



Security Council

Distr.
GENERAL

S/21100/Add.2
2 February 1990

ORIGINAL: ENGLISH

SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH
THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN
THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in document S/21100 of 24 January 1990.

During the week ending 20 January 1990, the Security Council took action on the following item:

Letter dated 3 January 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Nicaragua to the United Nations addressed to the President of the Security Council

In a letter dated 3 January 1990 addressed to the President of the Security Council (S/21066), the Chargé d'affaires a.i. of the Permanent Mission of Nicaragua to the United Nations referred to the invasion and current occupation of Panama by troops of the United States Government. He said that, in that context and in view, among other things, of the temporary occupation by force of the residence of the Nicaraguan Ambassador to Panama by those troops on 29 December 1989 and their forced entry into the apartment of two Nicaraguan diplomats on 31 December 1989 and given the possibility that other acts of the same type might occur, Nicaragua requested that a meeting of the Security Council be convened on 8 January 1990.

The Security Council met to consider the item at its 2905th meeting, on 17 January 1990. The President, with the consent of the Council, invited the representative of Nicaragua, at his request to participate in the discussion without the right to vote.

The President drew attention to a draft resolution (S/21084), submitted by Colombia, Côte d'Ivoire, Cuba, Democratic Yemen, Ethiopia, Malaysia and Zaire, which read as follows:

The Security Council,

Taking into account the statements made by the delegations of Nicaragua and the United States on the events that occurred on 29 December 1989, at the residence of the Ambassador of Nicaragua in the Republic of Panama,

Recalling the principles of independence, sovereignty, territorial integrity, and sovereign equality of States,

Considering the obligation of States to respect fully the privileges and immunities granted to diplomatic missions and agents by international law, as codified in the Vienna Convention on Diplomatic Relations of 18 April 1961, especially with regard to the inviolability of the premises and residences of diplomatic missions and the immunity, safety and personal integrity of diplomatic agents,

Recalling that The Havana Convention of 20 February 1928, on Diplomatic Officers, provides that "Diplomatic officers shall be inviolate as to their persons, their residence, private or official and their property",

Reaffirming the need to comply with the obligations assumed by States in the Vienna Conventions on Diplomatic and Consular Relations, as well as in other international legal instruments, as a contribution to the preservation of international peace and security and friendly relations among States,

Taking note of the letters, dated 4 and 5 January 1990, from the Permanent Mission of the United States of America to the President of the Security Council, regretting the search of the residence of the Ambassador of Nicaragua in Panama by United States military forces, and indicating that the United States has taken steps to prevent the recurrence of such actions,

1. Declares that the serious events that took place are, as has been acknowledged, a violation of the privileges and immunities recognized under international law and codified in the Vienna Conventions on Diplomatic and Consular Relations;

2. Expresses its deep concern over any measure or action that restricts free communication and prevents the functioning of diplomatic missions in Panama in accordance with international law, and calls upon those concerned to take the appropriate steps to avoid the recurrence of such measures or actions;

3. Demands the full respect for the rules of international law that guarantee the immunity of diplomatic officers and the inviolability of the premises of diplomatic missions, an essential condition for the normal development of their activities.

The Security Council then proceeded to vote on the draft resolution (S/21084) with the following result: the draft resolution received 13 votes in favour, to 1 against (United States of America), with 1 abstention (United Kingdom of Great Britain and Northern Ireland) and was not adopted, owing to the negative vote of a permanent member of the Security Council.

Following the voting, the President stated that the Security Council had thus concluded its consideration of the item on its agenda.

