Council ask the United States to accept the Judgment and comply with the decision of the International Court of Justice.

The peoples of America are watching with impatience this Council's decisions. Let it be known that all our peoples are opposed to the dirty war being waged against Nicaragua by the turbulent and brutal North - which despises us. Let it also be known that our peoples will not forgive the crime and that we all join José Martí, who said: "To see a crime and stand passive is to commit it."

Cuba resolutely supports the Nicaraguan people's heroic struggle for its right freely to fulfil its destiny under the guidance of the Sandinista Revolution. Cuba demands the cessation of the Yankee aggression against Sandino's homeland and that the United States compensate that people for the losses it has suffered resulting from the dirty war imposed upon it. Cuba is deeply convinced that all imperialist conspiracies will be crushed by the firm will of Sandino's people to carry their revolution forward.

Yesterday the representative of the United States described as "mercenaries" my compatriots who are co-operating with the Nicaraguan people. It seems that the author of the book Silent Mission is forgetting the mercenaries he used when he was among Central Intelligence Agency (CIA) officials carrying out or preparing for political assassinations and coups d'état in Latin America. The murderers in Nicaragua are the contras in the pay of the United States Government.

The PRESIDENT: I thank the representative of Cuba for the kind words he addressed to the presidency.

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

Mr. BUI XUAN NEAT (Viet Nam): I should like to thank you, Mr. President, and the other members of the Security Council for according me another opportunity to participate in the Council's debate.

The presence in the Security Council yesterday of His Excellency Mr. Daniel Ortega, President of the Republic of Nicaragua, points up the importance of these meetings and how serious the situation in Central America is. The present undeclared war against Nicaragua is an immoral and illegal one. It is a war by a super-Power against a small country with which it has diplomatic relations with the proclaimed intention of toppling the latter's elected Government. The so-called contras are nothing more than mercenaries organized, trained and paid by the Central Intelligence Agency (CIA) to do the dirty job. They are pawns in the United States political game: at best, they can only commit barbarous crimes against the Nicaraguan people; and, at worst, they can still be sacrificed to provide a pretext for United States direct military involvement against that country.

The war has now reached a turning-point, with the controversial approval of \$100 million in military aid to the contras and the CIA's deep involvement in the contras' operational activities. The war is somewhat of a mirror-image of the Viet Nam war: first, it was aid and military advisers; then came the combat troops. It is therefore no hallucination on the part of the American people when they talk of a second Viet Nam in Central America. This is not a "Rambo" movie; this is a real war with United States naval forces constantly present off the shores of Nicaragua and with thousands of United States ground forces stationed in that country and

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involved in so-called manoeuvres there - not to mention other acts of sabotage and subversion by the contras against Nicaragua, of which we have heard first-hand evidence provided by the President of the Republic of Nicaragua.

The covert and overt acts of aggression against Nicaragua pose a constant threat to the independence and sovereignty of that State and are a source of grave concern to the peoples of that region and the world. This undeclared war is very likely to spill over into the other countries bordering on Nicaragua. But for the United States Administration's arm-twisting acts and pressure the peoples of that region would have been able to settle their differences and disputes peacefully and sensibly. The United States Administration is therefore not only a factor in that region's instability but an insurmountable obstacle to the peace process as well. That is why the culprit has been condemned in the most vehement terms throughout the world.

In this connection, the Judgment of the International Court of Justice is a sound one. It is sound not only because it is in favour of Nicaragua and condemns United States acts of aggression against that country but also because it is impartial and reflects the thinking of people with common sense.

It is deplorable, yet revealing, that the United States has objected to the Court's proceedings on the ground that the Court lacks jurisdiction to entertain the dispute and that the United States "reserves its right in respect of any decision by the Court regarding Nicaragua's claims". But a party's non-participation in the proceedings at any stage of the case cannot in any circumstances affect the validity of the Court's Judgment. Under Article 36 (6) of its Statute, the Court has jurisdiction to determine any dispute as to its own jurisdiction; and its Judgment on the matter, as on the merits, is final and binding on the parties under Articles 59 and 60 of the Statute.



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The United States use of force against Nicaragua is in violation of the United Nations Charter and articles 20 and 21 of the charter of the Organization of American States (OAS). In the same vein, the acts of intervention in Nicaragua's internal and external affairs constitute a violation of article 18 of the said OAS charter.

The Court's ruling is that the United States should cease forthwith all its overt and covert acts of aggression against Nicaragua. Its absence from the Court's proceedings is typical of a big nation's arrogance; its rejection of the Court's Judgment will constitute a negative precedent in international relations and a serious challenge to world public opinion.

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In leading a crusade against Nicaragua with only a handful of followers, the United States is isolating itself from the rest of the world. The peoples stand on the side of Nicaragua, for common sense, reason and justice are not based on the size or the strength of a country. The Government of Nicaragua has shown great political goodwill: it proposed direct talks with the United States, but after several rounds the latter simply and unilaterally walked out. The Government of Nicaragua attaches great importance to those talks, and concessions have been made. But the only concession that might please the United States Administration would be for the Sandinist Government to destroy itself.

The United States is crying for the moon. Independence and sovereignty cannot be negotiable, even when we are small and poor. The United States must get over its big-nation fixation and face the truth; the minute it does so and stops meddling in the internal affairs of the Central American countries, talks will be initiated and the way to regional peace, security and stability will be wide open.

