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IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

Letter dated 2 December 1977 from the Permanent Representative of
Panama to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to request you to circulate the report of the mission of the Special Representative of the Secretary-General to witness the plebiscite on the Panama Canal treaties held in Panama on 23 October 1977 (see annex I) and the Act of the extraordinary meeting of the Electoral Tribunal concerning the final count of the votes in the above-mentioned plebiscite, a copy of which is attached (see annex II), to all Member States as a document of the General Assembly in connexion with agenda item 50.

(Signed) Jorge E. ILLUECA
Ambassador
Permanent Representative

ANNEX I

Report of the mission by the Special Representative of the
Secretary-General to witness the plebiscite on the Panama
Canal treaties held in Panama on 23 October 1977

/Original: English/

I. Introduction

1. On 13 September 1977, the Secretary-General of the United Nations received the following cable from General Omar Torrijos Herrera, head of the Government of the Republic of Panama:

"On 23 October the Panamanian people will be going to the polls to vote on the new Panama Canal treaties. That will be a day of vital significance to the whole world. We invite you to come here or to appoint your representative to see how the people of Panama freely decide whether or not they approve of the new treaties. We hope that your representatives will inform you and the international community of the freedom with which the Panamanians exercise their right to determine their destiny."

On 26 September 1977 the Secretary-General sent the following reply to General Torrijos:

"I wish to refer to your cable of 13 September 1977 inviting me or my representatives to see how the people of Panama decide on 23 October 1977 whether or not they approve the new Panama Canal treaties. Your Permanent Representative, Ambassador Jorge Enrique Illueca, will already have informed you about my positive response to this invitation. However, as I cannot absent myself from New York at this time in view of the current session of the General Assembly, I will be designating a personal representative. The details of this mission will be taken up with your Permanent Representative."

After an exchange of letters between the Secretary-General and the Permanent Representative of Panama, Ambassador Illueca, concerning some details relating to the organization of the plebiscite in Panama, the Secretary-General appointed, on 11 October 1977, his Legal Counsel, Mr. Erik Suy, Under-Secretary-General, as his special representative whose mandate it would be to witness how the people of Panama pronounced themselves upon the treaties between Panama and the United States of America signed at Washington, D.C. on 7 September 1977.

2. The Special Representative decided that in order to accomplish his mission a limited number of people should accompany him. The mission was composed of the following persons: Mr. Santiago Torres-Bernárdez and Mr. Ralph Zacklin of the Office of Legal Affairs; Mr. Abdelkader Abbadi of the Department of Political and Security Council Affairs; Mr. Angel Herrera, Resident Representative of the United

Nations Development Programme in Panama; Mr. Carlos Stozek of the Office of General Services; and Miss Anna Ferrer of the United Nations Conference on the Law of the Sea.

3. In order to be able to observe the pre-plebiscite campaign, the mission left New York for Panama on Wednesday, 19 October 1977. The mission terminated on Wednesday, 26 October 1977, after the counting of the ballots and the results were known.

II. Movements of the mission

4. In order to observe the plebiscite of 23 October 1977 in as many areas of the country as possible, the mission split into three teams: team I, consisting of the Legal Counsel, Mr. Erik Suy, Mr. Carlos Stozek, and Miss Anna Ferrer, observed the plebiscite in Panama City and the Provinces of Darien, San Blás and Colón; team II, consisting of Mr. Angel Herrera and Mr. Ralph Zacklin, observed the plebiscite in the Provinces of Veraguas, Los Santos, Herrera and Coclé; team III, consisting of Mr. Abdelkader Abbadí and Mr. Santiago Torres-Bernárdez, observed the plebiscite in the Provinces of Chiriquí and Bocas Del Toro.

5. From 7 a.m. until midday, team I observed the voting in Panama City and the metropolitan area. Voting was observed in 16 polling stations with a total of 200 voting booths. In the afternoon, the team flew to the sparsely populated provinces of Darien and San Blás where voting was observed at nine voting booths. Through a breakdown in communications, the team was unable to observe voting in Colón.

