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TWENTY-EIGHTH YEAR

1704th MEETING: 21 MARCH 1973

PANAMA CITY

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SEVENTEEN HUNDRED AND FOURTH MEETING

Held in the Legislative Palace, Panama City, on Wednesday, 21 March 1973, at 4 p.m.

President: Mr. Aquilino E. BOYD (Panama).

Present: The representatives of the following States: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1704)

1. Adoption of the agenda.
2. Consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.

The meeting was called to order at 5.10 p.m.

Adoption of the agenda

The agenda was adopted.

Consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter

1. The PRESIDENT (*interpretation from Spanish*): In accordance with decisions previously taken by the Security Council [1696th-1699th meetings] and with its consent, I invite the representatives of Algeria, Argentina, Bolivia, Canada, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mauritania, Mexico, Trinidad and Tobago, Uruguay, Venezuela, Zaire and Zambia to take the places reserved for them in the Council chamber.
2. As the representative of PANAMA, I wish to refer to the draft resolution dealing with the Panama Canal Zone that is sponsored by Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia [S/10931/Rev.1].
3. In fulfilment of the mandate set forth in resolution 325 (1973), adopted on 26 January, I have the honour to declare that at the present series of meetings of the Security Council in Panama we have devoted ourselves to the consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter. The supreme organ of the United Nations for the maintenance of peace, with a unanimity that earned our

gratitude, took the extraordinary decision to meet on Latin American soil for the first time in its history, infusing new vitality into the functions of the Council intended to extend the benefits of peace, security and justice to the hopeful peoples of all the regions of the world. The Council accomplished this with notable success in 1972 in Africa and it does so now in this capital in the very heart of America. It has also considered the possibility of holding a series of meetings in the Asian region in the foreseeable future.

4. On behalf of the Government and people of Panama, which endeavour to express the best feelings of the Latin American community, I wish once again to state that we are very pleased to have received here the representatives of the States members of the Council who have come to Panama to write a new chapter in the history of the maintenance of international peace and security among nations in keeping with the evolution of today's world. Our renewed faith in the ideals of the United Nations now is expressed also to the Secretary-General, Mr. Kurt Waldheim, and his efficient staff, the eminent representatives of the sister Republics of Latin America who have spoken in the Council in the past few days, the Chairman of the Latin American Group in the United Nations, the Secretary-General of the Organization of American States, the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Chairman of the Special Committee on Apartheid and the representatives and observers from other regions and international organizations.

5. The process of the development of a Panamanian nationality is one that went hand in hand with that in the other Latin American nations undergoing the vicissitudes of the discovery, the conquest, the colony and the struggles for independence. We were the watch-tower from which the south of Latin America was first seen. Unwillingly, we served as the beach-head for the destruction of the empire of the Incas.

6. In the history of the colony, Panama was the capital first of the jurisdiction of Castilla del Oro and later of the so-called Reino de Tierra Firme. It was in that circumscription that the first municipal council chosen by direct suffrage was set up on American soil. Panama was also selected as the seat of the high court of justice, whose president exercised at the same time the function of governor and captain general of the isthmus.

7. Liberating itself from Spanish domination in 1821 without any foreign assistance, Panama spontaneously

decided to join the Province of New Granada, the Captaincy General of Venezuela and the Presidency of Quito in establishing the Greater Colombia of Bolívar. From that confederation Venezuela and Ecuador separated a few years later, in exercise of their self-determination, and Panama remained in it until 1903, when, in exercise of the same right, it resumed the independence which it had gained in 1821.

8. The history of Panama is linked to the destiny of Latin America. We contributed our share of blood to the triumph of the liberating armies which freed Spanish America. It is no mere historical coincidence that on the eve of victory Bolívar should, on 7 December 1824, 48 hours before the battle of Ayacucho, have convoked from Lima the Congress of Panama in order to sow in our land the permanent seeds of the ideals of Latin American liberty. But the selection of Panama as the ideal location to examine the problems of peace and war was not all. Anticipating the malevolent designs of the greedy imperialism of that era, he proclaimed in those dramatic times that "if the world had to elect its capital, the Panamanian Isthmus would be selected for such an august destiny". He was thus trying to encourage the creation of a great confederation of peoples to defend independence which, with the Isthmus of Panama as its seat, would convene an assembly of plenipotentiaries "to counsel us in major disputes to serve as a point of contact in case of common peril, to interpret public treaties when difficulties arise and to reconcile our differences".

9. With its anti-colonialist and anti-imperialist definition, the 1826 Congress of Panama offered the Latin American nations a pact to uphold their independence from the Spanish nation and from any other foreign domination, a pact whose tenets still stand today.

10. Although history shows the common interest of the peoples of North and South America in independence, it also makes clear the difficulties of the participation of the United States in that Congress. The interest shown then in the liberation of Cuba and Puerto Rico by Mexico and Greater Colombia was not shared by the United States Government, which was inclined to maintain the existing *status quo*. Neither did they share the same views regarding slavery, since certain countries of Spanish America advocated the abolition and a cessation of the traffic of slaves from Africa, and that those carrying out such a ghastly traffic should be condemned as international pirates.

11. The disparity was accentuated on the supreme question of the decolonization of America, for, although President Monroe, opposing the threat of intervention by the Holy Alliance, in 1823 proclaimed the "hands-off" policy, in that same message to the Congress the United States President limited his pronouncement to the rejection of any future colonization of American territories by European countries, without affecting the existing colonies at the time. On the other hand, Bolívar, with his 1824 *Circular-Convocatoria*, was setting the goal of what was to be the doctrine of the Liberator, namely, to put an end for the present and for all time to all types of European colonization on the continent and to oppose any other foreign domination, whatever its source or origin.

12. In the Protocols of 1826 lie the very seeds of the tenets of Panamanian foreign policy. They are, basically, self-determination of peoples, rejection of all forms and manifestations of colonialism, respect for national unity and territorial integrity, non-intervention and the peaceful settlement of disputes. Panama wishes to live up to these tenets, which guide our international relations, and to the mystique which holds that our capital, so bound to the ideals of the political and economic emancipation of Latin America, is called upon to carry out, without diminishing its national identity, the historical mission of serving as a centre for harmonizing the efforts of the nations of the region to achieve their common goals.

13. There are many points of convergence between the postulates born at the Panama Congress of 1826 as the corner-stone of American public law and the equally important ones that lie at the basis of the great movement of political and social emancipation of the Asian and African nations, which, together with the nations of Latin America and other regions, form the third world—a third world which, in harmony with the purposes and principles of the Charter of the United Nations, believes in the right of peoples to freedom, self-determination and independence; in respect for the sovereignty and territorial integrity of all States; in the right to legal equality and active participation in international affairs; in the right of all sovereign nations freely to determine their domestic policy and their economic, social and cultural development without any foreign interference; in the right of all peoples to benefit from economic development and to enjoy the fruits of the technological and scientific revolution; in the prohibition of the threat and use of force and in the peaceful settlement of disputes.

14. The struggle against colonialism started in 1826 in Panama and, after many ups and downs, took concrete form in the great Latin American revolutions whose aim was to meet the legitimate aspirations of the great masses of the populations. There is an amazing similarity between that aim and the goals laid down by the non-aligned countries: in Bandung in 1955; in Belgrade in 1961; in Cairo in 1964; in Lusaka in 1970; and in Georgetown in 1972, where support was proclaimed for the Panamanian aspirations.

15. This parallelism is very enlightening. As San Martín said to Bolívar in July of 1822: "we must combine the interests that our peoples have entrusted to us if we are to have a solid prosperity that will enable them to benefit from their independence." Many years have gone by and still the leaders of Latin America bear on their shoulders the responsibility of finding the solution, within the mathematics of economic and social development, to this great equation of liberation.

16. Within the continent we still hear the echo of the Proclamation of Angostura against the scourges of oppression, want, ignorance and disease. The struggle against such scourges, started by those who forged our independence, is still going on. In successive stages the Latin American countries are bearing the painful scars of their struggle against the upheavals of manifest destiny and the policy of the big stick in order to achieve the precarious balance between non-intervention and good-neighbourliness.

17. Political oppression, although not fully extinct, has given way to economic oppression. It is a new form of oppression that squeezes the nape of our peoples, who no longer wish to be yoked like oxen, but wish to be the condor always flying towards the horizons of freedom.

18. To replace the diplomacy of the *encomienda* by dollar diplomacy is not the way to end misery. It is no solution to close the door to poverty if such an act entails as the only alternative to social and economic development opening the door to domination and dependence.

19. The encouragement of education and health measures as indispensable means for our human groupings to achieve their true liberation must still be the first priority of our region, where illiteracy and malnutrition are endemic symptoms of the physical and spiritual diseases suffered by the great populations of our continent. Thus we cannot fight to wipe out only the ignorance of the illiterate of how to write; we also have to overcome their ignorance of nutrition, which is the worst of the diseases that are destroying our people.

20. The persistence of these ills in Latin America is directly linked to the despoilation of the many peoples of the region of the benefits that should accrue from the exploitation of their natural resources and wealth. It also proves that the cure does not lie in palliatives and confirms our conviction that charity is not an adequate substitute for justice, as stated in lapidary phrases by the African leader Amílcar Cabral, who was quoted by General Torrijos in his statement at our opening meeting in Panama [1695th meeting].

21. I think we must also express our recognition of the immediate relationship between international peace and security and the presence in most of the world of conditions of under-development which cause unrest, confrontations and outbursts of violence. We must stress that the solemn principle of the sovereign equality of the States Members of the United Nations means little until countries can enjoy self-determination and control over the natural resources existing on their soil. It is only right that to benefit to the full from those resources, nations should be able to count on international co-operation; but it must be co-operation that is not surrounded by conditions and requirements that spell new ways of subjection and dependence. It has been clearly proved that these nations have, decade after decade, overpaid for their own development through the exorbitant amounts that they handed over, as earnings and interest, to the foreign investors—sums that in many cases are far greater than those given them as investments and loans to their countries.

22. This situation is intolerable. Interdependence, speeded up by technological progress, must be based on co-operation—co-operation understood as the adequate distribution of financial and technological means which will ensure to each country equitable participation in the exploitation of and the benefits to be derived from the resources which nature has given them.

23. Today, in Latin America, there are problems which, although they appear to be physical in one or another

country, can nevertheless have repercussions that might be dangerous for the peace and security of the entire continent, if not the world. Among these problems we must stress those that touch on situations having a bearing on economic domination and dependence; the blockage and isolation of States because of their political, economic or social systems; the application of coercive measures; the persistence of colonialism in the region; the denuclearization of Latin America; and the question of the Panama Canal Zone.