The delegation of the Socialist Republic of Viet Nam demands that the United States abide by the Judgment of the International Court of Justice - that is, it must cease all its acts of aggression against Nicaragua and resume the direct talks so essential to finding a solution to the differences between the two countries.

On behalf of the the Socialist Republic of Viet Nam I should like to reiterate our constant support for and fraternal solidarity with the people and Government of Nicaragua in their heroic struggle in defence of their independence, sovereignty and territorial integrity. All progressive people of the world stand behind the Nicaraguan people, and we are confident that the Sandinist cause will stand the test of time and that the people of Nicaragua will certainly win the final victory.

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

Mr. CORAJEWSKI (Poland): I should like first to congratulate you, Sir, on your assumption of the prestigious and responsible post of President of the Security Council for the month of July. Although we are in the middle of the summer and the holiday period, the Security Council has been kept busy this month, placing upon you a heavy burden of responsibility which you are discharging with great skill and efficiency, displaying your well known diplomatic experience and personal qualities.

I should also like to pay a tribute to the Permanent Representative of the Democratic Republic of Madagascar, Ambassador Blaise Rabetefika, for the competence and authority he displayed as President of the Security Council during the month of June.

I would also thank you, Mr. President, and the other members of the Council for giving me the opportunity to present my country's position on the subject under discussion.

The matter that has been brought to the attention of the Security Council by the Nicaraguan Government is of great concern to the international community as it touches upon the United Nations Charter and fundamental principles of relations between States and threatens international peace and security.

We are confronted with a situation in which a big Power motivated by ideological prejudices is resorting to all kinds of measures to displace the Government of a sovereign country not to its liking or to impose certain conduct upon it.

The facts related to the complaint of the Nicaraguan Government are well known. In its ruling of 27 June 1986, the International Court of Justice found the United States guilty on 15 counts. To mention just a few, it decided that

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by training, arming, equipping, financing and supplying the Contra forces, or otherwise encouraging, supporting and aiding military and paramilitary activities in and against Nicaragua, the United States of America had acted against the Republic of Nicaragua in breach of its obligation under customary international law not to intervene in the affairs of another State.

It decided that the United States of America, by certain acts on Nicaraguan territory in the years 1981 to 1984, had acted against the Republic of Nicaragua in breach of its obligation under customary international law not to use force against another State.

It held the United States responsible for breaking international law by authorizing over-flights across Nicaraguan territory and by mining Nicaraguan ports and harbours in 1984. The Court also ruled that the United States trade embargo against Nicaragua, decreed in 1985, violated a 1956 Treaty of friendship between the two countries.

The Court also condemned the United States for allowing the distribution of a CIA manual on guerrilla warfare to the contras, stipulating that it encouraged acts contrary to the general principles of humanitarian law.

With its recent decision to give \$100 million in military assistance to the contras, the United States Government has in fact, as the President of Nicaragua, Daniel Ortega, stated on 28 June, declared war on Nicaragua - a country with which it is not formally at war and with whose Government it maintains diplomatic relations.

None of those facts are in dispute, and the United States Government is acting thus not only with Congressional consent but, as one American newspaper has put it, in the noon-day sun. In fact, a United States representative speaking at a Security Council meeting earlier this month on United States policy on Nicaragua, frankly admitted that his Government employed economic and other measures to try to effect changes in Sandinista behaviour. In that way he recognized that the

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United States Government arrogated to itself the role of final arbiter as to what the Government of Nicaragua could or could not do.

In the decision of the International Court of Justice of 27 June 1986, in the section on applicable law, under the heading "Respect for Human Rights", reference is made to the right of States to choose their political systems, ideologies and alliances.

It is conspicuous that the United States Government, whose representatives so frequently invoke human-rights situations in different parts of the world, is so unscrupulously trampling upon that fundamental human right of States to choose their political systems, ideologies and alliances.

It has been asserted that the problems of instability and tension in Central America result from a historical confrontation between East and West in that region. The representative of Ghana has called it a time-worn simplification of international issues and an attempt to obfuscate historical evidence.

It has been largely recognized that the deterioration in the situation in Central America stems from the interventionist United States policies in that region, in particular the grave new threats against Nicaragua which imperil regional and international peace and security.

In his statement at the 2694th meeting of the Security Council, the representative of Venezuela, a country of the region in a position to know, stated:

"History shows ... that United States intervention in various countries of the region generally results in the establishment of autocratic régimes which have been largely responsible for the political, economic and social backwardness of the countries it has then had to support."

He added,

"That was certainly the case of Nicaragua, ruled for more than 40 years by the Somoza dictatorship." (S/PV.2694, p. 43)

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New and interesting light on the situation in Central America was shed in the report of the Secretary-General (A/40/1136), in which he draws attention to the severe economic recession that the Central American countries have experienced during this decade, to the inherently uneven income distribution characteristic of most of the countries, to the need to carry out infrastructural work and to transform their unjust socio-economic structures, which are at the root of the region's current political crisis.

This diagnosis of the Central American problem is a far cry from the theory of communist conspiracy or East-West confrontation that the United States representatives would want to make us believe.

