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PROVIS IONAL VERBATIM RECORD OF THE EIGHTY-EIGHTH MEETING

Held at Headquarters, New York,  
on Friday, 29 December 1989, at 3 p.m.

President:

Mr. PAWLAK  
(Vice-President)

(Poland)

- The situation in Central America: threats to international peace and security and peace initiatives [34] (continued)

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In the absence of the President, Mr. Pa/lak (Poland), Vice-President, took the Chair.

The meeting was called to order at 3.30 p.m.

AGENDA ITEM 34 (continued)

THE SITUATION IN CENTRAL AMERICA; THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES (Draft resolution A/44/L.63)

Mr. LI Luye (China) (interpretation from Chinese): A few days ago the United States of America sent its troops into Panama, using military force against a sovereign State in gross violation of its sovereignty and independence. We have already stated the position of the Chinese Government in our statement at the Security Council meeting. We were shocked at the United States invasion of Panama and expressed our condemnation of this act of aggression. At the same Security Council meeting, the non-aligned member States submitted a draft resolution demanding that the United States immediately stop its aggression and withdraw all its invading troops. The draft resolution was just and reasonable; although it had the support of most members of the Council, it was vetoed by the United States, the United Kingdom and France - permanent members of the Council. We deeply regret their action. Today the General Assembly is holding these plenary meetings to consider this question, something which, in our view, is indeed necessary for maintaining peace in the Central American region and upholding international justice.

(Mr. Li Luye, China)

According to the purposes and principles of the United Nations Charter, disputes between States should be resolved by peaceful means through negotiations without resorting to force. The invasion of Panama by the United States has not only seriously violated the purposes of the Charter and the norms governing international relations but also runs counter to the current international trend of growing relaxation and the wishes of the people of the world. Such an act of the United States will aggravate tension in the region and is bound to have a grave negative impact on peace and stability in the world. In our view, trying to explain away its guilt of invasion under the pretext of restoring democracy and protecting human rights is sheer power politics, making a mockery of democracy and human rights while trampling on the principle of sovereignty. All these are not acceptable to the international community.

We noted at the earlier Security Council meeting that quite a few representatives spoke to condemn the United States invasion and called for upholding the Charter and the norms of international conduct. The Organization of American States has also held a meeting at which it expressed regret over the United States invasion and called for withdrawal of foreign troops from Panama. The Co-ordinating Bureau of the Non-Aligned Countries has issued a communiqué denouncing the United States invasion. Many countries have also issued statements expressing a similar stand. These are the just calls and demands from the international community.

The Chinese Government has consistently maintained that disputes between States should be settled through negotiations on the basis of the Five Principles of Peaceful Coexistence. We are always opposed to interfering in the internal affairs of other countries under whatever pretext, particularly by military means. The Chinese delegation appeals strongly to the United States immediately to stop

(Mr. Li Luye, China)

its aggressive action, unconditionally withdraw from Panama all its invading troops and respect the independence and sovereignty of Panama, thus serving peace and stability in the region and peace in the world.

Mr. MONTAÑO (Mexico) (interpretation from Spanish): Just when we were concluding our analysis of the results of a session of the General Assembly which reaffirmed once again the role of the United Nations in the quest for ways and means of meeting the major challenges of our day, we find ourselves today faced with the urgent need to meet to discuss a subject of great concern to the international community.

In fact, since the very beginning of the grave events that have been occurring in Panama, the Government of Mexico has expressed its firm condemnation of the use of armed force as a means of resolving any international dispute, and especially as a way of trying to resolve the internal problems of one country by another country. We believe these actions run counter to the guiding principles of Mexico's foreign policy, which are derived from our own historical experience. Mexico has upheld these principles unswervingly, within and outside our region, as can be seen from its legal and political tradition, which has never countenanced double-dealing or double standards.

Hence, in connection with the events which began in the early morning hours of Wednesday, 20 December, in Panama, the Mexican Government reaffirmed its position that the use of force by any State against the sovereignty of another constitutes intervention that is contrary to the principles of the United Nations Charter governing international relations.

The Mexican Government has appropriately condemned the conduct of Mr. Manuel Antonio Noriega. As far as we are concerned, there is no doubt that his irresponsible stay in power and his participation in criminal activities contributed to unleashing the serious problems now being experienced by the

(Mr. Montafio, Mexico)

sister Republic of Panama. None the less, the fight against international crime, even crime associated with drug trafficking, cannot serve as grounds for intervention in a sovereign nation. For this reason, Mexico has expressed its firm disagreement with the decision of the United States Government to intervene militarily in Panama.

Invoking the right of self-defence to justify that intervention constitutes, in our opinion, a distortion of the letter and the spirit of Article 51 of the Charter, which recognizes the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations.

Attempts have been made to provide a broad interpretation of Article 51, adducing legitimate self-defence as a preventive means to avoid indirect acts of aggression or to protect nationals abroad. Nevertheless, debates that have taken place and the jurisprudence generated both in the Security Council and in the General Assembly have confirmed that the prevailing view in our Organization is against broad and ambiguous interpretations of that provision.

In fact, the terms of Article 51 are precise; to violate them could lead to leaving the use of force at the discretion of States. That would be tantamount to weakening the contents of Article 2 of the Charter relating to refraining from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations. Mexico considers this rejection of the use of force to be the fundamental commitment of our Organization, the one which best expresses the will for peace which should characterize the last decade of the twentieth century.

(Mr. Montaña, Mexico)

The Mexican Government continues fully to support the principles of self-determination and non-intervention and to believe in the validity of the Estrada Doctrine, a Mexican idea which underlies our historical stance of avoiding pronouncements on recognition or non-recognition of Governments.

As we have stated on many occasions, solving the Panama crisis requires full respect for the self-determination of the Panamanian people and faithful observance of the letter and spirit of the Torrijos-Carter Treaties on the Panama Canal.

Mexico reiterates its belief and trust in multilateral forums as the best instruments for achieving peace. We therefore support the requests that have been made to the Secretary-General of the United Nations and the Secretary-General of the Organization of American States to observe the events and report as soon as possible on the mandate given them.

I wish to conclude by making a strong appeal on behalf of my Government for the withdrawal of the armed forces used in the military invasion; for the initiation of negotiations between the country's various political sectors, leading to an agreed solution to the institutional crisis; for complete respect for the obligations undertaken by States under the Vienna Conventions on Diplomatic and Consular Relations; and for the restoration of conditions fully guaranteeing human rights and the fundamental freedoms of the people of Panama. This is an unequivocal expression of our unshakeable solidarity with that people.

Mr. OUDOVENKO (Ukrainian Soviet Socialist Republic) (interpretation from Russian): The current discussion has shown Member States' deep concern over the flagrant international high-handedness of the United States towards Panama. The United States armed intervention can only be regarded as a challenge to the international community.

(Mr. Oudovenko, Ukrainian SSR)

During the present session the General Assembly has continued to seek ways to achieve the ideals proclaimed in the Charter - in particular

"to save succeeding generations from the scourge of war"

to achieve

"equal rights ... of nations large and small, and

"to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained".

The entire course of the forty-fourth session, in our view, has been characterized by a growing trend at the United Nations towards a post-confrontational period, towards stable world peace. That trend towards world renewal has been accompanied by the profound aspirations of Member States to ensure stable conditions for appropriate reforms. The session has once again affirmed the growing role and prestige of the United Nations and the overwhelming significance of the quest for political solutions to existing differences. Examples may be found in the special session devoted to apartheid, the solution to the Namibian issue and the unravelling of a number of other global, world-wide problems facing all mankind.