24. With regard to these situations I think it propitious to recall now the Declaration contained in resolution 2627 (XXV) which was adopted on the occasion of the twenty-fifth anniversary of the United Nations, particularly as it applies to the duties of all States to co-operate in different fields of international relations regardless of differences in their political, economic and social systems in order to maintain international peace and security and to encourage stability and development of the world and ensure international co-operation. Obviously with regard to such a pronouncement it is imperative that the developed countries and the countries of Latin America establish economic co-operation for development that will not create factors of dependence nor hinder structural changes within countries themselves. Obviously such international co-operation can be regional, subregional or bilateral, but it must be based on the principles of friendship and good faith, encouraged in turn by international law and justice. It cannot be the ruthless action of the feudal lord who cuts off legs or breaks arms and then offers co-operation by handing over crutches. Nor can it be that of the neighbour that steals our watch in order to be able to help us by telling us the time. Nor that of the country that creates on the territory of another State means of international communication and then stands in the way of the sovereign being allowed to circulate and move freely in his own territory. Nor is it tolerable, within the framework of co-operation, for one nation to open up its soil and allow two oceans to be united and yet, against its national interest, to be denied the right to consolidate its political unity and its territorial integrity.

25. My country defends the right of all States to carry out domestic changes and exercise permanent sovereignty over their natural resources. Our whole-hearted adherence to this right leads us to remember that, according to the international community itself, no State can apply or encourage, directly or indirectly, any acts, norms or legislative measures that might coerce the States of Latin America when they are carrying out such changes or are endeavouring to exercise their permanent sovereignty over their natural resources, for this without doubt would be an infringement of the Charter of the United Nations and a violation of resolutions 2734 (XXV), 2625 (XXV), 2880 (XXVI) and 3016 (XXVII) of the General Assembly.

26. Thus too we believe that in order to solve specific situations likely to threaten international peace and security in Latin America, an effort should be made to ensure that the present trend to international détente created by the rapprochement between the great Powers of East and West is reflected in our region too.

27. We must admit quite frankly that isolation has no justification and is not in keeping with the changes of the age, and therefore we advocate the inalienable right of any State to select its own political, economic and social system without interference from any other State and we would urge the Council to recognize the need to eliminate any policy tending to isolate or blockade any State of the region because of its system of Government and to ensure that the principles of non-intervention, economic non-aggression, self-determination of peoples, universalization of relations and respect for ideological pluralism are all implemented faithfully.

28. The Republic of Panama is deeply interested in the denuclearization of Latin America as a means of ensuring the protection and security of our population and our territory as well as of the inter-oceanic Canal. We therefore attach the greatest importance to the Treaty for the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco, and what was said in the Council about it. We also endorse the appeal of the Latin American nations and the General Assembly to States that are or may become parties to the Treaty of Tlatelolco or either of its two Additional Protocols to do all in their power to adopt what measures may be dependent upon them to ensure that the Treaty has prompt and effective force.

29. Latin America has not forgotten its revolutionary mission, and my country, together with the other countries of the continent, addresses the Security Council and wishes to state to it that as colonialism is not tolerable in other regions of the world, so too it is intolerable in Latin America, where there still exist colonial situations, semi-colonial situations or neo-colonial situations that are a constant source of conflict likely to endanger international peace and security. The Declaration on the Granting of Independence to Colonial Countries and Peoples must be fully implemented in our part of the world too to speed up the process of decolonization in Latin America.

30. I must now turn to the question of the Panama Canal Zone, a question which is still pending between the Republic of Panama and the United States, a subject which has been submitted to us in the draft resolution we have before us [*S/10931/Rev.1*] and whose cause lies in the establishment on our soil of a foreign governmental enclave dividing our country in two.

31. The situation of political and administrative dependence on a foreign Power in which part of Panamanian territory finds itself flows from the concession granted by the Republic of Panama as a sovereign over the territory to the United States for the building of a canal to carry ships across the isthmus linking the Atlantic Ocean to the Pacific Ocean, which was embodied in the Isthmian Canal Convention between Panama and the United States signed in Washington on 18 November 1903.¹

32. This instrument is an assault on the physical unity of our country, since it has turned us into a transected

¹ For the text, see *Treaties and Other International Agreements of the United States of America, 1776-1949*, vol. 10. Department of State publication 8642 (Washington, D.C., U.S. Government Printing Office, 1972), p. 663.

country and impairs our right to administer the entire territory. It also causes political, economic, social and cultural difficulties, added to which is the fact that many of these limitations or restrictions were unilaterally established by the United States. The Republic of Panama was deprived of its main ports at the exits of the Canal and has been unable to benefit from the many possibilities offered it by its geographical position in the exploitation of international trade.

33. The overwhelming powers that have unequally been assumed by the United States on Panamanian soil both within and without the so-called Canal Zone have created a colonial type of situation which is a burden on the Republic, which damages our integrity and to a large extent is a physical and political mortgage which can no longer be extended.

34. Panama stubbornly continues to struggle for its independence. Virtually turned into a semi-protectorate of the United States in 1903, we have constantly striven to free ourselves from the foreign yoke.

35. Article 1 of the Canal concession set forth, as a promise of fulfilment, that the United States would "guarantee and maintain the independence of the Republic of Panama"; but, furthermore, the then Secretary of War, Elihu Root, the author of the Platt Amendment, which referred to Cuba, supplied the first United States Minister to Panama with a copy of the Cuban Constitution, instructing him to impose upon us—as he in fact did—a clause similar to that shameful clause that was inserted as article 136 of the Constitution, which stated, without any shame, that the Government of the United States could intervene in any part of the Republic of Panama to re-establish public order and constitutional order if it is disturbed and if by a public treaty that nation should assume or wish to assume the obligation to guarantee the independence and sovereignty of this Republic.

36. This condition which the United States placed upon us and which blocked out part of our freedom and turned us into a semi-protectorate continued in existence until 1936, when by agreement of the two countries it was eliminated. Until that time the United States was exercising in Panama, as in Cuba, a so-called guarantee of independence, right of intervention, right of eminent domain and the indefinite and indeterminate right to continue ensuring that Panama would concede to the United States other lands and waters beyond the Canal Zone.

37. Although these burdensome stipulations were abolished in 1936, in a certain manner they continued in force until 1955 in the form of other limitations on our national image. Among these we must mention jurisdiction over health, which the United States intended to hold in perpetuity in Panama City and Colon, as well as the insistence upon rents being paid by Panamanians for certain lands located in their own territory in Panama City and Colon, which appeared as belonging to the Panama Railroad Company, a corporation belonging to the United States Government. It also continued to enjoy a monopoly that had existed since 1903, particularly with regard to rail and road communication across Panamanian territory, between the Caribbean Sea and the Pacific Ocean.

38. These concessions, which, like the others that I have mentioned, had been agreed to in perpetuity, were abolished by an agreement between the United States and Panama in 1955. In that same instrument the United States, on the one hand, agreed very moderately to increase the amount it paid to the Republic of Panama yearly for the Canal concession and, on the other hand, obtained a 75 per cent reduction in the import duties on alcoholic beverages that might be sold in Panama for consumption by the Canal Zone residents.

39. We are not going to juggle figures or statistics here on what these transactions may have spelt and how much they took from the Panamanian income, because the goal of my Government is the strengthening of national independence and not the achievement of dubious economic advantages.

40. Despite the spectacular progress achieved by mankind in the last few decades thanks to the scientific and technological revolution of our day, which has carried man to the Moon, little has been done on the Isthmus of Panama to end the anachronistic colonial situation to which I have just referred.

41. I repeat that, unfortunately, colonialism subsists both within and outside the Canal Zone, all over the entire Republic. I think that this was clearly established with facts and figures at this morning's meeting [1703rd meeting], and it is logical that we Panamanians should aspire to remedy the situation, which is likely to endanger international peace and security.

42. Proof of this colonial image can be found in the powers that the United States still possesses in different fields, among which we should mention the monopoly that it contends it has the right to exercise over the construction, maintenance and functioning of any system of communication through the Canal and across Panamanian soil, between the Atlantic and the Pacific and that we believe became extinct when in 1936 the two countries declared that the Canal had been constructed and that therefore the agreements between the two Governments on the matter were circumscribed to the efficient functioning, maintenance, repair and protection of the existing Canal. Furthermore, the United States arbitrarily controls the international ports adjacent to the Canal and also insists on unjustified commercial jurisdiction when it continues the operation of the Panama Railroad across the isthmus.

43. Furthermore, the United States has assumed undue control over Panamanian air space, with all the consequent risks for the aircraft flying over our territory. Similar powers have been assumed by the United States with regard to the allocation of radio frequencies, and it has arbitrarily assigned frequencies for official and public services, whose granting is normally the right of the sovereign of the territory, since the radio frequency spectrum is a common natural resource shared by all nations of the world, whose simultaneous use is limited in each case. The Panamanian Government could perfectly well satisfy the needs for frequencies that the administration of the Canal requires but it still must preserve the authority to grant any such frequencies.

44. The constant frictions that result from this state of affairs become even more acute when we suffer the discriminations, both visible and disguised, that occur in the administration of the Canal, predominantly in respect of employment, wages, pensions, racial segregation and education, as I mentioned this morning. The most significant data on discrimination in labour questions can be appreciated in the level of salaries received by United States employees as compared to the remuneration paid to non-United States employees, who are almost totally Panamanian in nationality. This shows that about a quarter of the employees of the Canal Zone in 1968 were paid, as I said in my statement this morning, more than the other three quarters, simply because of their nationality.

45. The Republic of Panama was deprived of its main ports at both ends of the Canal and has been unable to benefit from the multiple possibilities offered by its geographical position for the exploitation of international trade. The Canal was to serve Panama in the utilization of the natural resources it possessed. Yet now it is administered by a foreign Power. United States officials are exercising in that zone on Panamanian soil the functions of government and imposing on it laws and regulations decided upon by a foreign legislative organ.

46. Foreign judges hand down judgements on Panamanian citizens, as well as nationals of other nations there, similar to the consular jurisdictions that existed in a dark period of history in Turkey, Egypt, Japan and centuries-old China. As a culmination of all this, a foreign flag flies where only the Panamanian flag should fly as a symbol and proof of the sovereignty of the Republic of Panama. It is easy to understand the profound repudiation by the national conscience of Panama of such a situation, and the unshakable will to struggle by all means until we put a prompt and just end to this situation.