The recent United States government decisions must be seen against the background of the evolving situation in Central America and the efforts of the States of the region, within the Contadora process, to find the negotiated solution to the problem of the region. The essential spirit of Contadora, as we have frequently heard in this debate, is non-intervention in the internal affairs of other States.

As is indicated in the note of 17 June 1986 from the Minister for Foreign Affairs of Nicaragua addressed to the foreign ministers of the Contadora Group and the Support Group:

"Far from co-operating to bring about conditions favourable to the peace efforts, the United States Government has stepped up its military manoeuvres in Honduras along the border with Nicaragua and is continuing to escalate its policy of war and intervention against our country [Nicaragua], as evidenced by its continued threats of invasion and the decision to increase military and financial aid to the mercenary forces in its service". (S/18175, annex, p. 2)

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Those actions cannot be construed as anything but an attempt to sabotage the negotiating efforts promoted by Contadora.

Poland supports the efforts of the Contadora Group to solve the problems of Central America through dialogue between the interested parties and the appeal of the Government of Nicaragua to the countries of the Contadora Group, in accordance with the Panama Message:

"in bringing about the necessary conditions for the signing of the Peace Act".

(S/18143, annex, p. 2)

Poland condemns the interventionist policy of the United States Government aimed at undermining the internal stability and political system of Nicaragua and expresses its full solidarity with the people and Government of Nicaragua striving for peaceful construction and socio-economic transformations of their country and consolidation of its position as an independent, sovereign State and member of the Non-Aligned Movement.

We hope that the Security Council, in exercising its responsibility under the Charter for the maintenance of international peace and security will take proper action to secure the right of Nicaragua and the rest of the States of the area to decide on their own political and economic systems free from outside interference, that it will give strong support to the efforts of the Contadora Group and that it will appeal to all interested parties to resume a dialogue with a view to finding the solutions to the region's problems.

The PRESIDENT: I thank the representative of Poland for his kind words addressed to the presidency.

The next speaker is the representative of the Lao People's Democratic Republic. I invite him to take a place at the Council table and to make his statement.

Mr. VONGSAY (Lao People's Democratic Republic) (interpretation from French): Mr. President, first and foremost, I should like to thank you and the other members of the Council for having allowed my delegation for a second time in a space of only four weeks to participate in the debate on military and paramilitary activities in and against Nicaragua, which was the subject of the Judgment of the International Court of Justice handed down on 27 June. That great decision of the Court is of extremely important significance for the future of international peace and security.

It is now up to the international community and particularly the Security Council to do everything in its power to put that Judgment into effect. That was the point made by His Excellency Comandante Daniel Ortega, the Head of State of Nicaragua, when he opened the debate in the Council yesterday. My delegation fully shares the views which he put forward so cogently. We are aware that the American Government has challenged the validity of that Judgment, alleging that the Court does not possess the necessary competence to deal with the case submitted to it by the Government of Nicaragua and that consequently the initial request for a ruling was inadmissible.

It is not the intention of my delegation to expatiate on that point; suffice it to say that the Court was properly seized of the matter under article 36 (2) of its Statute and article 24 of the Treaty of Friendship, Trade and Navigation signed in Managua on 21 January 1956 between the two parties.

The reasons provided by the Court, and which underlay its conduct throughout the proceedings, seem plausible to us, in view of the delicate problems posed by the preliminary exceptions connected with justiciability of the dispute. The Court very brilliantly demonstrated, citing the 1953 case of *Notte Bohm* that its



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competence, since it had already been validly established during the initial phases of the procedure, remained intact, unaffected by the unfortunate subsequent decisions taken, as we know, by the American side.

We believe, furthermore, that the question of determining the applicable law - that is, conventional international law or general and customary international law - and its application to this case was properly and judiciously settled by the Court. We are impressed by the accurate, incontrovertible evidence gathered by the Nicaraguan team of jurists, legal advisers and attorneys of world renown, which included a well-known United States Supreme Court practitioner. We are similarly impressed by the testimony adduced during both the oral and written stages of the proceedings from certain notorious former agents of the Central Intelligence Agency and the counter-revolutionary clique in Nicaragua. In those circumstances, it is hardly surprising that the International Court of Justice, the supreme judicial body of the international community, finally and quite correctly acceded to the just demands of Nicaragua, which has been a victim of murderous military and paramilitary operations that have been conducted by the American Administration for at least five years now.

The American Administration and the band of Somocist mercenaries and counter-revolutionary hired assassins have been guilty of a series of such reprehensible acts as the destruction of the economic and social infrastructures of Nicaragua; the murder of civilians, including women and young children; torture, rape and kidnapping; the mining of harbours; attacks on petroleum installations and a naval base; over-flights of Nicaraguan territory by American aircraft; and a total trade embargo against that country.

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With the exception, of course, of the perpetrators, the international community - notably the General Assembly and the Security Council - has severely condemned these criminal military and paramilitary activities.

The International Court of Justice was seized of the Nicaraguan complaint in April 1984; a month later it issued an order setting forth conservative measures. Today it has joined the general outcry against those who are the cause of the sufferings of the valiant people of Nicaragua. By its Judgment of 27 June last, the International Court of Justice, stressing the legal aspect of the case, decisively has declared that the United States of America, by virtue of the aforesaid activities, has been and still is in violation of express Charter obligations and of duties incurred under treaties with respect to Nicaragua; that the United States, in violation of its obligations under general and customary international law, has violated and continues to violate the sovereignty of Nicaragua; has resorted and continues to resort to the threat or use of force against Nicaragua; has intervened and continues to intervene in the internal affairs of Nicaragua; has infringed and continues to infringe on freedom of the high seas, disrupting peaceful maritime commerce; and has killed, wounded and seized and continues to kill, wound and seize Nicaraguan citizens.