In the light of all that, the intervention by the United States in an independent State Member of the United Nations can be seen only as running counter to the overall trends in world development. It is a flagrant violation of the basic principles of the Charter and the generally recognized norms of conduct among States. One can hardly be convinced by assertions that the armed invasion was carried out to protect the lives of American citizens and in the name of restoring democracy in that country. The American invasion of Panama has once again justified including on the General Assembly's agenda an item on the protection and security of small States.

(Mr. Oudovenko, Ukrainian SSR)

It is very difficult not to note that earlier we also witnessed similar actions. Therefore, one is naturally led to ask: Is not this action a return to the notorious policy of might makes right, whereby commando divisions, tanks and fighter planes are used to overthrow a Government not to someone's liking and to replace it by one which suits someone's national interests? Is it not in complete contradiction of the determination proclaimed by the States Members of the United Nations in the Charter

"to practise tolerance and live together in peace with one another as good neighbours"?

There is hardly any need to give an answer to such questions.

My delegation shares the deep concern expressed by previous speakers about the United States armed intervention, carried out in violation of the repeated appeals of the international community to take a measured approach to the situation in Panama, in spite of appeals by the Latin American States to Washington and in spite of the need to observe strictly the principle of non-interference in Panamanian affairs.

The American action runs counter to the many and various efforts to achieve a political settlement in Central America. Such a settlement can be achieved only through further intensification of the negotiating process between the countries of the region themselves and by strengthening the peacemaking, stabilizing role of the United Nations, with strict observance of the principle of non-interference in the internal affairs of the States of the region.

For all the internal political intricacies of the events taking place in Panama, one thing is perfectly clear - that they are purely the internal affairs of a sovereign State, and only the Panamanians themselves, without any interference from abroad, are entitled to decide what should happen in their country's political arena, and how.



(Mr. Oudovenko, Ukrainian SSR)

Dedicated as we are to the legal norms and principles that govern relations between States, which are enshrined in the Charter, the Ukrainian Soviet Socialist Republic condemns the United States armed intervention in Panama and expresses its deep concern over the large presence of foreign troops in Panama, which can have a negative effect on the peace process in Central America. We cannot accept unilateral acts of violence carried out in violation of the Charter, whatever excuses may be made for them, at the current stage of world development. When new criteria are being formed for the conduct of States, in the spirit of the highest requirements of morality and justice, double standards, and selfish interpretation of principles of non-interference, are unacceptable and are indeed harmful.

The Ukrainian Soviet Socialist Republic demands the immediate cessation of the intervention and the full and unconditional withdrawal of American troops from Panamanian territory. We support the provisions of the draft resolution, and we believe that a vote on it will be a good indicator of the sincerity of those who wish really to implement the principles of the Charter.

Mr. PITARKA (Albania): Throughout this year the peoples and countries of Latin America and the world have followed with great preoccupation and concern the grave situation and the unfolding of events in Central America. This has also been clearly expressed in this session's general debate. Proof of this concern is to be found, moreover, in the unrelenting efforts of the Latin American countries, especially the Central American countries, to assist in the process of establishing peace and achieving genuine and lasting security in the region. This process was believed to have entered a new phase after the signing of the Esquipulas II Agreement and the commendable efforts and services rendered by the Secretary-General, Mr. Javier Perez de Cuellar.

Yet, unfortunately, the General Assembly has had to convene again on agenda item 34, "The situation in Central America", because of a most dangerous and negative development in this region - the armed aggression of the United States of America against Panama on the morning of 22 December. The delegation of the People's Socialist Republic of Albania condemns this aggression as a flagrant instance of brutal interference against an independent and sovereign State, a Member of the United Nations. The invasion of Panama is an arbitrary act of violence, a blatant violation of the United Nations Charter and the fundamental principles of international law. This aggression has created an even more grave situation in Central America, with serious consequences and dangers to peace and security in the entire region and beyond.

Under the pretext and the false arguments of allegedly defending democracy in Panama and protecting the lives of United States citizens, the United States trampled underfoot the right of the Panamanian people to determine independently its own destiny and to resolve its internal problems without foreign interference. No pretext can justify the armed invasion of a sovereign State, still less can it

(Mr. Pitarka, Albania)

justify the countless victims among the Panamanian people, which is putting up resistance in defence of the freedom, independence and sovereignty of its country.

The Albanian people sides with the Panamanian people in its just struggle against the United States aggression. The People's Socialist Republic of Albania has always been opposed to, and strongly condemns, interference in other people's internal affairs, acts of aggression and military interventions against sovereign peoples and States.

The United States armed aggression, which is justifiably condemned by world public opinion, particularly by the Latin American countries, proves once more that the "endeavours" and "readiness" expressed by the super-Powers to stand for and strive for international peace and security have been, and remain, sheer demagoguery. Profuse declarations were made after the Bush-Gorbachev summit in Malta on the so-called good and benefit that the United States-Soviet agreements and co-operation would bring to international peace and security. Yet, shortly after, the United States of America committed aggression against a small and sovereign country - Panama. It can be said with good reason that it was not accidental that the aggression was undertaken immediately after the Malta summit; that fact has aroused legitimate doubts in public opinion the world over. This fact cannot fail to move States and peoples to be vigilant and judge the super-Powers not by their words but by their deeds.

In conclusion, the delegation of the People's Socialist Republic of Albania wishes to point out that peace and security in Central America and the resolution of problems existing there are a concern of all the peoples of the region. They must be settled in conformity with the aspirations of those peoples, in the interest of their independent development and peace and security in the region and beyond. The United States of America must immediately withdraw its invading troops from Panama and leave that country's people free to resolve independently its

(Mr. Pitarka, Albania)

internal problems. The United States must put an end to its policy of interference and diktat against the sovereign States and peoples of Central America, which entails dangerous consequences for peace and security in the whole of the Latin American continent and the world.

Mr. PENALOSA (Colombia) (interpretation from Spanish): My delegation could not fail to take part in this debate. I wish this afternoon to repeat a few of the ideas I expressed last Saturday in the Security Council.

I repeat that the fate of the Republic of Panama will never be separate from that of Colombia. We have strong links with Panama: for a hundred years we shared the same history; many Panamanians are the children and grandchildren of Colombians; thousands of our compatriots live in Panama. In addition to being our neighbour, Panama is an important member of the Latin American and Caribbean region and a fellow member of the Non-Aligned Movement.

We are not meeting today to discuss the personal or political qualities of General Manuel Antonio Noriega. However irregular and reprehensible the conduct of the head of the Panamanian armed forces may have been, we cannot approve the armed intervention by the United States in that country. Non-intervention is a basic principle of the continental organization of the Americas, adopted because of the harsh experience of the past. Colombia believes that there can be no grounds for a State's being even temporarily subject to military occupation or other acts of force by another State. That is why we deplore the intervention in Panama by the United States armed forces, as a flagrant violation of international law and of the independence, sovereignty and territorial integrity of States.

Any solution of the Panamanian crisis necessitates respect for the self-determination of the Panamanian people, without internal pressure or foreign interference.

(Mr. Peñalosa, Colombia)

We consider it most regrettable that the republican life of Panama has been characterized by de facto Governments, which have kept that people from exercising its inalienable right to express its sovereign will. Colombia has been pleased in the past by the various initiatives taken to restore democracy in that country, based on agreement and understanding between the various sectors in Panama. That is why today we urge them all to carry on dialogue in order to establish the foundations of lasting democracy in Panama.