47. Proof of this explosive situation were the bloody events of 1959 and of 9 January 1964, which led to a breaking off of diplomatic relations with the United States; they gave rise to the accusation of aggression, in the Security Council and in the Council of the Organization of American States, and later prompted the Joint Declaration signed before the latter Council on 3 April 1964,² in which both Governments agreed to designate Special Ambassadors to achieve prompt elimination of the causes of conflict between the two countries through the elaboration of a just and equitable agreement that would be subject to the constitutional procedures of both contracting parties.

48. Among the causes of conflict that still exist and that most damage Panamanian interests are the perpetuity of the Canal concession, the unilateral interpretation by the United States of the existing contractual stipulations and their *de facto* imposition on Panama, the exercise of United States jurisdiction over the Canal Zone, which has turned that Zone into a colonialist enclave, the installation of military bases for purposes other than protecting the Canal, and the insufficient and unjust benefits derived by Panama from the interoceanic waterway.

² See *The Department of State Bulletin*, vol. I, No. 1296 (Washington, D.C., U.S. Government Printing Office, 1964), p. 656.

49. The United States has publicly admitted that sovereignty over the so-called Canal Zone lies with the Republic of Panama, and thus it too agrees that that Zone is Panamanian territory, under the jurisdiction of Panama. Only a few days ago, on 27 February, the United States Ambassador to Panama very frankly stated that what the United States was negotiating was not whether Panama is sovereign—because it recognizes in theory that we are sovereign, but—and I quote him—“whether and to what extent the United States has to exercise all jurisdictional rights granted it in 1903 in order to operate, maintain and protect the Canal”. He added that: “Nowhere in the 1903 Convention is the word ‘cede’ used”, and he concluded by saying that he felt that “what is under discussion, therefore, is whether the United States still requires the use and occupation of, and control over, the entire 10-mile wide Panamanian territory, and not whether that strip is Panamanian territory”. Thus he reaffirmed Panamanian ownership over that territory.

50. However, the problem is not as simple as that if one applies to the situation I have defined the principles of international law governing relations of friendship and co-operation among States in accordance with the Charter of the United Nations, since the solution could in no way be based upon the degree of need of the United States to exercise jurisdictional rights over Panamanian territory or on the unilateral criterion of that country for determining whether or not it still requires the use and occupation of, and control over, all the land and waters of an area of 164,003 hectares which form the so-called Panama Canal Zone, without giving due consideration to the overriding interests of the country that possesses sovereignty over that Panamanian territory.

51. On numerous occasions the United States has expressed its willingness to enter into a completely new treaty on the present Panama Canal and to abrogate the Isthmian Canal Convention of 1903, thus putting an end to the régime of concession of the interoceanic Canal by setting a deadline for termination. That would, in due course, allow the Republic of Panama to recover the full exercise of its jurisdiction over that part of its territory which today is termed the Canal Zone; full responsibility for the functioning of the Canal—in other words, a Panamanian canal administered by Panamanians; the physical, political, juridical, economic, social and cultural integration of that Zone with the rest of the Republic; the neutralization of the interoceanic Canal, and free and open passage through it of all merchant vessels and warships of all nations of the world. But no satisfactory understanding has been arrived at to meet the aspirations of my country during lengthy negotiations. This is due to the fact that the United States is proposing too long a duration before the new treaty would put an end to the régime of perpetuity of the canal concession, while Panama advocates a much closer deadline.

52. Furthermore, the United States insists on its desire to modernize the present locks Canal or to construct a sea-level canal; it also insists on establishing as a prior condition for elaboration of a new treaty that the two countries agree to come to a package agreement that would include matters relating to the locks Canal, the expansion of that Canal or the construction of a sea-level canal; and

the United States further proposes, as part of the package deal, legalizing the military presence of the United States in Panama by means of a defence treaty which would also include an agreement on the status of armed forces.

53. Panama is aware of the burdens that agreements of this nature might impose upon it, and wishes to preserve its dignity as a sovereign and independent country. It is for this reason that we claim priority for a solution of the problems relating to the existence of the present Canal and the elimination of the causes of conflict deriving therefrom.

54. The perpetuity of the Canal concession has neither moral nor juridical justification. Not only has the twentieth century put an end to the capitulations that have sometimes been used in order to grant perpetual consular jurisdiction to foreign Powers with enclaves in the territories of other States, but the process of redressing situations imposed by force that violate States' sovereignty through the expedient of jurisdictional limitations has gained ground. Among the reprehensible events leading up to the system of the perpetuity of the Canal concession we could mention the so-called naval base leases of Kiaochow and Kwangchow, obtained from China by foreign Powers in 1898, a mere five years before the Isthmian Canal Convention was signed. All those instruments stipulated that, in order to avoid the possibility of conflict, the Imperial Chinese Government would abstain from exercising rights of sovereignty over its territory—a situation which no longer exists in that great and powerful Asian nation because of incompatibility with its potential and its culture. But in Panama, because we are weak and small, we are still subjected to jurisdictional limitations which are as unjust as they are anachronistic. We are resorting to the means offered us by the Charter in order to achieve our liberation and our freedom from such situations.

55. There can be no doubt that the continuation of the question of the Panama Canal Zone, because of the features of the situation I have stressed, must lead to a progressive deterioration of the relations between the two countries and thus create factors and conditions which may lead to new tensions and complicate the question, thus perhaps disturbing the peace in the Latin American region with inevitable international repercussions. That possibility is obvious since the Panama Canal does fulfil a function as a means of international communication which cannot be replaced. That function must be ensured and maintained, and it is of primary importance to the international community that it be preserved and continued.

56. As the territorial, sovereign and riparian State of the interoceanic Canal, the Republic of Panama is fully aware of the obligations incumbent upon it to ensure the safe and expeditious functioning of the Canal. It is precisely for this reason that we consider that the colonial structure of the Canal Zone must be eliminated and that the situation referred to must be settled in accordance with the principles of the Charter of the United Nations and the resolutions of the General Assembly relating to the principles of international law concerning friendly relations and co-operation among States, and particularly those pertaining to respect for the territorial integrity and political independence of States, non-intervention, equality of rights

and self-determination of peoples, the sovereign equality of States, the elimination of all forms of foreign domination, the right of peoples and nations to permanent sovereignty over their natural resources, and international co-operation in the economic and social development of all nations.

57. My Government and my people, as General Torrijos made clear to the Council, have complete confidence that the Security Council possesses sufficient authority to settle the question of the Panama Canal Zone in accordance with the principles of international law and justice and pursuant to the terms of Chapter VI of the Charter, on the peaceful settlement of disputes.

58. The faith and the confidence of the entire Panamanian people in the capacity of the United Nations is shared by other peoples of the world, perhaps most fervently by the small nations, for which international peace and security constitute more than a mere aspiration: an absolute need. Justice in international relations is a *sine qua non* in order for progress in all fields to be ensured.

59. With the worthy Peruvian nation, Panama shares the responsibility of occupying the seats allocated in the Council to Latin America. We wish to state clearly at this meeting that in the joint declaration signed by the Foreign Ministers of the two countries in Lima on 9 March this year we stated our desire to make a common effort to direct the spirit of Latin American unity towards a future of dignity and justice for our peoples. In that outstanding historical document we stated proudly the principles that we would use as guidelines in acting in the Security Council and agreed fully to co-operate in order to serve the interests of the region and the cause of peace for all peoples of the world.

60. Members of the Council, I wish most cordially to express our trust in you—and I speak on behalf of the peoples of our region—and our trust in the universality of the United Nations. I wish to tell you that you represent that universality, that our peoples are eagerly watching these historic deliberations, and that an effective contribution would be the adoption by this body of the two draft resolutions now before it. There can be no doubt that such action would greatly contribute to the strengthening of international security as a prelude to a new era in which the claims of Panama, of Latin America and of the world would be satisfied.

61. Speaking now as PRESIDENT, I would remind members that the Council has before it the revised draft resolution in document S/10931/Rev.1, and sponsored by the delegations of Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia on the question of the Panama Canal.

62. If no member wishes to speak I shall take it that the Council is ready to decide on the draft resolutions that have been submitted, and I shall put to the vote first the draft resolution which I have just mentioned.

63. Mr. SCHAUFLE (United States of America): As consultations are still going on on this particular subject I think it would be wiser that the draft resolution be not put

to the vote at this time. Therefore, I move that we suspend the meeting for an hour in order to allow consultations to continue.

64. The PRESIDENT (*interpretation from Spanish*): According to the provisional rules of procedure, motions for suspension have priority. The representative of the United States had made a motion that the meeting should be suspended for one hour. If I hear no objection, I shall take it that it is so decided.

The meeting was suspended at 6.15 p.m. and resumed at 7.45 p.m.

Mr. Tack (Panama) took the Chair.

65. The PRESIDENT (*interpretation from Spanish*): I have no speakers on my list. As no representative wishes to speak, I take it that the Council is ready to proceed to the vote on the draft resolutions which have been submitted.

66. I shall first put to the vote the draft resolution in document S/10931/Rev.1, sponsored by the delegations of Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia.

A vote was taken by show of hands.

In favour: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, Yugoslavia.

Against: United States of America.

Abstaining: United Kingdom of Great Britain and Northern Ireland.

The result of the vote was 13 in favour, 1 against, and 1 abstention.

The draft resolution was not adopted, the negative vote being that of one of the permanent members.

67. The PRESIDENT (*interpretation from Spanish*): I shall now call on those representatives who have asked to be allowed to explain their votes after the vote.

68. Mr. SCALI (United States of America): Despite the fact that the representative of Panama has expressed himself on the Panama Canal before this Council many times over the past week, he chose to deliver today his version of history and of the actual situation. I have no intention of subjecting the members of this Council to a statement of similar length. However, he continues to stress the Convention of 1903. In fact we have heard a great deal in recent days of how the Isthmian Canal Convention was "imposed" on the people of Panama.

69. Let us put the facts of the situation on the Council record. After the Convention of 1903 was signed, it was sent to Panama for ratification. After ratification by the Panamanian Government, it was sent around the country for consideration by the various elected municipal councils. The ratification of the Convention was overwhelmingly

approved by those elected councils, with unanimous expressions of approval of the Convention. So much for the "imposition" of the Convention.

70. Now in 70 years' time the views of the Government and people of Panama have changed with respect to the arrangements of 1903. That is not surprising. The views of the Government and people of the United States of America also have changed with respect to the Convention of 1903. That is what our two Governments are negotiating about—to work out new arrangements to meet the just aspirations of Panama and the legitimate interests of the United States.