The Court decided that the United States is in duty bound to cease immediately and renounce all such acts as may constitute a breach of the foregoing legal obligations. The United States is also bound, in accordance with the Court's Judgment, to make reparation to the Republic of Nicaragua for all injury caused it by the breaches of the Treaty of Friendship, Trade and Navigation between the two parties. As to the form and amount of such reparation, failing agreement between the parties, that is a matter to be settled by the Court.

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It is interesting to note that even the American judge, Mr. Schwebel, who was the only one to oppose the Court's verdict regarding compensation for damages suffered, did however associate himself with the views of the other judges when they condemned his country for mining the harbours and for having encouraged the contra forces to commit acts contrary to general principles of humanitarian law.

It is now incumbent upon the Council, pursuant to Article 94 of the Charter of the United Nations, to recommend or take measures to give effect to this Judgment of the Court, this res adjudicata, to the benefit of the winning party in this case, Nicaragua. I know that it will not be easy, in view of the fact that the party awarded against or partially in default wields the right of veto in the Security Council. We have no illusions about that. But the Council has the duty of persuading this party not necessarily to don sackcloth and ashes, but to adopt a more conciliatory, more constructive and more reasonable attitude towards Nicaragua. If the party awarded against is not immediately in a position to execute all the demands presented by Nicaragua and thus sanctioned by the Court, it could, in our view, at least agree to desist forthwith from - and to renounce in future - all of the reprehensible, hostile acts against the Republic of Nicaragua listed in the Judgment. This would appear to be consonant with the wish expressed by the Court itself, which has unanimously recalled to both parties their obligation to seek a solution to their disputes by peaceful means in accordance with international law.

As far as we know, Nicaragua has always assumed that obligation. It is, rather, the other party which has been wanting in that respect. My Government sincerely hopes that the United States Government will agree, for once, to pursue a foreign policy of peace and co-operation with other States of the world, including Nicaragua, and refrain from committing any flagrant interference in the internal

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and external affairs of those countries, an act which is clearly contrary to general and customary international law as well as multilateral conventional law. These acts - which the international community, as well as the International Court of Justice has repudiated - represent a serious threat to peace and security, both regionally and internationally.

The countries and peoples of Central America aspire to live in peace, friendship and co-operation with one another. They suffered a great deal during the colonial and post-colonial periods. The present world economic crisis has only aggravated their economic and social problems. It is well known that it is the unjust economic and social structures that have caused the present political crisis gripping the countries of Latin America. We should not try to pit one against the other. The United States Government must accept international and regional realities. The régime now in power in Nicaragua, put there by the Sandinist popular revolution, is a progressive régime; it is a government of the people, by the people and for the people. President Abraham Lincoln, one of the founding fathers of the United States, himself pronounced this celebrated and magical formula.

The United States may not like the Nicaraguan régime, but it must respect it and coexist peacefully with it, because the Nicaraguan people, like other peoples in the world, is sovereign in its own land and, hence, fully entitled to adopt any political, economic or social system it pleases. Nicaragua has the sacred and inalienable right to self-determination. Nicaragua intends to exercise it to the utmost.

Everyone is aware that the Nicaraguan Government has presented a long list of realistic, constructive and reasonable peace proposals. They deserve serious and positive consideration by its neighbours and by the United States. Nicaragua is

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also working sincerely to help achieve a successful outcome to the efforts that have been undertaken by the Contadora Group and the Lima Support Group. It is willing to resume bilateral negotiations with the United States with a view to normalizing their mutual relations in a spirit of equality and mutual respect. Instead of attempting to impose its diktat upon Nicaragua and overthrow its Government, the United States should join Nicaragua in the search for a peaceful solution to their differences as well as to the problems of peace and security in Central America and the Caribbean.

My delegation fears that what we have just expressed will turn out to be merely pious wishes, because a number of recent articles in the United States press have revealed a sinister plan devised by the Pentagon and the Central Intelligence Agency (CIA) to even further destabilize Nicaragua and, worse, to carry out a military invasion of the country. We have as proof the incriminating document itself, published in The New York Times of 20 May last, entitled "Prospects for containment of Nicaragua's communist Government". It is immediately evident from that document that the United States Government is not about to give up its unsavoury designs against Nicaragua and its people.

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Democratic Republic)

It has been said that even if Nicaragua were to sign the Contadora Treaty on Peace and Co-operation in Central America, its fate would not necessarily be improved thereby. We can only infer from this that the United States Administration is, deep down, categorically opposed to the peace process of Contadora and its Support Group. The vote by the House of Representatives of the United States Congress of \$100 million for the contras - which my delegation condemned here less than a month ago - is very symptomatic in this connection.