The Panamanian people should feel itself fully supported by the international community in its efforts to establish permanent democratic institutions that are not subject either to the whims of a series of military leaders or to external pressure.

Mr. WILKINSON (United States of America): We are in the waning days of a year that has been of historic importance for the advance of liberty around the world. The bell of democracy has rung out for millions of people on this globe. People who just a few short weeks or months ago had no hope of shaping their own destiny have now grasped freedom to build their own futures in free societies.

Yet, while momentous changes continue to shake the world, with breakthroughs in human rights and self-determination, the Assembly has been called back to meet to consider a draft resolution which turns a blind eye to the history of repression in Panama and virtually ignores the freely expressed will of the people of Panama. It is a backward-looking draft resolution.

So let us - once again - look at the nature of the yoke that lay so long on Panamanian shoulders. On 15 December this year Manuel Noriega reached new heights of outrage when he declared his military dictatorship to be in a state of war with the United States. He publicly threatened lives of Americans in Panama. The next day his forces shot and killed an unarmed American serviceman, wounded another and arrested and brutally beat a third, brutally interrogating his wife and threatening her with sexual abuse.

In fact, since early 1988 the Noriega régime had been responsible for more than 1,800 violations of the Panama Canal Treaties. Those violations were directed against individual United States servicemen and women and their dependants, in the form of arrests, hearings and unwarranted detentions - and the killing. The response of the President of the United States to the cumulative outrage was clear - enough! It could not continue.

As President Bush stated on 20 December, no United States President takes lightly the decision to use military force. The use of force contrary to the Charter is impermissible and contrary to international law. There is no doubt

(Mr. Wilkinson, United States)

about this point. But the Charter provides that in those cases where all else fails States have the right to defend themselves when force is being used against them and their citizens. That right cannot be read out of the Charter.

President Bush noted that for nearly two years the United States and the nations of Latin America and the Caribbean had worked together to try to resolve the crises festering in Noriega's Panama.

The goals of the United States have been clear throughout: to safeguard the lives of Americans; to defend democracy in Panama; to combat the evil of illicit drug trafficking; and to protect the integrity of the Panama Canal Treaties. Many attempts were made to achieve those goals, working collectively to resolve through negotiation the crisis situation created by dictatorship in Panama. All such endeavours were rejected out of hand by the boastful dictator and indicted drug-trafficker, Manuel Noriega.

Noriega's response to the succession of diplomatic efforts was increased violence. The United States then acted for legitimate reasons of self-defence and defence of the integrity of the Panama Canal. Our actions were taken in full conformity with Article 51 of the United Nations Charter, Article 21 of the Charter of the Organization of American States (OAS) and the provisions of the Panama Canal Treaties.

The aspect of the Panama Canal in this matter is a serious one. The Noriega régime's actions clearly endangered the Canal, endangered the Panamanians and Americans who operate it and endangered the United States forces which defend it in accordance with our Treaty obligations. Noriega boasted that United States bodies would float in Canal waters. Is that the language of a rational and responsible leader? The President of the United States could not ignore such threats when followed by Noriega's violent actions.

(Mr. Wilkinson, United States)

But let me here today, in this Assembly, a body which lays claim to epitomize democracy, call special attention to the dimension of democracy as an integral aspect of the situation in Panama. The drama of Panama over the last year has taken place against the backdrop of a breathtaking and pervasive transition to true democracy all around the world. The role of the United States is not to enforce the will of history by intervening in favour of democracy where we are not welcomed by the people. We champion democracy, but we are not its gendarme.

In the case of Panama, since May 1989 there have been legitimately elected leaders. Noriega did not allow them to function, but they existed. We consulted with those leaders before our action. And we have been welcomed where it is most important, by the democratically chosen leadership of Panama and, overwhelmingly - I repeat, overwhelmingly - by the people of Panama themselves. Recent media reports provide ample evidence of this fact. And I would encourage a visit to Panama by anyone who still has doubts, which would confirm the sincerity of the gratitude extended to United States forces by Panamanians in Panama.

As United States officials have stated repeatedly, we did not wish to take unilateral action. Over the past eight months the United States demonstrated its deep commitment to the multilateral approach to deal with the crisis in Panama. We worked hard with and within the Organization of American States to meet the challenge to democracy presented by Manuel Noriega.

In May this year the possibility of a return to democracy was stolen by Noriega from the people of Panama. No one seriously disputes that fact. The Electoral Tribunal, whose members were appointed under the Noriega Government, has now certified the true outcome of that election and made it plain that Noriega prevented it from doing so in May. A free and fair election in May, which should have resolved Panama's political crisis and charted a new future for the country, was brutally suppressed.



(Mr. Wilkinson, United States)

There is only one way to describe the will of the Panamanian people, and that is for Endara and against Noriega. The May election spoke eloquently.

The Organization of American States attempted to reason with Noriega to achieve through dialogue and consultation a peaceful return to democracy. Secretary of State Baker recently said one of his biggest disappointments as Secretary thus far was the inability of the OAS to move effectively on the problem of Noriega and Panama. The regional effort failed. In the absence of collective action to deal effectively with the problems, Noriega became bolder.

Noriega forced the issue and the United States was forced onto the path dictated by our national rights and responsibilities. In the process, democracy has been restored in Panama. The dictatorship has ended. The thugs and drug-runners have been ousted from power. These are vital outcomes and a clear focus of United States interests, along with the Canal Treaties.

The United States has no interest in a military presence in Panama beyond our obligations under the Canal Treaties. The forces recently deployed will withdraw as rapidly as Panamanian forces can restore security. We are confident this will take place in a short time.

Does any responsible person mourn Noriega's loss of power in Panama? No. The prevailing view of his departure from the halls of Panamanian government is one of relief throughout this hemisphere - indeed, throughout the world. But the draft resolution before the Assembly does not mention Noriega; it does not denounce his crimes; it does not decry his repression of democracy. Can we here today act responsibly and seriously if we accept language that blithely ignores a history of repression and the will of a people to be governed by leaders it chose? Is there not an obligation to declare - explicitly, in straightforward language - that the body of civilized nations has no room for a ruthless dictator and brutal criminal?

(Mr. Wilkinson, United States)

Panama's new democracy deserves the full support of serious, responsible, democratic Governments everywhere. The transition to democracy in Panama has happened. The dream of Panamanian patriots of all political persuasions has included the fulfilment of the Panama Canal Treaties in a democratic Panama. This dream now stands to be realized. The United States is committed to supporting the democracy chosen by the people of Panama. We are fulfilling the Canal Treaties, and call on others to give their support as well.

The new and democratically elected Government of President Endara is functioning. The Cabinet is in place. Government Ministries and local government entities are providing services. Newly manned Panamanian police forces under professional Panamanian leadership are now dealing with the security vacuum left when the dictatorship crumbled. Many Governments, including that of Cuba, have freely chosen to continue their diplomatic presence in the Panama of the Endara Government. Nations around the world are dealing with the Endara Government in increasing numbers. In a word, a new democratic political day has dawned in Panama.

The political reality of today's Panama should be recognized without further delay by the international community. The freely expressed will of the Panamanian people has opted decisively for the Endara Government and rejected the despotic drug-trafficker, Manuel Noriega. To do anything but to support the choice of the Panamanian people is implicitly to endorse the practices of the oppressive régime which those people so clearly rejected.

I urge the Assembly to vote "No" on this flawed and unbalanced draft resolution in order to send a signal of support for the democratically elected Endara Government and above all to send a message of rejection to those who would keep alive any vestige of Noriega's cruel reign.

The PRESIDENT: We have heard the last speaker in the debate.