71. I believe it is useful to clarify for the record this historical aspect of our relationship.

72. We regret having had to cast a negative vote on this draft resolution, because there is so much in it with which we could agree. But our negative vote should have come as no surprise to our host, the Republic of Panama, in view of the repeated exchanges of views that we have had about these meetings and about how they might end—and I am referring not only to discussions during these Security Council meetings but also to those that took place even before the Republic of Panama had pressed its campaign to have these meetings take place on its territory.

73. In those discussions the United States made clear its serious concern that a series of meetings designed to put pressure on one party to an on-going bilateral negotiation could make those negotiations more difficult and impair the utility of this major organ of the United Nations. Up to the moment of our departure for Panama we continued to receive assurances that everything would be done to maintain an atmosphere of moderation and restraint. I regret to say that, while this proved true of the situation outside this chamber—and for this I wish to express our appreciation to our host, the Panamanian Government—it has not been true of some of the statements made here. Members of the Council should know that my delegation has made strenuous and repeated efforts in friendly conversations with the host Government to arrive at a mutually acceptable form for a resolution, but this very sincere effort has been rejected. I wish the members of the Council to know, however, that we were and are prepared to acknowledge the just aspirations of the Republic of Panama, for we do recognize those aspirations, along with the interests of the United States.

74. I have said that we regret having had to cast a negative vote on the draft resolution because there is so much in it with which we could agree. As I have made clear, we agree with the Republic of Panama on the need to replace the 1903 Convention by a totally new instrument reflecting a new spirit; we agree that such a new instrument should not run "in perpetuity" but should have a fixed term; and we agree on the progressive integration into the legal, economic, social and cultural life of Panama of even those areas used for the operation and defence of the Canal. Why, then, when there is so much in it with which we agree, did we not vote in favour of the draft resolution or, as we were urged to do, at least abstain? Essentially, for two reasons.

75. First and foremost, as I have repeatedly pointed out both in public and in private, it is because all these matters are in process of bilateral negotiations. We do not consider it helpful or appropriate for the Security Council to adopt a resolution dealing with matters of substance in a continuing negotiation—and I may note that the Foreign Minister of Panama has himself spoken of the negotiations as continuing and not as having been broken off. Indeed, as many members know, we have only recently made certain new approaches to the Government of Panama. We believe it would be a disservice to the bilateral negotiations and an improper use of the Council if those negotiations were subjected to this kind of outside pressure. I am not, of course, suggesting here that those who cast affirmative votes on the draft resolution intended to exert any improper influence, but this is how the resolution would have been perceived in many quarters.

76. This draft resolution, in our view, is unbalanced and incomplete and is therefore subject to serious misinterpretation. Moreover, the draft resolution is cast in the form of sweeping generalities when we know that the real difficulties lie in the application of those generalities. Although it is true that the United States and Panama have reached common understanding over a number of important general principles, differences over some principles and many matters of detail remain. Finally, this draft resolution addresses the points of interest to Panama but ignores those legitimate interests important to the United States.

77. The Panama Canal is not a work of nature or, as some have tried to put it, a "natural resource". The Canal is a very complex enterprise, and the working-out of a new régime for it cannot be accomplished by the wave of a hand or the quick stroke of a pen. It requires thoughtful and meticulous negotiation to achieve a fair reconciliation of interests. We have been and are prepared for such a negotiation. But the draft resolution that was just voted upon over-simplifies the issue to the point where it could have rendered a disservice.

78. This brings me back to what I said at the beginning of my intervention. It has been clear from the first mention of the idea that holding Security Council meetings here to focus on this problem could complicate the process of negotiation. The United States is disappointed that others failed to appreciate this risk when lending their support to these meetings. Surely it should have been obvious that the new treaty, which we earnestly wish to negotiate with Panama, must be acceptable to our Congress and people, as well as to the Government and people of Panama.

79. Finally, I would respectfully suggest that we all assess with great care the nature and the outcome of these meetings so as to avoid any repetition of a course of action that could prove damaging to the role and the reputation of the Security Council. It would be most unfortunate if the Council were to be transformed into a small replica of the General Assembly, thereby impairing its capacity to deal effectively with specific issues affecting peace and security.

80. The United States delegation will not be leaving Panama in a spirit of rancour—far from it. Our friendship for Panama, for the people of Panama and for the people of

Latin America in general, is too deep for that. We continue to be willing to adjust any differences peacefully, and in a spirit of give-and-take. We are, specifically, prepared to continue the negotiations, and to carry them forward with good will and seriousness, at whatever time the Government of Panama chooses. We believe that both Panama and the United States are destined by geography and common ideals to co-operate for their mutual advantage and to protect the interests of world commerce transiting the Canal. That will continue to be the policy of the United States, and I am confident that in the end we shall reach an accord which both Governments can firmly support and which will strengthen the close bonds of friendship between our peoples.

81. Sir Colin CROWE (United Kingdom): As I said in my statement yesterday [1701st meeting], and as several other representatives have also said in their statements, my delegation regards this question as essentially a bilateral issue between the parties concerned. If it had been possible to arrive at a formulation which took account of the concerns of both parties, I believe that the adoption of a resolution by the Security Council at the end of its meetings in Panama might have been helpful in improving the atmosphere for further negotiations. It is a matter of profound regret that efforts to find such a formulation have been unsuccessful. In this sort of situation, for any resolution to be useful, it must be at least generally acceptable to both parties to which it is addressed. If, as in the present case, it is unacceptable to one of the two parties, a resolution does not serve any useful purpose. My delegation accordingly abstained.

82. Mrs. Jeanne Martin CISSE (Guinea) (*interpretation from French*): When we co-sponsored the draft resolution in document S/10931/Rev.1, which reaffirms fundamental principles dear to my country's heart—principles of the recognition of national sovereignty, free exercise by each nation of sovereignty over its natural resources, equality among peoples, and mutual respect among States—my delegation wished to indicate its solidarity with the people and Government of Panama, and once again to express to them our complete support for the sacred cause for which they are fighting, that is to say, the cause of dignity, sovereignty and justice. As we have already emphasized in the course of our statement [1700th meeting] and in the many consultations that we have held, there was no other choice for us. Having ourselves known humiliation and injustice, having ourselves suffered discrimination, we understand only too well the cogency of the claims of the people and Government of Panama. That is why we have supported them unreservedly.

83. We also have faith in international justice, which is why it is our view that the Security Council, the organ of the United Nations responsible for the maintenance of international peace and security and having the ultimate duty to prevent confrontations, should use every means at its disposal to safeguard international peace and security, which are so dear to us.

84. My delegation cannot conceal its great disappointment at the attitude of the United States. We had really hoped that these meetings in Panama could have helped to restore

peace, sovereignty and the spirit of international co-operation, which in turn would have helped to restore the confidence of a small country whose only crime is that it wishes to exercise that freedom and dignity which are so dear to us all.

85. Several days ago the representative of Algeria, speaking of the abuse of the veto, said:

“We believe that it should be inadmissible for a great Power to exercise its right of veto in a matter in which it is involved and when by that abusive use of a privilege which has been recognized to it because of the very fact of its power it would thus remove itself from the normal application of the rules of law which should be imposed uniformly on all nations, without regard to their size, their means or their place in the international community. This use of the right of veto is even more reprehensible when a great Power has recourse to it in a conflict it has with a small country and where it already has the advantage given it by its material superiority and particularly the advantage of its military means.” [*ibid.*, para. 85.]

86. Representing a small third-world country of 4 million inhabitants, I can only express my concern at the outcome of the conflict between the Governments of the United States and Panama. The world has only just greeted the end of a long and painful strife which for 25 years pitted a third-world country, Viet-Nam, against one of the world's giants, the United States of America. Still fresh in our minds is the desolation of the valiant people of Viet-Nam and of the American mothers and wives whose sons and husbands fell during that long war.

87. We hope that the Governments of Panama and the United States, whose readiness to continue the discussions we have noted, will be able to resume their negotiations and arrive at a peaceful settlement in conformity with the legitimate aspirations of the people of Panama to exercise sovereignty over its national territory.

88. Mr. DE GUIRINGAUD (France) (*interpretation from French*): The French delegation voted in favour of the draft resolution regarding the Panama Canal which was submitted by eight members of the Council because we felt that unlike other texts which had previously been circulated, that text did not go into the details of a settlement, but referred only to general principles the validity of which could not be challenged by anyone.

89. As I said yesterday [1701st meeting], it is the consistent position of my Government that the Security Council cannot dictate to parties the specific terms of a settlement which they are in the process of negotiating. On the other hand, the Council can, as I also said, indicate the general principles on the basis of which it believes such a settlement should be established, and I expressly mentioned respect for the principles of sovereignty and co-operation which should govern relations between States.

90. That was precisely the purpose of the text which was submitted to us. The part taken by the French delegation in seeking a formula satisfactory to both sides, which might

have avoided a hardening of their positions that would be harmful to the continuation of negotiations, is well known to all those who in the last days have been associated with those efforts, and principally to the two delegations directly concerned. It was certainly not because of us that those efforts were unsuccessful. We profoundly regret that they were unsuccessful and we regret it all the more since the debates unfortunately presented an opportunity for making too hasty or too dogmatic statements, which is alien to our conception and contrary to the principles which inspire the policy of France.

91. I can conclude only by expressing the hope that Panama and the United States, towards both of which we feel friendship and sympathy, will be able to overcome their differences and reach an agreement in the near future.

92. Mr. ODERO-JOWI (Kenya): My delegation voted in favour of the draft resolution contained in document S/10931/Rev.1 because we believe that the case put forward by Panama for more equitable control of the Canal is a fair and a just case.

93. The Panama Canal is, by all definitions, the natural resource of Panama. It is as much a natural resource of Panama as the copper mines and installations in Chile are the natural resources of Chile. The Canal is as much a natural resource of Panama as the oil wells and installations in Iran, Saudi Arabia and Indonesia are the natural resources of those countries.

94. The sovereign right of every State to dispose of its wealth and natural resources, which is a constituent of the right to self-determination, must be respected. Any violation of the right of peoples and nations to sovereignty over their natural wealth and resources is contrary to the spirit and principles of the Charter of the United Nations and hinders the development of international co-operation and the maintenance of peace.

95. For all those reasons, we voted in favour of the draft resolution, and we are disappointed that it has been vetoed.

96. Mr. MOJSOV (Yugoslavia): I do not want to sound vindictive because a draft resolution co-sponsored by a majority of the Council's members, including Yugoslavia, has been defeated. We know that resolutions have been vetoed before and, unfortunately, they will be vetoed again in the Council. But every time a draft resolution is vetoed, every time a veto defeats a draft resolution that represents a just cause, a resolution that would assist in finding a way out of a situation that threatens international peace and security, a resolution that would assist Members for whom help is long overdue, it is a retrograde and sad event in the Council's life, and it cannot but detract from our prestige and role in the eyes of the world.