Furthermore, my Government impugns and categorically rejects the slanderous value judgement that was uttered by the Pentagon in this document in respect of our country and the other countries of Indo-China in connection with the implementation of and respect for the 1954 Geneva Agreement on Indo-China and the 1962 Geneva Agreement on Laos. It is the Central Intelligence Agency (CIA) and the Pentagon that violated these Agreements, and the international community is fully aware of that. We would sincerely advise them not to repeat in Central America their unfortunate, tragic experience in Indo-China. It would be well for these aggressive circles of imperialism to learn that valuable lesson of history.

In conclusion, my delegation hopes that the Security Council has every sympathy for the just cause that Nicaragua is upholding at this time - that is, defence of and respect for the international legal order and international law. It is our hope that the Government and people of Nicaragua are aware that we are always at their side in the dauntless struggle they are waging for the triumph of their noble cause.

Mr. SAFRONCHUK (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation believes that the present request by Nicaragua to appear before the Security Council is completely warranted and timely. In the well-argued statement that he made yesterday, the President of Nicaragua,

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Daniel Ortega, described the circumstances which have once again forced Nicaragua to turn to the Council. We regard this request as a demonstration of Nicaragua's devotion to the United Nations Charter and its desire to be guided by the fundamental principles of contemporary international law.

This time, Nicaragua is requesting the Security Council to consider the dispute between the United States and Nicaragua on which a Judgment was rendered by the International Court of Justice on 27 June 1986 and which constitutes a threat to international peace and security. The situation in Central America and around Nicaragua has frequently been considered by various international bodies, including the General Assembly and the Security Council. The Council has adopted two resolutions on this matter - resolutions 530 (1983) and 562 (1985).

After having for almost two years very carefully and thoroughly considered the complaint in connection with the military and paramilitary activities against Nicaragua, the International Court of Justice - the main judicial body of the United Nations - adopted a Judgment which states directly that by training, arming, equipping, financing and supplying the contra forces, the United States has flouted the norms of international law. By using force against a sovereign State, by interfering in that State's internal affairs, the United States has essentially violated its obligations under the United Nations Charter as well as other multilateral and bilateral agreements. Citing an impressive list of illegal acts by Washington against Nicaragua, such as the mining of territorial waters, the violation of airspace, the attacks on ports and other parts of the infrastructure, the International Court of Justice rejected as groundless the claim by the United States that it could arbitrarily invoke the right of collective self-defence, unequivocally condemned the actions of the United States and demanded that it immediately cease and refrain from such actions and make reparation for the injury caused.

(Mr. Safronchuk, USSR)

The Judgment of the International Court of Justice is a further corroboration of the fact that in the present world disputes cannot be settled and general security cannot be achieved by means of a policy of pressure and military adventures. Only by unswerving observance of the basic principles of international law enshrined in the United Nations Charter and by the demonstration of a readiness to solve questions by means of talks on a footing of equality can there be a guarantee that there will be no encroachment on the sovereignty of any State, and particularly small States.

It is perfectly obvious that the fault for the conflict situation in Central America lies with those whose policies are aimed at interference in the affairs of sovereign States of the region. This ideological intolerance, promoted to the level of State policy, is being transformed into direct actions aimed at overthrowing an unpalatable Government in Nicaragua and at changing the existing political, economic and social situation in that sovereign, non-aligned State.

Essentially what we have here is a case of the people of Nicaragua being denied the opportunity to choose the path of its own development, to take charge independently of its own future. An attempt is being made to impose on the people of Nicaragua, by force, the order which they had before the revolution.

As is known, Nicaragua has frequently confirmed its readiness to achieve a peaceful settlement on the basis of the norms and principles of international law and to resume the dialogue with the United States in order to normalize relations between those two countries. That readiness was once again expressed yesterday by the President of Nicaragua, Daniel Ortega, and is further evidence of good will. In the context of the Contadora process, the Nicaraguan Government has made a number of constructive proposals that could pave the way to the solution of outstanding issues in connection with a political settlement and the normalization of relations among the States of Central America. A peaceful settlement of the



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problems of Central America has been favoured by the overwhelming majority of the States of the world, in addition to the Contadora Group. That is reflected in numerous documents and statements made by the Non-Aligned Movement on this issue.

In the communiqué on the situation in Central America adopted by the Co-ordinating Bureau of the Non-Aligned Movement on 28 July - the communiqué that was read out yesterday here by the representative of India - an urgent and strong appeal is made to the United States to comply, strictly and immediately, with the Judgment of the International Court of Justice and to put an immediate end to all threats, attacks and hostile acts and also to coercive economic measures against the Government and people of Nicaragua - all of which, as the statement makes clear, are designed, first and foremost, to overthrow the legitimately constituted Government of the country and which increase the risk of the creation of an even broader conflict. Unfortunately, in his statement to the Council yesterday, the United States representative rejected outright this very reasonable appeal made by such an authoritative movement as the Non-Aligned Movement.

(Mr. Safronchuk, USSR)

Nevertheless, the United States still shows no sign of any eagerness to promote a just settlement of this affair that would take into account the legitimate rights and interests of the countries of the Central American region. Neither has it shown any willingness to assess the situation realistically and put an end to its policy of force and pressure against Nicaragua.

The decision of the House of Representatives of the United States Congress to allocate an additional \$100 million to their military intervention in Nicaragua marked a new, dangerous turn of events. Thus, it would seem, intervention in the internal affairs of a sovereign State simply defending its own legitimate rights is henceforth to be condoned.