I shall now call on those representatives who wish to explain their votes before the voting.

I remind representatives that, in accordance with General Assembly decision 34/401, explanations of votes are limited to 10 minutes and should be made by delegations from their seats.

Miss THORPE (Trinidad and Tobago): Trinidad and Tobago was a member of the Team appointed by the Organization of American States (OAS) to negotiate a peaceful settlement of the Panamanian crisis. Hence, my Government has been very much saddened by the loss of life resulting from the recent turn of events in Panama.

Two fundamental tenets of our foreign policy are respect for the independence, sovereignty and territorial integrity of States and commitment to the peaceful settlement of disputes through dialogue and negotiation.

We share the regret of other members of the international community at the breach of international law attendant on the intervention in Panama, but we are not persuaded that the immediate withdrawal of United States forces would, by itself, be to the advantage of the Panamanian people at this time, or that such a withdrawal alone is enough to ensure the peace and security of Central America.

We believe that the withdrawal of troops should accompany the establishment of an adequate and appropriate mechanism which would ensure that the conditions referred to in the fourth preambular paragraph will indeed be restored.

Trinidad and Tobago will support the draft resolution (A/44/L.63) because of the principles it enunciates. But we want to make it clear that we see it as addressing only one aspect of a very complex problem, and that we feel that there is an equally urgent and immediate need for other aspects to be addressed, not the

(Miss Thorpe, Trinidad  
and Tobago)

least of which would be the putting in place of the necessary infrastructure for new free and fair elections as early as possible.

Mr. SUAZO TOME (Honduras) (interpretation from Spanish): I wish first to say how pleased I am to be able to share with all the members of the Assembly these last minutes of 1989, though we are brought here for different reasons. In that regard I must confess the surprise that my delegation - and other Central American delegations - felt when, without having been consulted or even informed, as has been the best tradition of the fraternal countries of the region, we read in last Wednesday's Journal that a meeting of the General Assembly was scheduled under the agenda item concerning Central America.

I still have not got over my surprise - and, I should add, my concern - since it will be recalled that the agenda item on Central America and the resolutions resulting from it have effectively depended on the consensus of the five Central American States, not only on political issues, but also in the Second Committee, the Third Committee and other forums outside the United Nations.

This will be the first draft resolution on Central America that does not talk about democracy. We note that draft resolution A/44/L.62 contained a paragraph which has been deleted, stating:

"Reaffirming also the right of the Panamanian people to its free determination and to elect freely its institutions".

That has been removed from draft resolution A/44/L.63, and we are concerned about that, because the draft resolution makes no mention of democracy.

Although it is hard for me to believe, I find that one Central American country has felt a greater affinity for a country outside the region than for the countries of the region themselves.

(Mr. Suazo Tome, Honduras)

I do not want to refer to the substance of the issue before us now, because we should all be on shaky ground if we were to examine partial aspects of the destabilization of the region. If we are to be objective and refer to facts, I must say that my Government was the first to withdraw its ambassador from Panama when last May's elections were nullified by force. We believed then that there existed a destabilizing factor for the democracies of the region, and we approached the Organization of American States (OAS). We still believe that the Panamanian situation should be referred to the consultative body of the OAS.

My delegation does not recall that any of the delegations that have brought this matter under the item of Central America took the initiative then, in the framework of the United Nations, to request the inclusion of a new item on the agenda concerning the violation of the principle of the self-determination of peoples, and much less to convene the Security Council to submit draft resolutions which in the OAS itself they had systematically blocked, thus contributing to reducing the political options for resolving the crisis of the Panamanian people.

(Mr. Suazo Tome, Honduras)

My delegation considers it unbalanced to dwell on one factor that might affect the region, while disregarding any others with similar effects. As a Central American, I am all the more concerned that the Secretary-General is being asked to produce - outside the mechanisms adopted by the Central Americans themselves - new reports on partial and selective aspects, thus calling into question the Secretary-General's wise approach in reporting on the situation in Central America.

My delegation reaffirms its confidence that any event that deserves to be included by the Secretary-General in his reports on Central America will be included, to provide an objective picture and therefore offer real solutions. It now seems that we need to tell the Secretary-General what he should talk about and what he should refer to in his reports. We are totally against this manipulation of reality, as is being attempted in paragraph 5 of draft resolution A/44/L.63.

For now my delegation will not elaborate further. We wish only to announce that we shall abstain in the vote on the draft resolution, for the reasons I have given, and because we believe that there is no justification for introducing more distortion in the Central American situation.

Mr. VILLAR (Spain) (interpretation from Spanish): Over recent years the Government of Spain has followed with concern the development of the complex crisis and the grave deterioration of the situation in the Republic of Panama, which culminated in the military intervention by foreign forces, with regrettable loss of human life and an increase of tension in a region of America in which Spain has been trying to contribute to a peaceful, negotiated solution of the various conflicts.

My delegation considers that the draft resolution on which we are to vote is not balanced enough. First, it contains no reference whatsoever to the previous institutional situation in Panama, which the Spanish Government had described

(Mr. Villar, Spain)

as illegitimate, following the nullifying of the elections in May, as a result of which General Noriega's régime prevented national reconciliation and the normal development of democratic institutions in that country.

Secondly, the text does not make full reference to the need, which we would emphasize, to strengthen democratic institutions and to establish in Panama an atmosphere of genuine national harmony.

None the less, with those reservations, my delegation will vote for the draft resolution in order to reflect the fact that Spain, in accordance with the purposes and principles of the Charter, is opposed to the use of force in international relations and is against any military intervention in a foreign country.

Mr. WOLFE (Jamaica): Jamaica's position regarding the present crisis in Panama was clearly enunciated in a statement issued by the Government of Jamaica on 21 December 1989, which has since been distributed among the members of the Non-Aligned Movement and States Members of the United Nations.

Jamaica intends to vote for draft resolution A/44/L.63, as it essentially reiterates and reaffirms the basic principles of international law regarding the non-use of force and non-intervention in inter-State relations. At the same time, we wish to associate ourselves with the statement made in explanation of vote by the representative of Trinidad and Tobago, that the draft resolution should have included reference to the establishment of an adequate and appropriate mechanism to ensure that the conditions referred to in the fourth preambular paragraph are restored and to put in place the necessary infrastructure for free and fair elections or otherwise seeking the Secretary-General's good offices in assisting with the establishment of an effective, democratically chosen Government, as we ourselves had initially proposed.

Mr. KRAVETZ (El Salvador) (interpretation from Spanish): El Salvador will vote against draft resolution A/44/L.63, dated 28 December 1989, for the following reasons.

The situation that is supposedly the subject of the draft resolution has not been thoroughly examined. Basic elements of it have been omitted, especially the sovereign right of the Panamanian people, exercised on 7 May 1989, freely and democratically to elect its Government. The draft resolution does not examine the dimensions of the Latin American political reality prevailing in the Organization of American States when the case of Panama was brought to it. Because of weak action, the Organization's mechanisms were not allowed to function, thus preventing the exercise of the constitutional mandate of the legitimate President of Panama, Mr. Guillermo Endara. Therefore, a people heroically clamouring for that regional organization's assistance was left at the mercy of the whims of an individual.

Nor does the draft resolution mention that Mr. Manuel Antonio Noriega, making illegitimate use of force, kept the people of Panama hostage and used the territory of Panama for acts that damaged the sovereignty not only of the people of Panama but also of other States of the Central American region, by making it possible for drug trafficking to take place as well as the transfer of weapons to irregular groups that have operated, and still operate, in other Central American countries, with the purpose of overthrowing by force legitimate Governments brought to power by free and democratic elections.