97. But we should not despair. A draft resolution on Southern Rhodesia was vetoed in Addis Ababa last year. After that, the national liberation struggle of the people of Zimbabwe intensified even more, because they had been enabled to see that the veto was the work of one, but that they had overwhelming support and direct assistance from almost everybody else.

98. We know all the details about the positions members of the Council took during the intensive consultations held up to the very last minute before the draft resolution was put to the vote, and I need not refer to them. However, there is a lesson in today's veto. It is a message to all the small countries that the time of fairness and generosity has not yet arrived and that they have to continue their struggle, but no longer unaided and no longer fenced off from the outside world, a world outside so-called special zones, spheres or regions. And it is a lesson that one must persist, helped by all those who feel more acutely the needs of the modern world and who understand that the only way in which we can have civilized and secure international relations is by the application of the principles of the Charter to all international disputes.

99. We are sure that the people of Panama will take this not as a defeat but as a challenge in their just struggle. And we hope that those who must do so will consider and will be more forthcoming and more flexible next time, since this question will surely come up again for our consideration in the not too distant future.

100. General DE LA FLOR VALLE (Peru) (*interpretation from Spanish*): As has been made evident during the last seven days of work of the Security Council, the question of the Panama Canal is a problem which deeply affects the sovereignty of a people of Latin America and all the countries of Latin America and which because of its painful characteristics constitutes an unjust and unequal relationship and is a cause of permanent conflict and therefore a potential threat to the peace and security of the continent.

101. We have in the course of the deliberations of the Council seen the absolute and total support given by the countries of Latin America and of the rest of the world for the just and noble cause of the people of Panama. The draft resolution sponsored by eight countries of the third world—Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia—was a really positive step to channel the solution of the conflict in the right direction. Unfortunately, it has been vetoed by the United States of America, frustrating that possibility. But that veto, instead of being a failure or defeat, is, I believe, something that adds dignity to the struggle of the people and Government of Panama. I am witness to the great flexibility which has been shown and to the will to co-operate of the Government of the Republic of Panama in order to reach an agreement that would enhance the prestige of the Council. That is not possible, however, when there is lacking recognition of the sovereignty and dignity which the people of Panama have for 70 years been fighting to recover.

102. As the representative of a developing country of Latin America and the third world, and because of our ties with the people and Government of Panama, I once again reiterate our decisive and firm support for the noble and just cause for which this people and this Government are struggling.

103. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I was not intending to speak in explanation of my vote, because the Soviet Union's

position on the discussion of Panama's just cause is perfectly obvious. However, Mr. Scali, the representative of the United States, in his statement explaining his vote, said that the discussion of questions such as those to which the Security Council meetings away from Headquarters held here in Panama have been devoted could prove damaging to the role and reputation of the Council. I cannot agree with that approach to the question at all. On the contrary, I am fully convinced that the discussion of this question here and the results of the voting, in which the members of the Council by an overwhelming majority of 13 out of 15 voted in favour of the draft resolution asserting the rights and sovereignty of Panama, show that as a consequence the role and reputation of the Council, far from being damaged, have been enhanced, have grown, have increased in the eyes of the world.

104. A majority in the Security Council reflected the general feeling that I spoke about at the time of the consultative meeting of members of the Council, when an overwhelming majority in the world, if not the entire world—I recalled at the time the telegrams from the Prime Minister of India [1696th meeting], from President Tito of Yugoslavia [1699th meeting] and from the Pope [1697th meeting]—expressed support of the just cause which we are discussing. Thus it cannot be said that as a result of the discussion of this question and the voting on the draft resolution concerning it the reputation and role of the Security Council will be undermined or that they will be damaged. I therefore feel that I must make this point clear.

105. In the course of both the discussion and the voting we all saw with our own eyes that the overwhelming majority of ministers and representatives of the Latin American countries, of the members of the Security Council and of representatives of those States which felt it incumbent upon them to participate in the discussion of the matter in the Council took a favourable stand with regard to the requests, appeals and claims of the Republic of Panama. It is precisely this which is the main positive result of the discussion of the question in the Council at its meetings away from Headquarters held in Latin America. It turned out that Panama was not alone, its position commanded the support which the justice of its cause warranted and evoked a wide international response not only in Latin America but throughout the world. Accordingly, the members of the Council who voted for the draft resolution in question cannot but express regret that because of the position taken by one permanent member of the Council that draft resolution failed of adoption. I stress that it was one permanent member of the Security Council, one great Power, and not "one or two", as some like to say.

106. The PRESIDENT (*interpretation from Spanish*): We shall proceed to vote on the draft resolution in document S/10932/Rev.2, sponsored by the delegations of Guinea, Kenya, Panama, Peru, the Sudan and Yugoslavia.

107. I shall now call upon representatives wishing to speak in explanation of vote before the vote.

108. Sir Laurence McINTYRE (Australia): Although we have some doubts whether the Council is the most appropriate organ of the United Nations to take action on a

matter of this kind, my delegation will, nevertheless, vote in favour of this draft resolution since we are in sympathy with its main objectives.

109. We need, of course, to be clear about our understanding of the meaning of the term "coerce". As is well known, there has been evidence of unacceptable pressure by at least one of the multinational corporations operating in Latin America and my delegation would certainly agree that actions of this kind are deserving of the highest censure. On the other hand, we would not interpret the draft resolution as preventing commercial enterprises from taking steps within the accepted legal framework regarding payment of compensation for expropriated properties or assets. International law, of course, permits nationalization of foreign-owned assets. However, it also makes provision for compensation and for certain legal processes where a dispute arises over the terms of compensation.

110. It is with this understanding that my delegation will cast its positive vote for the draft resolution in document S/10932/Rev.2.

111. Mr. DE GUIRINGAUD (France) (*interpretation from French*): As regards the draft resolution before us in document S/10932/Rev.2, I should like to make the following remarks.

112. Yesterday [1701st meeting] I clearly indicated our doubts in regard to having the Council taking a stand on general principles without any relationship to specific situations and, in particular, in regard to questions which are more specially within the competence of another United Nations organ. We are not unaware of the importance of the problem presented to us. On the contrary, we believe that it would warrant a far more thorough study which we cannot conduct here, since we are not competent and have not the time. The Council, we believe, should therefore take note of the views expressed and refer consideration of this question to a qualified United Nations organ, which could be the General Assembly or the Economic and Social Council, or even the Working Group on the Charter of the Economic Rights and Duties of States. The summary of our work, which you will read out later, Mr. President, could provide an opportunity to formulate this conclusion.

113. In these circumstances, and in the light of the remarks I have just made, my delegation will have to abstain on the draft resolution which is before us. Nevertheless, the remarks I have just made, which represent the position of France, will of course appear in the verbatim record of our meetings, which is the official source of information on statements made in the course of our proceedings.

114. Sir Colin CROWE (United Kingdom): My delegation will abstain on the draft resolution in document S/10932/Rev.2, primarily because we consider that this matter falls outside the competence of the Security Council. The proper forum for this subject, as the representative of France has just pointed out, is not here; it could be the General Assembly or the Economic and Social Council, where it is indeed an item on the agenda. The Security

Council should not seek to anticipate or duplicate that discussion.

115. In saying this I do not imply that we should have supported the draft if it had been submitted in the Economic and Social Council. In particular, the fourth paragraph of the preamble and operative paragraph 1 are quite unacceptable to us. The fourth paragraph of the preamble purports to determine that illegitimate coercive measures are actually being applied in Latin America, but without specifying what kind of measures nor by whom they are being taken, nor against what countries. Such a formulation is much too imprecise and also prejudicial to form a basis for a call upon States to take punitive measures against anyone, especially a call couched in the sweeping language used in operative paragraph 1.

116. Mr. ANWAR SANI (Indonesia): My delegation would like to explain very briefly its position on the draft resolution in document S/10932/Rev.2, which is now before the Council.

117. In my statement on Monday last [1699th meeting], I referred to the difficulties faced by the developing countries concerning how to convert their natural resources into national wealth with the lack of indigenous means, especially in the form of domestic capital and technical know-how. Indonesia recognizes that to speed up the process of development, foreign assistance can be helpful; but in accepting foreign co-operation in our economic development we must remain master in our own house in accordance with the principle of the permanent sovereignty of the State over its own natural resources. Foreign assistance, whether on a governmental basis or in the form of private investment, must in no way become an instrument of coercion against the State which decides to implement that principle.

118. My delegation, therefore, agrees with the ideas incorporated in the two operative paragraphs in the draft resolution, and will vote in its favour.

119. Mr. SCALI (United States of America): My delegation has very carefully studied the draft resolution on permanent sovereignty over natural resources [S/10932/Rev.2]. Our decision to abstain is based on the following considerations.

120. We believe that sovereignty over natural resources is not an appropriate subject for Security Council action under the Charter of the United Nations. The basic responsibility of the Council is the maintenance of international peace and security. Of course, we would not and do not condone the use of coercive measures by one State to secure advantages from another State in violation of international law. But we do not accept the premises of this draft resolution, namely, that any such coercive measures are being used or that any measures are being used in a manner likely to endanger peace and security in Latin America. Economic matters of this sort, where there is no threat to international peace and security, are properly the subject of discussion in other United Nations organs: the Economic and Social Council, where the Committee on Natural Resources is currently dealing very actively with

the subject; the General Assembly; and the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor.

121. The United States supports the concept of permanent sovereignty over natural resources as stated in General Assembly resolution 1803 (XVII), which recognizes that sovereignty over natural resources is to be exercised in accordance with international law. That resolution expressly provides that foreign investment agreements should be observed in good faith and that appropriate compensation should be paid in cases of nationalization "in accordance with the rules in force in the State taking such measures in the exercise of its sovereignty and in accordance with international law". We do not find these points clearly reflected in the text before us.

122. Furthermore, the draft resolution does not adequately take into account provisions of the Charters of the United Nations and the Organization of American States and of the Inter-American Treaty of Reciprocal Assistance, which provide for collective measures involving coercion and which are vital to the maintenance of international peace and security. I am sure that my colleagues in the Security Council, after thoughtful study and thorough discussion, would not wish to be on record as supporting a resolution that might be interpreted as weakening the potential of those important international documents.

123. I cite those reservations to show that there are many objections to this draft resolution. The principal objection, however, in our view is that it deals with a subject that is not within the proper competence of the Security Council.