According to the local press of 12 July, the Administration has instructed the Central Intelligence Agency (CIA) to take charge, on a daily basis, of operations against Nicaragua. The Agency will control the distribution of funds allocated by Congress as military assistance to the Somocist rebels and will take direct command over those bands, whose strength it has been proposed to increase to 30,000 men. Plans also call for their being supplied with artillery, aircraft and other forms of weaponry. In order to train the Somocists, the Americans will make wide use of military personnel who have had experience in Viet Nam. It has also been reported that regular units and special forces of the United States Army will soon be participating in the preparation of contra operations. Such actions can only be regarded as teetering on the brink of direct military intervention which could make the situation uncontrollable and irreversible.

Paying lip-service to freedom, democracy and humanitarianism, the United States has merriily pursued its policy of State terrorism, taking the lives of many thousands of peaceable inhabitants of Nicaragua, El Salvador and other countries of Central America. It is a policy of destruction, suffering and bloodshed.

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The deeds of the United States and the statements made by its leaders have revealed Washington's opposition to a political settlement in Central America. The Reagan Administration is fully prepared to stifle any attempt by a Latin American or other non-aligned State to follow an independent policy and settle regional conflicts without outside interference. It is typical that whenever any hopes for success in the Contadora process appear, or the outlines of an acceptable solution begin to emerge, the United States does everything it can to thwart the achievement of a peaceful settlement.

In order to justify its evil political policy, the United States has constantly depicted the situation in Central America as part of the East-West confrontation, while at the same time accusing the Soviet Union of intervention in the internal affairs of the States of the region. This tactic, which was used yesterday as well, has justifiably been rejected on more than one occasion by representatives of non-aligned States as completely invalid. The Soviet Union categorically rejects any attempts to distort our policies and to accuse us of being responsible for the situation in Central America.

Firmly opposed to this region being turned into an arena of East-West confrontation, the Soviet Union has not created, and does not intend to create, any threat to the interests of the United States and its allies, either in this region or anywhere else in the world. The peaceful policy of the Soviet Union is evident from our numerous proposals aimed at the just settlement of conflicts in various parts of the world. The desirability of achieving general peace and security urgently militates in favour of the removal of the dangerous hotbed of tension in Central America. Obviously, however, a peaceful political settlement in Central America is possible only if account is taken of the legitimate security interests of the countries of the region, of the need to remove military bases, to withdraw foreign troops and to put an end to the use of a country's territory for

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intervention in the internal affairs of another. To achieve this end Governments must exercise responsibility and restraint and refrain from any acts that might further complicate the present situation.

The Soviet Union has consistently advocated that Central America's problems be solved by the States of the region themselves, by political methods and constructive talks. We stand fully behind the efforts being made in this connection by other States.

As was stated on 25 July last in Moscow at the meeting between the Ministers for Foreign Affairs of Uruguay and the Soviet Union:

"Peace and tranquillity in Central America should be guaranteed by the States of the region themselves with the support of Latin American countries. This can best be done as part of the Contadora process. Lawful Governments should fully exercise their legitimate rights without risk of intervention on the part of States which have arrogated to themselves the amoral monopoly of interfering throughout the world in other people's affairs."

We express our solidarity and firm support for the just cause of the people of Nicaragua which is fighting for its independence and freedom and for peace in Central America. In our view, only on the basis of acknowledged principles of international law can there be a peaceful, political settlement of the crisis. Particular responsibility for this rests with the Security Council. Members are familiar with the basic requirements for a political settlement in Central America, a number of which have been reflected in Security Council resolution 562 (1985). Other resolutions have reaffirmed the sovereign and inalienable right of Nicaragua and other States freely to choose their own political, economic and social systems and to develop their own international relations in accordance with the interests of their peoples, without outside interference, subversive activities, direct or indirect pressure, or threats of any kind.

(Mr. Safronchuk, USSR)

The Soviet Union believes that now it is particularly important for the Security Council to support efforts aimed at reducing the level of tension and achieving a political settlement in Central America, free from external pressure, in order to ensure the independence and sovereignty of States of the region in accordance with the norms of international law.

The PRESIDENT: I call on the representative of the United States, who wishes to speak in exercise of the right of reply.

Mr. WALTERS (United States of America): It is interesting to note that of the many countries that have criticized the United States for its alleged failure to accept the Judgment of the International Court of Justice, only one of them accepts the compulsory jurisdiction of the Court, and that country has carefully excluded from its acceptance any possibility of being brought before the Court on claims such as those at issue here today.

It is a fascinating and odd experience to be lectured on justice and respect for law by the representative of Cuba, a country which has been for more than 25 years a vast concentration camp where liberty is crushed and unknown thousands are tortured and imprisoned. One has only to read Armando Valladares' book on his 22 years in Castro's jails to know what happens there.

I will not dignify the vituperous personal insults that he addressed to me. He speaks of reason and justice. It is well that he does not speak of truth. Two million people have fled his country to escape scientific terrorism. The same can be said for the representative of Viet Nam who followed him. Four million people have fled from these two paradises.

(Mr. Walters, United States)

The American people find it instructive to see who the Sandinistas have chosen to speak on their behalf: Cuba, Viet Nam - countries not known for their respect for human rights and human dignity. The United States is not isolating itself from the rest of the world. Millions are trying to get into the United States. Who is trying to immigrate into Nicaragua, Cuba or Viet Nam?