The draft resolution does not take account of the fact that the sovereignty of peoples is indivisible, and its forms of expression are interlinked, being an intrinsic part of the unity of peoples. Therefore, the principle of non-interference in the affairs of other States should not be considered separately from the principle of the self-determination of peoples. The draft resolution



(Mr. Kravetz, El Salvador)

deals only with the non-interference aspect, and therefore it is one-sided and incomplete and distorted in its alleged purpose.

At this stage in the development of the international community, which has been encouraged by détente between the super-Powers, the Government of El Salvador does not agree with United Nations bodies being manipulated. They are bodies structured under the Charter precisely to serve as constructive instruments for the complete development of mankind, not to meet the political interests of certain States.

For all those reasons, El Salvador will vote against the draft resolution.

Mr. GHEZAL (Tunisia) (interpretation from French): In speaking before the vote, the Tunisian delegation would like first to emphasize that it subscribes to the principles set out in draft resolution A/44/L.63, principles which fully correspond with those the Tunisian Government clearly reaffirmed in a statement issued on 21 December following the intervention by United States armed forces in Panama.

Tunisia deplores foreign interference, which in principle is not the appropriate means to settle problems such as that experienced by Panama. We appeal to all nations - and in this case to the United States of America - constantly to behave in accordance with the United Nations Charter and its principles, especially since the climate of détente is favourable to the peaceful settlement of disputes.

Here Tunisia wishes to express its sympathy and solidarity with the Panamanian people and affirms its support for that people's right to self-determination and freely and democratically to choose the form of government it deems appropriate.

We are duty bound, however, to observe that we have not been in a position in the Assembly to hear the wishes of the people of Panama itself, which might have enabled us to support it. In those circumstances, and since we have not heard the voice of the Panamanian people in our debate, the delegation of Tunisia, regretfully, will not be able to vote for the draft resolution. At this stage we can only abstain.

Mr. COVARRUBIAS (Chile) (interpretation from Spanish): The Chilean delegation will vote for the draft resolution, "The situation in Central America: Threats to international peace and security and peace initiatives", because its foreign policy is based on respect for international law and the purposes and principles of the Charter of the United Nations and of the Organization of American States (OAS).

(Mr. Covarrubias, Chile)

The Chilean delegation considers it more than ever necessary today to ensure unconditional compliance with principles such as non-intervention, the non-use or threat of the use of force in international relations and the peaceful settlement of disputes, all of which are at issue in the current situation in Panama.

The Central American region, in which Panama is situated, has for some time been affected by acts of violence in which foreign intervention has been a factor. Some of those acts have been denounced here in the Assembly. What has recently happened in Panama is to a large extent the result of those regrettable circumstances.

Panama is fully entitled to have its sovereignty and self-determination respected. Those are inviolable principles which form the foundations of international order and with which therefore all States must comply.

The Chilean Government profoundly regrets the violence and the loss of innocent human life in Panama. Furthermore, we urge the parties concerned to find a satisfactory, lasting solution, without foreign interference, and with full respect for the Canal Treaties and the efficient operation of the Canal for all its users. Similarly, we support all efforts in the context of those principles to make Panama's democratic representative institutions fully effective again.

The Chilean Government trusts that the Organization of American States will be able to find ways to guarantee peace and security in Central America and to contribute to the necessary regional stability. We also call for the immediate cessation of the acts of violence and military actions, which we regret and deplore because of our full respect for the norms of international law and coexistence that govern us.

All that I have said applies equally to the other countries of the Central American region, which are engaged in a process to bring about peace and security, which must proceed without being threatened or interrupted by external action or internal pretexts.

Mr. ZACHMANN (German Democratic Republic): The armed intervention by the United States in Panama has caused great concern in the German Democratic Republic. The use of force against a sovereign, independent State threatens international peace and security. It is incompatible with international law and contrary to the Charter.

For those reasons, and in accordance with the draft resolution before us, we demand the immediate cessation of military action by the United States in Panama.

The norms and principles of State-to-State relations, such as sovereignty, independence and territorial integrity, as enshrined in the Charter and other international legal instruments, must be respected without reservations. In the German Democratic Republic's view, it is an imperative of the times and of reason to solve all conflicts between States by exclusively peaceful means. There is no alternative.

Therefore, the delegation of the German Democratic Republic supports draft resolution A/44/L.63.

Mr. INSANALLY (Guyana): In a press release issued on Friday, 22 December, the Government of Guyana expressed its great disappointment at the turn of events in Panama as a result of military action taken by the United States of America.

The statement recalled that, at its tenth meeting held in Grenada in July this year, the Conference of Heads of Government of the Caribbean Community, of which Guyana is a member, reiterated its conviction that the problems in Panama should be resolved without foreign intervention and called for total respect for Panama's national sovereignty.

We accordingly urge a speedy end to the current hostilities and the establishment of conditions which will enable the Panamanian people freely to

(Mr. Insanally, Guyana)

determine their own destiny. The use of force, no matter what the rationale, will only aggravate conflicts and result in disastrous consequences for both sides. It provides no acceptable solution to fundamental problems, and creates instead further alienation between the parties. The weapons of war should therefore be put aside and steps immediately taken with a view to defusing a very heated crisis.

Our vote on this occasion will reflect our publicly enunciated position. In supporting the draft resolution, however, we would hope that we can go beyond debate to repairing whatever damage has been done by the intervention in Panama. It is absolutely imperative that we return to the multilateral approach for the preservation and strengthening of international security. We would therefore make a sincere plea to all concerned - the United States and Panama - for restraint and reconciliation, which alone can end this unwelcome debacle.

The principles of non-use of force, non-intervention and non-interference in the affairs of States must be salvaged and replaced on the high altar of international relations. Should they remain hostage to military force, their sanctity will be further desecrated and debased. This is an eventuality which no one will wish to contemplate, for it opens up a Pandora's box of problems for the civilized world.

(Mr. Insanally, Guyana)

It would be a great pity, for example, if this act of intervention should in any way threaten the prospects of a definitive peace in Central America. As was observed by the Heads of State or Government of Non-Aligned Countries at their latest meeting in Belgrade, Central America is one of the most serious focal points of tension in the world, which, if peace processes in the region continue to be frustrated, could adversely affect the current trend of a general relaxation in international political relations.

Diplomacy therefore dictates that in such a strategic and sensitive locus as Panama the search for a political settlement should not be abandoned. Both Panama and the United States have demonstrated in the past that, notwithstanding their sharp differences, they are capable of enlightened bilateral relations. Their commendable co-operation led, after many difficult years, to the signing of the Torrijos-Carter Treaties, of which we are formal witnesses and whose implementation we would urge. Regrettably, however, relations between the two countries subsequently deteriorated, leading to the crisis now engaging our attention. It is not too late, in our view, for the parties to resume, in the proper conditions, their amicable co-operation and to seek, as sister States of the Americas, to develop a new relationship based on mutual respect and understanding.

The recent events in the isthmus have understandably raised some concern in the hemisphere about the resort to force as a means of settling disputes. This concern obviously does not bode well for the future of inter-American and Caribbean relations, and should therefore be removed as quickly as possible. This can be done by a reaffirmation of Panama's sovereignty and territorial integrity and by a recommitment to the principles of non-interference and non-intervention. At the same time, we must collectively agree that we will attempt to settle all conflicts through dialogue and negotiation.