124. The PRESIDENT (*interpretation from Spanish*): I now put to the vote the draft resolution in document S/10932/Rev.2.

A vote was taken by show of hands.

In favour: Australia, Austria, China, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, Yugoslavia.

Against: None.

Abstaining: France, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 12 votes to none, with 3 abstentions.³

125. The PRESIDENT (*interpretation from Spanish*): I shall now call on those representatives wishing to explain their votes after the vote.

126. Mr. JANKOWITSCH (Austria): Now that the vote has been taken on the draft resolution in document S/10932/Rev.2, my delegation would like to make the following observations.

127. The resolution, in the first preambular paragraph, refers to General Assembly resolution 3016 (XXVII) con-

³ See resolution 330 (1973).

cerning permanent sovereignty over natural resources. I should like to recall that Austria abstained on the adoption of that resolution, as it contains provisions which, in our view, should be the subject of the forthcoming United Nations Conference on the Law of the Sea. Furthermore, my delegation believes that the term "coercive measures" as employed in the present resolution requires further elaboration and clarification, especially in its relation to international law and the international legal order. The representative of Australia has very clearly formulated considerations implying this result. Finally, my delegation feels that the General Assembly and other United Nations bodies have clearly spelled out the main considerations as reflected in this resolution. We would have thought, therefore, that a resolution of the Security Council on this matter was not an imperative necessity. However, the Austrian delegation finds itself in agreement with the basic considerations and objectives of the resolution on which we have just voted and therefore cast an affirmative vote.

128. Mr. SEN (India): My delegation voted in favour of the draft resolution contained in document S/10932/Rev.2. We consider, however, that the language as it has finally emerged is not sufficiently clear in identifying the type of "coercive measures" against which it is directed. Further, since the group of experts on the operation of multinational corporations, appointed under a recent resolution of the Economic and Social Council [1721 (LIII)], will be submitting its study in due course, we would have preferred language such as that used in paragraph 1 of that resolution, even with some slight revision.

129. However, as we support the principles which underlie this resolution in the context of the maintenance of international peace and security, thus making it a concern of the Security Council, and in a spirit of solidarity with the common objectives which unite all developing countries, we did not wish to move any amendments but voted for the resolution as it stands. But we could not co-sponsor it for the reasons which I have just indicated.

130. In voting for this draft resolution we have not in any manner detracted from the authority or jurisdiction of other appropriate United Nations organs. For we believe that just as racial discrimination, which is normally under discussion in other United Nations bodies, can bring about a threat to international peace and security and thus has become the concern of the Security Council, as was so movingly pointed out by Ambassador Ogbu [1703rd meeting] this morning, so can economic questions be a concern of the Security Council if it affects international peace and security. In the context of Latin America, we share the view that it does.

131. Mr. ODERO-JOWI (Kenya): My delegation voted for the draft resolution in document S/10932/Rev.2 because we wanted to demonstrate our solidarity with our Latin American brothers.

132. We consulted very extensively with our friends from the Latin American region and we came to understand their very deep feeling and fears over the manner in which some economic pressure is being used, and has been used, to try to get certain concessions, and to obtain compliance with

policies of multinational corporations. We believe that these kinds of pressures are not in keeping with the spirit and purposes of the Charter of the United Nations because they tend to vitiate the exercise of permanent sovereignty by these countries over their resources.

133. Furthermore, I should like to mention that the position of my country was originally like that of the United Kingdom, France and Indonesia, because the Economic and Social Council is fully seized of the question of the activities of multinational corporations and, as the representative of India has mentioned, that body has set up a group of experts to study the activities of these corporations and to report back to that Council. We felt that what that Council is already doing should be enough. But because our Latin American friends informed us of cases of pressure that they know are emanating from certain multinational corporations—perhaps with the connivance of certain States—we thought that this was a matter of serious concern for international peace and security in this area. That is why we voted for the draft resolution, and we are confident that our vote has served a positive purpose because of the concern and fears of our friends in this part of the world.

134. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The Soviet delegation, in explaining its vote on this draft resolution [S/10932/Rev.2], wishes to state the following.

135. We see the basis of this resolution not as an economic but as a political one. The point is that neither the problem of natural resources nor the problem of investments of foreign capital in the economies of the developing countries should be exploited for the purposes of coercion, or, as the resolution says, for the purposes of "the use of any type of coercive measure." This is the essence of the resolution in question, a political resolution. Accordingly, there is no basis for regarding this resolution as an economic one. The economic aspect of these problems—the problems of natural resources and the problems of the baleful consequences of the activities of international monopolies for the development of the economies of the developing countries—will be considered in detail by the Economic and Social Council; they fall within its competence. In the present instance, on the contrary, the question is one of coercion, of coercive measures, which in relations between States are always of a political character, always complicate relations between States and lead to threats to peace and to the danger of breaches of peace. This is the basic essence and the significance of the resolution.

136. It was for precisely this reason that the Soviet delegation voted in favour of this text, recognizing its political thrust, its political basis. All political questions, all questions of peace and security, are questions which fall squarely within the competence of the Security Council. When we vote for a text concerning the non-use of any kind of coercive measure, we are recalling the resolution adopted by the General Assembly at its twenty-seventh session, with the support of a significant majority of States Members of the United Nations [2936 (XXVII)], concerning the non-use of force in international relations. That is why, attaching political significance to the resolution just

adopted by the Council, we were very happy to vote in favour of it. We also wish to express great satisfaction that the majority of members of the Council supported this text and voted in favour of it.

137. This resolution is a political warning by the Security Council to those States and Governments which may think of taking action to defend or support their own or international monopolies in the event that those monopolies take coercive measures or measures of compulsion against countries defending their own sovereignty over their natural resources, countries taking measures to curb the greed of foreign monopolies and international corporations seeking to plunder the national wealth of the developing countries. That is the political theme of this document. The Council is acting correctly when it refers in the text to a number of resolutions adopted by the General Assembly. This opens the way to and facilitates consideration in the near future of another Assembly resolution. I am thinking of the resolution on the non-use of force in international relations and permanent prohibition of the use of nuclear weapons [*ibid.*]. Under that resolution the Security Council is obliged to consider this most important international political question and, for its own part, to take the appropriate decision.

138. General DE LA FLOR VALLE (Peru) (*interpretation from Spanish*): I wish to thank, on behalf of the sponsors, the members of the Security Council who voted for the draft resolution introduced by Peru and other countries [*S/10932/Rev.2*]. We also wish to thank the members of the Security Council who, in their explanations of vote, have so eloquently supported that draft, intended to request that in Latin America all types of coercive measures should end, whether they are imposed by companies or by States.

139. The Council, in adopting this resolution, has met its responsibilities, and that is why the peoples of Latin America who have suffered, are suffering and may suffer the damage from coercive measures have renewed their hope in the United Nations. This resolution will have a vast significance on this continent and beyond any doubt will constitute an effective argument for our just struggle for national liberation and against foreign dependence.

140. In the case of the representatives of the countries which did not support the draft resolution, we would ask them to remember this session of the Security Council as an unequivocal announcement that in Latin America a firm determination to reject any form of pressure has emerged. We therefore appeal to them to reconsider their positions so that in the future they will put an end to all measures of coercion against Governments and peoples of Latin America, thus ensuring a genuine era of co-operation and peace on our continent.

141. Mr. HUANG Hua (China) (*translation from Chinese*): I am not going to make a further explanation of the vote cast by the Chinese delegation, because during the general debate we have already made clear our position on the two draft resolutions. I should like only to make some comments on the progress of our meetings.

142. The Chinese delegation has voted in favour of the two draft resolutions co-sponsored by Panama, Peru, Guinea and other countries, because in our view this is what the Security Council should do on related questions. However, the United States delegation has vetoed the draft resolution on the question of the Panama Canal [*S/10931/Rev.1*], thus making it impossible for the Council to perform its duties with regard to the Canal question. We cannot but express deep regret at this.

143. The people of Panama and the rest of Latin America are courageous, industrious and intelligent. Through these meetings in Panama, we have personally seen that the Latin American people's struggles in defence of national independence, sovereignty and national resources and against super-Power aggression, interference, subversion, plunder and control are surging ahead vigorously. The facts show that it was necessary and useful for the Security Council meetings in Panama to concentrate on the discussions of a number of important questions currently facing Latin America and that they have played, and will continue to play, a positive role in the just struggle of the peoples of Panama and the rest of Latin America. Through these meetings, we have also seen a further strengthening of the unity and co-operation among the Asian, African and Latin American countries. The Chinese delegation rejoices at these positive achievements of the meetings.

144. The Chinese people and the people of Latin America are good friends. We have always trusted and supported each other in the struggles against imperialism, colonialism and neo-colonialism and against the power politics and hegemony practised by the super-Powers. We are convinced that so long as the peoples of Latin America further unite among themselves and further strengthen their unity with the people of the third world countries and all justice-upholding countries and peoples of the world and carry on unremitting struggles, they will certainly win continuous new victories in their own cause.

145. As the Security Council meetings in Panama are about to conclude, I should like to take this opportunity, in the name of the Chinese delegation, to express once again our sincere thanks to the Government and people of Panama for their warm and friendly hospitality and our thanks to the staff members of the United Nations Secretariat and the Panamanian Government who have provided efficient services for our meetings.

146. The PRESIDENT (*interpretation from Spanish*): Having heard the explanations of vote of those delegations which wished to make them, I would suggest a brief suspension of the meeting, after which we shall conclude the work of this Council and hear a statement by the President.

The meeting was suspended at 9.05 p.m. and resumed at 9.50 p.m.

Mr. Boyd (Panama) took the Chair.

Statement by the President

147. The PRESIDENT (*interpretation from Spanish*): At the conclusion of the series of meetings of the Security

Council in Panama, I wish to make a statement with a view to summing up the main points of the discussions which the Council has held here. I consider that this brief summary is appropriate and useful at this concluding stage of our meetings in Panama City. I must stress, nevertheless, that my statement has been formulated necessarily in rather broad terms. Naturally, I cannot possibly attempt to encompass in detail every point raised or every position expressed around this table. The positions of all delegations are contained in their statements appearing in the verbatim records of our meetings, which of course constitute the official records of our proceedings and are the only complete and authentic source of information. I hope, therefore, that no one will feel that by attempting to summarize in capsule form the general tenor of what has taken place during this historic series of meetings of the Council in Latin America I have overlooked any of the valuable contributions that have been made here.

148. The Security Council has met between 15 and 21 March 1973 in Panama City in accordance with resolution 325 (1973). During that time it has held 10 meetings devoted to the consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.