Anyone who wants to leave my country is free to do so without fear of being shot by the border guards or put in prison. I might add, not many want to, even though we have heard today how evil it is here.

When the Polish representative spoke about a big Power motivated by ideological prejudices intervening in the affairs of a neighbouring State, I wondered to which country he was referring.

Yesterday, the representative of Nicaragua stated that my presentation earlier in the day had been filled with lies. I would be interested in knowing just what lies she was talking about.

I described the Sandinistas' betrayal of the 1979 revolution. Is it a lie that former junta member Alfonso Robelo was harassed by the Sandinistas and forced into exile? Perhaps the Nicaraguan representative should look at a photograph of Robelo's home and car after they had been vandalized by the Turbas Divinas. These Turbas, or "divine mobs" - interesting terminology - are controlled by Department P-8 of the Sandinista secret police; they are sent to intimidate opponents of the régime.

Is it a lie that Violeta Chamorro has also been maligned and harassed? Is it a lie that La Prensa has been shut down? I suggest that the Nicaraguan representative read Mrs. Chamorro's poignant letter in yesterday's New York Times.

(Mr. Walters, United States)

Is it a lie that former junta member Arturo Cruz tried to run for president in 1984 but was denied the conditions for a fair election? Perhaps the Nicaraguan representative would like to see a photograph of Mr. Cruz after he had been attacked by the Turbas during the campaign. I should point out that Mr. Cruz is in exile now because last year the Sandinistas refused to allow him to re-enter Nicaragua because he was carrying a peace plan from the democratic resistance.

Is it a lie that the Sandinistas have sought to destroy the democratic labour movement? If the representative of Nicaragua does not choose to believe the International League of Human Rights, I suggest she read "Sandinista deception reaffirmed: Nicaragua's coverup of trade union repression", an August 1985 study by the American Institute for Free Labor Development (AIFLD) which provides detailed information on 39 cases of Sandinista repression of labour organizations. AIFLD is the Latin American arm of the AFL-CIO, an organization which I can assure the Nicaraguan representative is not controlled by the current United States Administration.

Is it a lie that the Sandinistas have sought to crush Nicaragua's private sector? Did not the secret police gun down prominent businessman Jorge Salazar in November 1980? Were not several leaders of the umbrella organization COSEP jailed in October 1981, including an initial period of solitary confinement in which they were locked up nude in cold, dark dungeons? What heinous crime had these respected businessmen committed? They had had the temerity to write Comandante Ortega protesting the Sandinistas' Marxist economic policies which were leading the country to economic ruin. I could go on, describing, for example, how they have confiscated the property of current COSEP head Enrique Bolanos, or how they seized

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Ramiro Gurdian's property because of his comment on the reduction of Nicaragua's sugar quota, or how they tricked prominent industrialist and former Red Cross president Ismael Reyes to leave the country and then took over his property and arrested his son.

Is it a lie that the Sandinistas have replaced the Somocistas as the elite that exploit the Nicaraguan people? I suggest that the Nicaraguan representative look around the next time she returns to Managua and see for herself who lives in the nice homes, who drives in the fancy cars, who shops at the exclusive dollar store. Perhaps then she will realize what the Sandinistas have done to Nicaragua.

Is it a lie that the Sandinistas have repressed the Church? The representative of Nicaragua should read the letter delivered earlier this year from Cardinal Obando y Bravo to Secretary-General Pérez de Cuéllar or his May letter in the Washington Post. She should also read what Pope John Paul II said about the banishment of Bishop Vega and Monsignor Carballo. I also recommend that she review the moving testimony by Jimmy Hassan of the Campus Crusade for Christ about his treatment at the hands of the Sandinista secret police. I would welcome the Nicaraguan representative's explanation of why that country's only synagogue was confiscated and turned over to the Sandinistas' children's organization.

For that matter, I would like to learn the grounds on which the Nicaraguan Government confiscated so many things - the Somoza newspaper, both television stations, several radio stations, and countless buildings and other properties - and turned them over to the Sandinista party and its puppet organizations.

Is it a lie that the Sandinistas have persecuted the Miskito Indians? Perhaps the Nicaraguan representative should travel to the refugee camps in Honduras or Costa Rica and hear for herself the shocking details of Sandinista abuses.



(Mr. Walters, United States)

Is it a lie that the Sandinistas have a secret police 10 times the size of Somoza's, and that they subject thousands of prisoners to multiple forms of abuse? Does the Nicaraguan representative mean to tell us that now Nicaragua will allow respected international organizations to visit the prisons of the secret police?

Is it a lie that the Sandinistas have, with massive Soviet and Cuban assistance, built the largest military machine in the history of Central America? Is it a lie that the draft is highly unpopular, that thousands of Nicaraguan youths have fled the country or gone into hiding to escape service in the army of the Sandinista party, and that anti-draft riots have been ruthlessly repressed?

Is it a lie that the Sandinistas have attempted to export their Communist revolution? Would the Nicaraguan representative like to take a look at a photograph taken in 1980 of aircraft at Papalonal which were involved in the arms trafficking? What is her explanation for the Lada vehicle captured in Honduras last year which had been loaded in Nicaragua by the secret police with munitions, communications gear, and other matériel for the Salvadoran guerrillas?