(Mr. Insanally, Guyana)

The intervention in Panama has struck a most discordant note in the current general rejoicing at the perceived triumph of co-operation over confrontation and of negotiation over conflict in inter-State relations. We had come to believe, now that there was entente between the major Powers, that regional conflicts would cease and a régime of peace shortly be installed throughout the world. Those expectations must not be allowed to die. We therefore fervently hope that the action we take today by voting for the draft resolution will revive our hopes for global peace and security.

The PRESIDENT: We have heard the last speaker in explanation of vote before the vote.

The Assembly will now take a decision on draft resolution A/44/L.63.

I wish to inform the Assembly that Ethiopia, Mongolia, Viet Nam and Zimbabwe have become sponsors of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Equatorial Guinea, Ethiopia, Finland, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritius, Mexico, Mongolia, Myanmar, Nepal, Nicaragua, Pakistan, Paraguay, Peru, Romania, Solomon Islands, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe

Against: Australia, Belgium, Canada, Denmark, Dominica, El Salvador, France, Germany, Federal Republic of, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Panama, Portugal, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Antigua and Barbuda, Bahrain, Brunei Darussalam, Cape Verde, Central African Republic, Chad, Costa Rica, Egypt, Fiji, Greece, Grenada, Honduras, Iceland, Ireland, Kenya, Lebanon, Liberia, Madagascar, Malawi, Malta, Morocco, Niger, Oman, Papua New Guinea, Philippines, Poland, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Singapore, Somalia, Thailand, Togo, Tunisia, United Arab Emirates, Yemen, Zaire

Draft resolution A/44/L.63 was adopted by 75 votes to 20, with 40 abstentions (resolution 44/240)\*

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\* Subsequently the delegation of Cape Verde informed the Secretariat that it had intended not to participate in the voting.



The PRESIDENT: I shall now call on those representatives who wish to explain their vote after the voting.

I remind representatives that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. ABADI (Panama) (interpretation from Spanish): My delegation wishes to state in explanation of vote that the constitutional Government presided over by Guillermo Endara is the direct result of a sovereign act of self-determination by the Panamanian people in general elections held on 7 May. That was a clear and explicit mandate under our Constitution. In the general elections the presidential slate headed by President Endara obtained over 70 per cent of the valid votes. That overwhelming mandate given by the people is the source of the legitimacy of the present Government of Panama.

Never in our country's history has such an overwhelming and clear mandate been given in a presidential election. The results of the election were endorsed by all independent international observers, both those invited by the opposition and those invited by the Government itself. All the country's institutions, including the Catholic Church and other denominations, testified to the overwhelming electoral victory of today's constitutional President of the Republic.

None the less, because of the official candidate's clear failure, Noriega unleashed, in open violation of all the principles of human and democratic coexistence, a campaign of terror which resulted in the murder of members of the opposition and the merciless, bloody persecution of the candidates chosen by the Panamanian people to govern its destiny. That campaign of terror, witnessed by everyone through the media, ended with the so-called nullification of the elections, an unconstitutional act, based solely on the intimidation created by the

(Mr. Abadi, Panama)

cruel repression carried out by the Panama Defence Forces, under the leadership of the dictator, Manuel Antonio Noriega.

With the overthrow of the Noriega dictatorship and the removal of the obstacle to the constitutional process of transfer of power to the chosen candidates of the people, the new, legitimate Government was installed, in accordance with all the constitutional requirements. In addition, last Wednesday, by a resolution of the Electoral Tribunal, composed of judges designated by the deposed régime, the following electoral victors were declared: President of the Republic, Guillermo Endara, First Vice-President of the Republic, Ricardo Arias Calderón and Second Vice-President, Guillermo Ford.

Furthermore, the swearing-in on 20 December was validated.

Following the announcement of the Tribunal's resolution, Francisco A. Rodríguez, designated acting President by the régime of the dictator Manuel Antonio Noriega, declared on Panama City's Channel 4 television recognition - in accordance with the resolution - of the legitimacy of the Government of the Republic of Panama headed by Guillermo Endara.

(Mr. Abadi, Panama)

Panama is today a democracy once again thanks to the sacrifice and determination of the people of Panama, demonstrated over many years. The people's unassailable will to struggle was the main factor that made it possible to restore democracy and to release our people from the system of terror established by the dictatorship. We recognize that the democratic solidarity of the United States of America was essential to the culmination of the work of the forces of liberation. We cannot forget that this return to democracy has been difficult. The people of Panama have made enormous sacrifices, and they have suffered stoically at the hands of a narco-terrorist who placed his own personal ambitions before the best interests of the Panamanian people.

We must also recall that the Panamanian people had to resort to desperate means. The country's economy had been seriously affected by strikes and suspension of tax payments in its efforts to free itself of the terror. All non-violent means were tried over the years. Dialogue was pursued; there were negotiations and mediation. But the dictatorship's response was always the same: more pressure, more repression, more terror, more suffering.

The Organization of American States itself was mocked by the dictator when, after enormous efforts by all the Foreign Ministers of the continent to achieve a negotiated solution, Noriega refused to negotiate. In the end, the inter-American system suffered a humiliating defeat since the dictator Noriega not only remained commander of the Defence Forces but also had himself designated Head of Government.

Day after day Panamanians maintained a non-violent struggle, which was not always understood or supported by our Latin American brothers. We repeatedly showed our rejection of the Noriega régime and its terrorist actions. Panamanians suffered torture, death, imprisonment and exile, and we witnessed the destruction of our democratic institutions. We saw how the independence of our judicial institutions succumbed to the outrageous use of force. We suffered the pain of

(Mr. Abadi, Panama)

seeing the tyrant decorated by the Governments of neighbouring peoples. We felt stabbed in the back at the support certain leaders - who had never been chosen by their peoples - gave to the narco-terrorist tyrant to the very end.

After having cruelly suppressed the Panamanian people, the dictatorial régime of Manuel Antonio Noriega committed an act of historic irresponsibility: it challenged the might of the United States of America. As everyone knows, the dictatorial régime did the following:

First of all, the régime's Council of State, which is merely an advisory body and has no competence in this regard, decreed a resolution stating that "If General Noriega or others linked with the Government were attacked, the people's reaction would be such that the national Government could not ensure protection for United States nationals or prominent members of the opposition". That was said though under our Constitution it is the duty of all our authorities to protect the life, dignity and property of Panamanians anywhere, and of foreigners in Panama.

Secondly, the so-called National Assembly - a de facto body set up outside the framework of the juridical order then in force - declared Panama to be in a state of war. And though it did not say that the state of war was with the United States, it did say that it would continue to exist as long as the United States did not withdraw its economic sanctions.

Thirdly, the next day the Defence Forces killed a United States serviceman and threatened to rape an American woman citizen of the United States.

Those and other extremely serious previous events led to the intervention by the United States, which was clearly provoked by the criminal irresponsibility of the dictator Manuel Antonio Noriega. Hence it is clear that the intervention was aimed at the Noriega dictatorship and not at the Panamanian people, and that the Government of Panama, presided over by Guillermo Endara, was faced with invasion owing to the irresponsibility of the dictatorial régime.

(Mr. Abadi, Panama)

The only positive aspect of this regrettable situation is that it made possible the restoration of democracy to Panama. That is why we request the solidarity and understanding of all countries of good will represented here. In connection with the principle of non-intervention, we believe that the concept is frequently misinterpreted. First, by definition intervention is an act of illegal interference by a State, with intent to impose its will, in the internal or external affairs of another. When States show democratic solidarity with an oppressed people - as it is the case in Panama - or when an action's goal is to ensure respect for human rights and for the right to self-determination of the Panamanian people to choose its leaders, as it did in the election of 7 May 1989, then one cannot speak of interference -

The PRESIDENT: I am sorry to interrupt the speaker, but his 10 minutes are up. I would therefore ask him to conclude his statement.