149. The following Member States of the United Nations were invited by the Council, at their request, to participate under the terms of Article 31 of the Charter in the Council's discussion: Algeria, Argentina, Bolivia, Canada, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mauritania, Mexico, Trinidad and Tobago, Uruguay, Venezuela, Zaire and Zambia. In addition, the Council decided to extend invitations under rule 39 of its provisional rules of procedure to the Chairmen of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee on *Apartheid*, as well as to representatives of the Agency for the Prohibition of Nuclear Weapons in Latin America, the Organization of African Unity and the League of Arab States.

150. The meetings were attended by the Foreign Ministers of Colombia, Costa Rica, Cuba, Ecuador, Guyana, Jamaica, Mexico, Panama, Peru and Venezuela, and the Under-Secretary for External Relations of Chile.

151. At the opening meeting [*1695th meeting*] the head of the Government of Panama, General Omar Torrijos, welcomed the members of the Council, all other representatives who had been accredited to the meetings and the Secretary-General and his staff. In his statement General Torrijos presented the views of Panama on the subject on the Council's agenda, in particular the question of the Panama Canal. A statement was also made by the Secretary-General.

152. In the ensuing general discussion, in which 40 representatives and the Secretary-General took part, the majority of speakers concentrated on a number of issues which they regarded as being closely linked with the

problem of the maintenance and strengthening of international peace and security in Latin America. In my opinion, the views expressed on these issues by most speakers may be summarized as follows.

153. Most representatives expressed the view that the persistence, in any region, of colonialism in any of its forms or manifestations was likely to increase tension; thus, the denial of freedom was to be regarded as a potential threat to world peace. According to their view, the continued existence of colonialism or neo-colonialism interfered seriously with economic development and progress. This situation was inconsistent with the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples. For those reasons, it was imperative and urgent that the decolonization process in Latin America and elsewhere in the world be accelerated. Some speakers, however, felt that questions of colonialism in Latin America did not necessarily at this stage require the attention of the Security Council. Nevertheless, the general feeling expressed was one of hope that we should soon see the day when colonialism was no longer an issue before the United Nations, once the principles contained in General Assembly resolution 1514 (XV) had been applied to the residual colonial situations in Latin America and elsewhere.

154. Special emphasis was placed on the important contribution of the Latin American States to the strengthening of international peace and security through the conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America. Some delegations noted that for its broadest and most effective implementation this Treaty should enjoy the support of all States which were or might become parties to it or to its two Additional Protocols. In this connexion the view was also expressed that all States should make further efforts to achieve the aim of the effective prohibition of nuclear weapons in Latin America.

155. Many speakers stressed that the problems of economic dependence and domination of the States of Latin America were a grave long-term threat to international peace. Economic dependence had been created by the interpenetration and domination of the area by foreign economic interests. Economic no less than military aggression was a violation of the Charter constituting a threat to the peace and security of the area. The growing gap between the industrialized countries and the developing countries constituted one of the most serious threats to the peace of the world. Co-operation among States in their economic relations was significantly inadequate. The poorer nations were struggling to provide the higher standards of living demanded by their peoples within a system which gave the lion's share of the gains from production to the wealthy nations. Moreover, all nations had a sovereign right to explore, develop and conserve their own natural resources, and any attempt to prevent, directly or indirectly, the full exercise of that right jeopardized the principle of self-determination and non-intervention. It was legitimate for the Latin American nations to desire to become masters of their own wealth and to emancipate themselves from the domination of international corporations. The developing countries were increasingly aware that political indepen-

dence rested on economic independence. However, some speakers felt that private foreign investment could help to provide the necessary financial and technological tools for the exploitation of natural resources. Some countries had in the past owed a great deal of their development to overseas investment, and they would continue to do so. According to other speakers, the right of the developing countries to exploit their own natural resources was accompanied by the concomitant duty to provide prompt and adequate compensation in cases of nationalization, in accordance with international law. Finally, the view was expressed that although economic questions might have important political implications, some of them were more properly the responsibility of the other principal organs of the United Nations.

156. Many speakers also strongly criticized the use of coercive measures of various types by some States against others. All States should abide by the principle of the non-use of force in international relations. The speakers further affirmed that all States had the right to develop without foreign interference, such as, for example, economic blockade, trade embargoes, coercive action in international credit organizations, diplomatic pressure, veiled aggression, and so on. There should be no attempt to bring pressure to bear on States, directly or indirectly. An end should be put to the application of coercive measures against the States of Latin America, for they were a violation of the basic principles of the Charter and aggravated the misery of the under-developed peoples. It was necessary to prevent the possibility of coercion by foreign economic and financial interests. One delegation also drew attention to General Assembly resolution 2936 (XXVII), on the non-use of force in international relations and the permanent prohibition of the use of nuclear weapons, and to the necessity for the Council to take as soon as possible appropriate measures in accordance with that resolution. In addition, a number of speakers drew the Council's attention specifically to the dangerous situations in southern Africa and the Middle East, which threatened international peace and security and ought to be remedied.

157. Some delegations pointed out that all coastal States were entitled to determine reasonably the limits of their territorial seas and jurisdiction in accordance with their geographical conditions, taking into account the needs dictated by their security and by national economic interests, and had the right to dispose of their natural resources in their coastal seas, sea-bed and ocean floor and the subsoil thereof. That was a sovereign right which all countries should respect. The super-Powers had no right to impose their will on others.

158. Six members of the Council—Guinea, Kenya, Panama, Peru, the Sudan and Yugoslavia—submitted a draft resolution on this subject [*S/10932/Rev.2*]. It urged States to adopt appropriate measures to impede the activities of those enterprises which deliberately attempted to coerce Latin American countries and to refrain from using or encouraging the use of any type of coercive measures against States in the region. That draft resolution [*resolution 330 (1973)*] was adopted by the Council.

159. Several representatives stressed that every Latin American State had the inalienable right to choose its political, economic and social system without interference from any other State. Consequently there was an urgent need to eliminate any policy aimed at isolating and blockading any State of the region because of its political, economic and social system; the present trend towards international détente should be made effective in the region, and the principles of non-intervention, economic non-aggression, self-determination and universality of inter-State relations should be observed.

160. One further point raised by some speakers was the inadmissibility of the presence of foreign military bases on the territory of States in Latin America. It was stated that those bases could be and indeed had been used for intervention in the domestic affairs of Latin American countries. Their existence, as also the export of arms to areas of conflict, tended to increase tension in the area. Accordingly, foreign military bases should be removed. Thus a more propitious atmosphere would be created for efforts to find solutions to various problems of concern to the countries and peoples of Latin America.

161. With regard to the question of the Panama Canal, most speakers stressed that every State had an inalienable right to full jurisdiction over all its territory. Therefore, it was essential that all States should abstain from any action likely to impair the national unity and territorial integrity of any other State. In that respect, it was pointed out that the denial to Panama of its inherent right to full sovereignty and jurisdiction over its entire territory, including the Panama Canal Zone, had been a constant source of tension and consequently was a threat to peace and security in Latin America. In order to remove that threat, it was essential that Panama's sovereignty over the Canal Zone should be fully established and that foreign military bases should be removed from that area. Almost all speakers held the view that Panama was undoubtedly entitled to use its primary natural resource, namely, its geographical position, to the fullest extent for the benefit of its own economic development. Besides, the present situation in the Canal Zone was in complete violation of the purposes and principles of the Charter of the United Nations. Some delegations, while expressing their support for the aspirations of the Panamanian people, stated that the question was essentially a matter for negotiation between the parties principally concerned and that they hoped negotiations would be resumed and a settlement reached without foreign intervention. They also expressed the hope that the Council's meetings in Panama would contribute to the fostering of a climate in which that process of negotiation would move forward. It was further pointed out that any solution of the Panama Canal question must be based on respect for law and the search for justice and take into account the basic principles enshrined in the Charter such as the principle of territorial integrity and the principle of sovereign equality of all States. Moreover, it should safeguard the principle of freedom of international waterways.

162. On this question a draft resolution [*S/10931/Rev.1*] was submitted by eight members of the Council: Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and

Yugoslavia. By this draft the Security Council, after taking note that the Governments of Panama and the United States of America had agreed to reach a just and fair agreement, with a view to the prompt elimination of the causes of conflict between them, would ask the two Governments to continue negotiations in a high spirit of friendship, mutual respect and co-operation and to conclude without delay a new treaty aimed at the prompt elimination of the causes of conflict between them. By the same draft resolution the Council would decide to keep the question under consideration. This draft resolution was not adopted owing to the negative vote of a permanent member of the Council.

163. One final theme I should like to mention that has been frequently alluded to is that of the value which attaches to the holding of meetings of the Security Council from time to time away from the Headquarters of the United Nations, in accordance with the provisions of Article 28, paragraph 3, of the Charter. The presence of the Council in any area, and in particular in the developing regions of the world which look to the United Nations for the protection of their security and the promotion of their development, tends to give the peoples in the area a greater assurance of the Organization's interest in their problems. On the other hand such meetings put the members of the Council in direct contact with the relevant issues. A point which was repeatedly stressed is that the development of the practice of meeting away from New York is of importance in enhancing the effectiveness of the Council in discharging its primary responsibility for the maintenance of international peace and security. Some members felt that it was too early to come to any firm conclusion. Others maintained that meetings away from Headquarters also meant that the Council could obtain a better grasp of the concerns and issues vital to a region before a crisis arose and thus were in line with the concept of preventive diplomacy. Thus the Council might be able to use its influence to defuse conflict situations and facilitate the adoption of measures on a bilateral or regional level to provide peaceful solutions to situations which might otherwise endanger international peace and security. Nearly all speakers shared the view that the current series of meetings in Panama was being held in recognition of the great contribution made over the years by the countries of Latin America to the formulation and fulfilment of the aims of the United Nations. The hope was expressed by some speakers that following upon its series of meetings in Africa and now in Latin America the Council would in the future be able to bring its dynamic presence to other regions as well, with a view to enhancing the Council's capacity to assess the preoccupations and the aspirations of all peoples in the world.

164. I believe that in this manner I have covered the views expressed during the historic Panama meetings.

165. I call on the representative of the Soviet Union on a point of order.

166. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): With all due respect for the representative of Panama I should like to make one observation. In his summary of the main points of the

discussions there was the following sentence: "The super-Powers had no right to impose their will on others" [*see para. 157 above*].

167. First of all, that wording was used by only one delegation in the course of the discussion. Secondly, that is its favourite term. If such a sentence appears, will not Israel, for example, consider that the situation does not apply to it, that Israel has not used force against the victims of its aggression, against the Arab countries, that it has not imposed its will on them?