Is it a lie that the Sandinistas have attacked their neighbours with their regular military forces? We all recall last March, when the Nicaraguan representative told us that this was a lie, only to have Comandante Ortega later admit the incursion.

What is a lie is the Sandinistas' claim that they want a negotiated settlement. They have consistently rejected all proposals for a dialogue with their opposition, ignoring the specific call for democracy and national reconciliation in the Contadora 1983 Document of Objectives. They scorned the Church in 1984 when it proposed national reconciliation. They spurned the united appeal for a dialogue in January 1985 by Nicaragua's political parties, which

(Mr. Walters, United States)

stated that the elections had done nothing to solve the country's deepening crisis. They rebuffed the offer in March of last year by the democratic resistance for a dialogue. These are but a few of the calls for dialogue the Sandinistas have rejected.

We recall that in March of this year Salvadorian President Duarte offered to resume negotiations with his armed opposition when the Sandinistas started negotiations with their armed opposition. The Central American democracies supported this plan and urged Nicaragua to agree. Nicaragua refused.

Yesterday the Nicaraguan representative distorted the position of my Government, asserting that the United States was not interested in negotiations. I reiterate that the United States supports the regional peace process and will abide by a comprehensive, verifiable and simultaneous implementation of the 1983 Contadora Document of Objectives. We are prepared to resume bilateral talks with Nicaragua in support of the regional peace process as soon as the Sandinistas initiate a simultaneous dialogue with their own opposition.

I call on the Nicaraguan representative to tell us now whether the Sandinista leadership is ready to engage in dialogue with its opposition? Are the Sandinistas ready to sit down and talk seriously about peace? When could such talks begin? What are the conditions they require for such talks? If they are not willing to negotiate with their opposition, let them tell us so now. Let them explain why they endorse peace talks in El Salvador but reject them in Nicaragua. Let them tell us how the World Court was right on other issues, but somehow was wrong about the independent nature of the resistance. Let them tell us, so that we can all see how hollow is their professed desire for peace.

The PRESIDENT: The representative of Cuba has asked to speak in exercise of the right of reply. I invite him to take a place at the Council table and to make his statement.

Mr. ORAMAS OLIVA (Cuba) (interpretation from Spanish): A display of arrogance on the part of the mighty is a sign of weakness. That is obvious from the reply just made by the representative of the United States. I shall not take up the Council's time by refuting the falsehoods about my country spread by the United States representative: decades ago others too used lies as a tool of State.

The poor in spirit deserve only the trash heap of history. What the representative of the United States is trying to do is to divert the debate in the Council - divert it from his Government's attitude of disregard for the Judgment of the International Court of Justice. He mentioned "paradise." What kind of paradise is the United States? Perhaps he can explain why the citizens of that United States paradise cannot travel to my country. In any event, Mr. Walters's arrogance does not cause us to lose any sleep, nor does it frighten us in the least.

The PRESIDENT: I call upon the representative of Nicaragua, who has asked to speak in exercise of the right of reply.

Mrs. ASTORGA GADEA (Nicaragua) (interpretation from Spanish): We are not surprised that today the representative of the United States has once again repeated the same distortions and lies as yesterday in an attempt to divert attention from and to conceal his country's illegal policy against mine.

I wish only to ask the United States representative the following question: If the United States is indeed in favour of international law and order, of respect for other nations, does that mean that it is going to accept the Judgment of the International Court of Justice rather than continue to seek to justify an unjustifiable policy?

(Mrs. Astorga Gadea, Nicaragua)

If the United States does indeed support the Contadora process, then it now has an extraordinary opportunity to put that support into practice. But there is a marked difference between what the United States says and what it does. As for its support for Contadora, by its actions the United States has demonstrated that it is against that peace process. It has attempted to boycott the Contadora process - Council members will recall the document issued by the National Security Council of the United States in November of 1984, in which that body actually expressed its satisfaction at having done so.

It is time, therefore, for us to set rhetoric aside. It is time for us to seek ways and means to bring about a peaceful solution. It is time for us to seek peace in Central America. I repeat that my country is prepared to find those mechanisms for a solution. We are prepared to have a dialogue with the United States, and we have been participating actively and constructively in the peace initiative of the Contadora Group and the Support Group. Those are facts, not rhetoric.

The PRESIDENT: The representative of Viet Nam has asked to speak in exercise of the right of reply. I invite her to take a place at the Council table and to make her statement.

Ms. NGUYEN BINH THANH (Viet Nam) (interpretation from French): The United States representative did my country the honour of mentioning it in the statement he has just made. This demonstrates the attention he gave our statement this morning, and we are grateful for that.

I should simply like to remind the United States representative of something that we said in our statement this morning. We said:

"The United States must get over its big-nation fixation and face the truth; the minute it does so and stops meddling in the internal affairs of the

(Ms. Nguyen Binh Thanh,  
Viet Nam)

Central American countries, talks will be initiated and the way to regional peace, security and stability will be wide open." (S/PV.2702, p. 11)

I appeal to the United States representative for greater restraint and common sense. The international community will be grateful for it.

The PRESIDENT: 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 take place tomorrow, Thursday, 31 August 1986, at 11 a.m.

The meeting rose at 1.10 p.m.