Mr. ABADI (Panama) (interpretation from Spanish): Our country - like all the organs of the United Nations - has always rejected violence in all forms. More than any other country, we regret the intervention we have suffered. None the less, the Panamanian people have clearly demonstrated in the streets that it accepts this sacrifice as the price of the restoration of our freedom and democratic institutions.

Lastly, in keeping with the long struggle for democracy and the observance of human rights the Panamanian people has had to carry out to restore its democracy, the Republic of Panama will base its international relations on the accepted norms of international law, maintain its status as a non-aligned country and respect all its international commitments.

However, our decisions will be guided primarily by a humanitarian criterion - that fundamental human rights and the struggle for freedom, democracy and genuine

(Mr. Abadi, Panama)

self-determination of peoples, which is inseparable from non-intervention - which will prevail over any other principle.

Hence we shall stand on the side of struggles against racial discrimination, colonialism, poverty, and economic injustice or against any other situation contrary to human dignity.

Mr. TRAXLER (Italy): Italy was unable to support draft resolution A/44/L.63. Indeed, we felt compelled to vote against it, because we regard it as seriously unbalanced.

The resolution is both an indictment and a sentence, and ignores many of the relevant facts of the case. Italy is, and has always been, fundamentally opposed to any interference in the internal affairs of other States, and therefore has always consistently opposed and condemned any form of armed intervention. We remain firmly attached to that principle. But we were unable to support draft resolution A/44/L.63, because it failed to take into account all the developments and circumstances that led to the action by the United States of America.

Here I do not refer to the allegations concerning General Noriega's complicity in drug trafficking. I refer to General Noriega's distinctly anti-democratic behaviour; to the fact that he brutally suppressed the results of a free election; and that he held on to power against the free and legitimately expressed will of the Panamanian people.

In an era in which dictatorial Governments are being expelled by the free exercise of the will of their people, the continued existence of General Noriega's régime and his denial - indeed, repression - of any form of democracy have become an anachronism. His disappearance will open the way for the restoration of democratic institutions in Panama. We therefore look forward to the speedy re-establishment in Panama of law and order in a democratic context.

Mr. KAGAMI (Japan): As it has indicated on previous occasions, the Government of Japan strongly regretted the decision by the Panamanian Electoral Tribunal to nullify the presidential elections held in May, when it appeared that the opposition candidates were in the lead, and the establishment of 1 September of a new administration, without respect for the will of the Panamanian people. This occurred despite the earnest efforts which the Organization of American States

(Mr. Kagami, Japan)

and others had been making to settle the situation in accordance with the will of the people.

Subsequent developments in that country heightened the concern of the Government of Japan. I refer in particular to the declaration on 15 December by the Panamanian National Assembly of Representatives that Panama was in a state of war with the United States, and to other incidents, including the death of a United States officer and the detention and violent treatment of a United States Marine officer and his wife.

In such circumstances, the Government of Japan, while regretting that a situation has arisen in which the United States used its armed forces in Panama and that many casualties have resulted, understands the background against which the United States had to take military action in order to protect its nationals.

My delegation finds the resolution far from balanced. It does not refer to the conditions in Panama that I have mentioned; in particular, it does not express regret that democratic procedures were not respected in Panama. As a result, the resolution will not be helpful to the democratization efforts of the Panamanian people.

For those reasons, Japan was obliged to cast a negative vote.

The Government of Japan, wishing for the stability and development of Central and South America, strongly hopes that the situation in Panama will be stabilized peacefully as soon as possible, and that rapid progress will be made towards the democratization of that country in accordance with the will of its people. I also wish to express on behalf of my Government our firm determination further to develop its friendly ties with all the Central and South American countries, including Panama.



Mr. KORUTURK (Turkey): Turkey voted against draft resolution A/44/L.63, because it was unbalanced, contained inappropriate language and did not take properly into account the circumstances that led to the recent events in Panama.

Turkey is against the use of force in international relations and is opposed to outside interference in the internal affairs of States. It considers such practices to be contrary to the principles of the Charter. However, we cannot fail to note that over the past several months the democratic process has been perverted in Panama. Turkey regrets that the will of the Panamanian people was not respected after the elections held last May and that all international efforts to restore the democratic process were obstructed. The ensuing crisis and the regrettable loss of life are directly attributable to what happened following the 7 May elections.

Turkey notes with satisfaction that the Panamanian Electoral Tribunal has declared the winners of the 7 May elections. We hope that there will be a speedy restoration of peace and an early return to normal conditions in Panama.

Mr. LIDEN (Sweden): Sweden voted in favour of the resolution just adopted because of our firm adherence to principles of international law and the United Nations Charter. At this time, when significant historic changes are taking place, with great opportunities for the future of international relations and for the role of the United Nations in the peaceful settlement of international disputes, it is particularly important to uphold fundamental principles of international law, such as those relating to non-violence, the sovereignty and territorial integrity of States and non-intervention in the internal affairs of other States.

The Swedish vote does not imply support for the previous régime in Panama. We firmly believe in the right of the Panamanian people freely to elect its Government. The Swedish Government earlier made its position clear - that the

(Mr. Liden, Sweden)

decision of the Noriega régime in May this year to declare the results of the general elections invalid was unacceptable. We certainly recognize the necessity to re-establish conditions that will guarantee the full exercise of human rights and the fundamental freedoms of the people of Panama. However, it is our conviction that it is up to the Panamanians themselves to ensure that democratic principles are observed and that a democratic and legitimate Government is installed.

The rule of law must prevail in domestic as well as in international affairs.

Ms. WILLBERG (New Zealand): New Zealand voted against draft resolution A/44/L.63.

It is our view that the text overall lacks those elements of balance that would fully reflect the realities that led to the present situation in Panama. There is, for example, no direct reference to the overturning of the election results in Panama earlier this year, nor to the declaration of war against its neighbour, nor to the drug trafficking charges against the erstwhile President.

(Ms. Willberg, New Zealand)

In making this point, however, New Zealand would not wish to imply that we accept or condone armed intervention. The Charter of the Organization stipulates most unambiguously that all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

Despite the provocation and the threat to United States citizens, we cannot but regret that force has occurred. In New Zealand's view the resolution of the present turmoil must be in accordance with the needs and wishes of the Panamanian people and in full accordance with the precepts and principles of the United Nations Charter.

Mr. MENON (Singapore): Singapore has a deep commitment to United Nations Charter principles that safeguard the independence, sovereignty and territorial integrity of States, especially small ones. We have always believed that the principles of non-intervention and non-interference in the internal affairs of States will make it easier for even the smallest States of the world to retain their independence, territorial integrity and sovereignty.

Singapore does not approve of foreign intervention in any country, including Panama. If the draft resolution in document A/44/L.63 had been more carefully drafted and more balanced in its contents, we would have voted in favour of it, as we did for the resolutions on Afghanistan, Kampuchea and Grenada.

Mr. BLANC (France) (interpretation from French): As it stated in the Security Council, France believes that recourse to force is always a matter for regret and cannot be condoned as such. In such circumstances, the American intervention in Panama is a violation of recognized principles of international law as set forth in the United Nations Charter, for it cannot be denied that external intervention did take place and is still taking place in Panama.