168. Why just the "super-Powers"? Firstly, who claims to be a super-Power? Pasting on a label does not necessarily mean that the label is correct. That is the interpretation of one country. But supposing that this term is accepted as a formula having an international meaning, why should only the "super-Powers" be prohibited from imposing their will, from using force and coercion? Should great Powers, strong Powers, medium-size Powers which have strength be allowed to impose their will on those weaker than themselves?

169. In international relations no one, no Power, is permitted to impose its will by force and coercion on other States. That is why the Soviet Union took the initiative and introduced in the General Assembly at its twenty-seventh session a proposal that force should not be used in international relations at all, that no State should impose its will on another and that the use of nuclear weapons should be permanently prohibited.

170. That is our position of principle. No one, no State, had the right to use force against another. We find it regrettable that those who juggle with the meaning of the term "super-Powers" voted against that proposal. That is the tragedy of the situation. I am not proposing that anything should be deleted—leave it in, because it is what one speaker said—but I should like the record to show what I have stated, namely, that no one, no State, may be permitted in our time to use force against other States. I particularly wish to emphasize this.

171. The PRESIDENT (*interpretation from Spanish*): We have taken note of the statement just made by the representative of the Soviet Union, which will appear in the verbatim record of this meeting.

172. I call on the representative of China in exercise of the right of reply.

173. Mr. HUANG Hua (China) (*translation from Chinese*): In our present world, there are two super-Powers and not only one. This is an undeniable fact. Mr. Malik indicated that there were three super-Powers. I would ask him to point out who? Who has stationed so many troops and established so many military bases on foreign soil? China has not a single soldier and not a single military base on the soil of foreign countries. On this question there are innumerable facts showing that there are in fact two super-Powers, and not only one, in the present world. Sometimes we encounter one super-Power, and sometimes two. That is why we refer to "the one or two super-Powers" in our statements. This is in complete accord with the actual state of affairs.

174. The PRESIDENT (*interpretation from Spanish*): I call on the representative of the Soviet Union in exercise of the right of reply.

175. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The Soviet delegation has the greatest respect for the countries of Latin America and their interest in having a serious and business-like discussion in the Security Council of problems which are causing them concern.

176. We have the same great respect for the country in which we are today, the Republic of Panama, and for its concern over the problems which it has raised before the Council. For that reason we have not wanted to divert attention to other problems either during the course of the discussion or now.

177. The question raised by the preceding speaker has nothing whatever to do with the problems we are discussing here.

178. The PRESIDENT (*interpretation from Spanish*): The next name on the list of speakers is that of the Foreign Minister of Panama, Mr. Juan Antonio Tack, who will address the Security Council on behalf of the National Government.

Mr. Tack (Panama) took the Chair.

179. The PRESIDENT (*interpretation from Spanish*): The National Government has honoured me by entrusting me with the privilege of addressing this final meeting of the Security Council's series of meetings in Latin America, in Panama City.

180. When Latin America requested that meetings of this high organ should be held in Latin America, it showed great political maturity. We knew in advance that it would be extremely difficult thoroughly to examine all questions, at least those that relate to situations of conflict with certain countries that have a greater military, economic and political potential. What was most important, therefore, was most respectfully to draw your attention, the attention of the countries which you so worthily represent and also the attention of world public opinion to a number of problems of the region which create an underlying state of danger to the peace of the world.

181. Latin America stood united in supporting our aspirations. We are proud that we belong to a continent that is learning to speak with its own voice, and does so in clear and unequivocal terms. We cannot forget such expressions of solidarity as those that have been included in the records of the Council and those that are now engraved in our national history.

182. When assessing some of the final results, we in no way feel a sense of frustration. We are following a preventive policy instead of one of appeasement. Knowing the causes of the existing conflicts, world public opinion will in due course insist upon solutions. For the man of the world today, in this twentieth century, over and above all seeks to live in peace—peace that will come with full development and with the scrupulous observance of the

principles of international law that must regulate relations among nations. But until such goals are reached, it is obvious that there is a growing repudiation on the part of the world community of the use of force or economic pressures, or coercion in other forms, exerted by the most powerful nation to subject the weaker.

183. Distinguished representatives, for six days we have been honoured with your presence. Panama has shown enthusiasm at the fulfilment of the ideal of Bolívar—that this city should become the capital of the world. At least it did so for six days. We believe that when you recall the moments we have spent together, you will help us to destroy the evil myth created by selfish interests, that here in Panama, our little republic, there is nothing but a canal, surrounded by jungle where, threatening the white population that operates the Canal, live some semi-savage natives in a state of pre-Columbian civilization. You have seen the reality to be entirely different. The Panamanian people, our beloved Panamanian people, have earned the tribute of profound and specific respect from us. Our people have shown civic responsibility and have responded, too, to the exhortations of their Government and leader to preserve calm minds and serene behaviour. Our people showed that, even having reached the limits of our patience, we still do not commit acts of desperation. We have only gone one stage further in the lengthy struggle that we Panamanians have been waging since 1903, and that will culminate when we finally receive the full satisfaction of our legitimate aspirations: to perfect the process of our independence through the exercise of jurisdiction of the whole of Panamanian soil and the full exercise of sovereignty over our natural resources.

184. The head of Government of my country, General Omar Torrijos Herrera, very clearly defined the position and the outlines of our foreign policy in the opening statement he made to this Council. Very briefly, may I recall that definition. General Torrijos stated:

“Panama understands full well the struggle of peoples that are suffering the humiliation of colonialism, of other peoples that, like us, are suffering restrictions and subjection, of the peoples that refuse to accept the rule of the strong over the weak as a way of life, of those countries that are ready to make whatever sacrifice is necessary in order not to be subjected to the more powerful, of those men that do not allow political power to be exercised by a foreign Government over the territory of their birth, of those generations that are struggle and will continue to struggle to root out from their country the presence of foreign troops placed there without the consent of the occupied nation, of those indigenous inhabitants that do not accept being looked at as inferior specimens or animals, of those who struggle to exploit their own resources for their own benefit and not to underwrite the economy of an overpowering country, of those countries that refuse to be exporters of cheap labour, of those masses of people that pay with their blood to do away with the want, injustice and inequality to which powerful forces, national or foreign, have subjected them because oligarchy knows of no nationality. In a word, colonialism is the prison cell of the free man.” [1695th meeting, para. 6.]

General Torrijos went on to say:

"The awakening of Latin America must not be hampered; it must be assisted in order to encourage peace. A new awareness is gaining ground among Latin Americans, and there can be peace only if this awareness is allowed to follow its own channels. Anyone who stands in its way is thus creating the hostility that leads to upheavals. If we are not allowed to carry out peaceful changes, we are then forcing our peoples to favour violent changes." [Ibid., para. 12.]

185. It is clear that this series of meetings in Panama was short and temporary, but the existence of the United Nations is permanent, as is the existence of this worthy Security Council. We trust that distance will not dilute the interest and the good will that we have witnessed. We would merely offer a timely reminder that any of the problems of the region that have been expounded here are potentially capable of shortening this apparent calm, which the political prophets of the countries interested in the *status quo* would like to proclaim everlasting.

186. I wish to pay a heartfelt tribute of friendship to the Secretary-General, Mr. Kurt Waldheim. I wish, most sincerely, to thank the secretariat staff for the immense and splendid work they have done.

187. My people and my Government are profoundly proud of this great moral victory that we have obtained. We are living the hour of national dignity. We shall continue the struggle to achieve our national liberation with the support of the entire world.

188. We wish most warmly to thank the worthy Governments of Peru, Guinea, India, Yugoslavia, Indonesia, Kenya, the Sudan, Austria, Australia, France, the Soviet Union and China, which with us raised the 13 hands for world dignity around this table.

189. My Government wishes to announce that in due course we shall place the question of the Canal Zone on the agenda of the Security Council. In due course as well we shall place the question on the agenda of the General Assembly. The United States vetoed the draft resolution that supported the Panamanian cause but the whole world vetoed the United States.

**Statement of consensus expressing gratitude
to the host country**

190. Mrs. Jeanne Martin Cisse (Guinea) (*interpretation from French*): I think the time has come to make a statement on behalf of the members of the Council, who would like to express their gratitude to the country that was kind enough to welcome the Security Council to its territory for a series of meetings of the utmost importance. The members of the Council have consulted together as to the form their expression of gratitude should take and in accordance with the practice followed last year when the Council met in Addis Ababa, they have agreed on a statement of consensus which will appear in the verbatim record of this meeting of the Council and will also be

circulated separately as a document of the Council [S/10934].

191. Mr. President, I would add that, having consulted with the other members of the Council, I can express to you on behalf of us all our thanks and our gratitude for the services you have rendered the Council as president of most of the meetings which have been held in your beautiful capital. We shall soon be leaving here but we shall all carry away the best memory of the warm welcome you have extended to us.

192. The consensus I have just mentioned reads as follows:

"On 26 January 1973, the Security Council adopted resolution 325 (1973) in which it decided to hold meetings in Panama City from 15 to 21 March 1973 devoted to the consideration of measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter.

"In accordance with that resolution, the Security Council held its 1695th to 1704th meetings in Panama City. During the course of these meetings, the members of the Security Council have listened with great interest to addresses by His Excellency General Omar Torrijos, head of the Government of Panama, by representatives of Member States of the United Nations invited to participate in the Council's discussions pursuant to Article 31 of the Charter, and by several spokesmen for other United Nations bodies and intergovernmental organizations to whom invitations were extended in accordance with rule 39 of the provisional rules of procedure.

"Before concluding their meetings in Panama City, the members of the Security Council wish to convey to His Excellency the President of the Republic of Panama and to the head and other members of the Government of Panama their deep gratitude for the invitation issued to the Security Council and for the generous hospitality and unflinching courtesy and helpfulness extended to them at all times during their visit to Panama. They further wish to assure the Government and the people of Panama and in particular the authorities and population of Panama City, that the delegations of the members of the Council who came from New York and all those who accompanied them carry away with them an abiding memory of the warm welcome extended to them.

"In addition, the members of the Security Council express to the Secretary-General of the United Nations their sincere appreciation for the outstanding contribution made by him and his staff to ensure a smooth and efficient functioning of the services required for the meetings of the Council."

193. The PRESIDENT (*interpretation from Spanish*): I declare closed the first series of meetings of the Security Council in Latin America.

The meeting rose at 10.50 p.m.

كيفية الحصول على منشورات الأمم المتحدة

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