(Mr. Blanc, France)

Nevertheless, any text should take into consideration the fact that the situation we are witnessing today is, to a large extent, the result of the chain of events that has occurred since the nullification of the elections on 7 May last and the interruption of the democratic process under way in Panama. Today, the French Government believes that the withdrawal of American troops is a requirement for Panama to regain its full sovereignty as soon as possible. That sovereignty can only exist in the eyes of the international community if there is no further massive presence of a foreign army, whatever the reasons for its intervention. That withdrawal should be one of the objectives sought by competent United Nations bodies. In particular - as I stated in the Security Council - it is up to that body to take initiatives that can lead to a return to normalcy, which means the restoration of the functioning of institutions in accordance with the Constitution of Panama and its democratic rules. That is also the objective to be sought by the United Nations, so that there not exist on Panamanian territory a situation that might give rise to tensions in the region.

For that reason France believes that a draft resolution should not limit itself to regretting external intervention but should also take into account the future, allowing for the restoration of a situation in which Panama may fully regain its sovereignty and the Panamanian people their rights and freedoms. France has therefore been compelled to vote against the present draft resolution.

Mr. RICHARDSON (United Kingdom): My delegation voted against the draft resolution just adopted for reasons similar to those that caused us to oppose a similar draft resolution submitted in the Security Council last week. Despite the efforts of a number of delegations the current draft resolution remains seriously unbalanced. We note the inclusion in it of a new reference to the human rights and ~~freedom of the people~~ Panamanian people. This is very welcome, but the Assembly should have gone on from there to welcome the long-awaited establishment

(Mr. Richardson, United Kingdom)

of a legal and democratically elected Government in Panama. We regret that the draft resolution contained no such language.

We regret also the draft resolution's failure to address the illegal and arbitrary nature of the Noriega régime, its blatant disregard for the democratically expressed will of the Panamanian people and its long history of violence and intimidation directed at Americans and Panamanians alike. Finally, the draft resolution should have acknowledged the fact that the United States used force only as a last resort after lengthy diplomatic efforts.

My Government has already expressed its concern at the heavy loss of human life in Panama. We welcome the apparent improvement of the situation on the ground. We hope that this will continue and that peace and security will soon be restored in Panama so that the civilian population can go about their normal lives and democratic institutions can resume their rightful place.

Mr. HAJNOCZI (Austria): Austria has followed attentively the debate held on the situation in Panama, both here in the General Assembly and last week in the Security Council. We have also studied carefully the text of draft resolution A/44/L.63 just adopted by the General Assembly. As a result of our deliberations, we decided to cast a positive vote. Our vote should, however, not be construed as implying any support or sympathy for General Noriega and his previous régime in Panama.

Furthermore, Austria recognizes that the situation that previously prevailed in Panama did not allow for the full exercise of human rights by the Panamanian people and, in particular, for their right democratically to elect a legitimate Government in free and fair elections. Events surrounding and following the elections held in May of this year were clear proof of the unacceptable conditions that prevailed in Panama.

(Mr. Hajnoczi, Austria)

In considering the action taken by the United States Government, the situation prevailing in Panama under the illegal régime of General Noriega cannot be ignored. Austria, on the other hand, has always held that the rule of law must be upheld, not only in internal but also in international affairs. Thus, we cannot but underline the importance and, indeed, the necessity of upholding fundamental principles of international law, in particular those contained in Article 2, paragraph 4 of the United Nations Charter.

Mr. ZEPOS (Greece): My delegation abstained in the voting on draft resolution A/44/L.63, which has just been adopted. We consider that it lacked appropriate balance, although it referred to fundamental principles of the Charter. The interruption of the democratic process in Panama following blatant contempt for the expression of the free will of the people in the elections of 7 May has been the result of the arbitrary practices of the Noriega régime, which demonstrated its truly reprehensible character. The people of Panama were then deprived of the right to establish the authority of the newly elected leadership. They subsequently witnessed a serious deterioration in the country's external relations owing to the intransigence of the said régime with regard to the initiatives undertaken by the Organization of American States.

(Mr. Zepos, Greece)

None of those regrettable events was reflected in the draft resolution. I take this opportunity to recall statements made by Greece jointly with its partners in the European Community condemning the undemocratic practices and the brutal physical acts of aggression against opposition leaders in Panama, which the oppressive régime totally ignored.

However, our abstention in the voting on the draft resolution should in no way be construed as a departure from our firm commitment to the principle that all Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity, sovereignty or political independence of any State and, consequently, to the necessity in all circumstances for the cessation of military interventions and the withdrawal of invasion forces from occupied territories. It is in that sense, as enshrined in the Charter, that we have always opposed recourse to force in any manner inconsistent with the purposes of the United Nations.

Mr. VILLAGRAN DE LEON (Guatemala) (interpretation from Spanish): My delegation has voted in favour of draft resolution A/44/L.63 because we consider that it reflects the legitimate concerns of the international community at the events that have recently occurred in Panama and because it contains a reaffirmation of the principles of international law on which my country's foreign policy is based - for example the principle of non-intervention and the rejection of the use of force against the territorial integrity or political independence of any State.

The Government of Guatemala actively participated in the diplomatic efforts made in the Organization of American States to find a negotiated settlement to the ~~dispute between the two countries~~. When it became clear that those efforts would not be successful my Government affirmed its position with respect to that fraternal country and its support for democratic values, and it criticized the conduct of

(Mr. Villagran de Leon, Guatemala)

General Manuel Antonio Noriega, who was undoubtedly the greatest obstacle to the development of democracy in Panama. Nonetheless, we cannot share the opinion that the reprehensible behaviour of a corrupt and repressive dictator justifies military action contrary to international law. The President of my country fought for years against a corrupt and repressive dictatorship. There were attempts against his life and he lost many of his colleagues, in his own and other political parties, as well as in people's organizations. But no appeal was ever made by any who struggled for democracy and justice in my country for foreign intervention to overthrow a Government that was not the result of the will of the people.

The regrettable events that have taken place in Panama prompt us to reaffirm the principles on the basis of which peaceful coexistence among States has been built and to reflect on the acceptable means for promoting democracy and strengthening freedom.

The PRESIDENT: We have heard the last speaker in explanation of vote after the vote.

Does the representative of Cuba wish to speak on a point of order?

Mrs. FLOREZ PRIDA (Cuba) (interpretation from Spanish): No, Mr. President. My delegation wishes to exercise the right of reply, in keeping with the rules of the Assembly.

The PRESIDENT: Under rule 35 of the Assembly's rules of procedure, I should like to suspend the meeting for consultation on that.



The meeting was suspended at 5.25 and resumed at 6.15 p.m.

The PRESIDENT: I now call upon the representative of Cuba, in exercise of the right of reply.

Mrs. FLOREZ PRIDA (Cuba) (interpretation from Spanish): In his statement this afternoon, the representative of the United States referred to my country, stating that the Government of Cuba has, inter alia, maintained its Embassy on Panamanian territory.

We should like to make it perfectly clear here that the Government of the Republic of Cuba has not recognized the nominal Government of Mr. Endara. On the contrary, the Embassy of Cuba and the residence of the Ambassador of Cuba are being subjected to a military siege and our diplomatic officials, women and children, are being harassed, including some officials being detained. All of this is impeding the normal functioning of my country's diplomatic mission, in contravention of the provisions of the Vienna Convention on Diplomatic and Consular Relations.

That, Mr. President, is the statement we wished to make before you adjourned this meeting.

The PRESIDENT: The Assembly has thus completed the present stage of its consideration of agenda item 34.

I should like to thank all delegations for their patience and co-operation with me during our meetings yesterday and today. I should also like to take this opportunity to wish all of you and your families a Happy New Year.

The meeting rose at 6.20 p.m.