6. Team II arrived in Santiago, capital of the Province of Veraguas, shortly after 7 a.m. The team visited five polling stations in Santiago and five more polling stations in two outlying localities, La Colorada and La Peña. From Santiago, the team proceeded to Las Tablas, capital of the Province of Los Santos. The team visited two polling stations in Las Tablas and then proceeded by road to visit five more polling stations in the towns of Guarare, El Ejido and Los Santos. From Los Santos the team crossed to Chitre, the capital of the Province of Herrera. The team visited a total of 23 polling stations in the towns of Chitre, Paris, Parita, Pesé, Potuga and Rincon. Finally, from Chitre the team proceeded by air to Penonome, capital of Coclé Province, where voting was observed at two polling stations.

7. Team III, which observed the plebiscite in the Provinces of Chiriquí and Bocas Del Toro, established itself in David, the capital of the Province of Chiriquí, on the eve of the voting. The team first visited Bocas Del Toro, Changuinola and Silico Creek observing voting in seven polling stations. The team then proceeded to Puerto Armuelles in the Province of Chiriquí where it visited four polling stations. In the afternoon, the team returned to David where it observed voting at 30 polling stations.

III. Co-operation of national and local authorities

8. Without the generous and whole-hearted co-operation of the national and local authorities, the mission would not have been able to observe the plebiscite in so many areas of the country. Air and surface transportation was put at the disposal of the teams, enabling them to visit the localities of their choice at random. The teams were received by provincial and municipal officials and were able to speak freely with the plebiscite officials and local citizens.

IV. Observation of the plebiscite

9. The mission was able to observe at first hand that the plebiscite proceeded calmly, in a very orderly fashion and with a full participation of the people. The atmosphere throughout the country was one of sobriety and civic pride.

10. In its visits to the polling stations, the mission was completely free to observe all stages of the process. Having previously familiarized itself with the plebiscite law and regulations, the mission inspected the boxes and the ballot papers to ensure that they conformed to the regulations and observed the various stages of identification, inscription and fingerprinting of individual voters. The mission also observed the surrounding areas to identify possible attempts to influence voters in their decision.

11. Minor irregularities which in no way could be said to amount to a consistent or deliberate pattern of any kind were observed at a very small number of polling stations. The teams observed the presence of the National Guard at some of the stations although it had been emphasized, mainly by the President of the Electoral Tribunal, that at no time would they see the presence of any National Guards during the plebiscite. Law and order was maintained by firemen and students. On other occasions the teams noted that official vehicles of the Electoral Tribunal had propaganda stickers in favour of a "yes" vote. At one station, officials of the Tribunal even used loudspeakers encouraging the population to vote "yes".

V. Conclusions

12. The Special Representative of the Secretary-General was very well received in Panama. The Panamanian authorities and the mass media underlined the importance of the United Nations presence during the plebiscite. Thanks to the full co-operation and logistic support of the Panamanian authorities, the Special Representative and his team were able to perform their functions in the best conditions and in total independence.

13. It is the feeling of the Special Representative that the plebiscite of 23 October 1977 on the Carter-Torrijos Treaties was extremely well prepared and that the plebiscite itself took place in an atmosphere of calm and in accordance with the usual democratic standards.

14. The Special Representative and his team covered as many areas and plebiscite stations as was humanly possible. They also witnessed pre-plebiscite campaigning and the vote-counting. Except for minor anomalies observed in some polling stations, which were often corrected on the spot, the Special Representative has come to the conclusion that the plebiscite of 23 October 1977 took place in a normal way and that it was an example in democracy.

(Signed) Erik SUY
Under-Secretary-General
The Legal Counsel
Special Representative of the
Secretary-General to witness
the plebiscite in Panama on
23 October 1977

ANNEX II

Act

of the extraordinary meeting of the Electoral Tribunal in the Justo Arosemena Legislative Building, concerning the final count of the votes in the national plebiscite held on Sunday, 23 October 1977.

The Judges of the Electoral Tribunal of Panama, at an extraordinary meeting held in the Justo Arosemena Legislative Building at 2 p.m. on 28 October 1977, in the presence of the Honorary Witnesses appointed under Decree No. 115, of 26 October 1977 of this body, and in the presence of United Nations observers and the Rectors of the Universities of America, proceeded to take the final count of the votes in the national plebiscite on the Treaties signed between the Government of Panama and the United States of America, referred to in article 1 of Act No. 33 of 13 September 1977.

The provincial delegates of the Electoral Tribunal submitted, through the Secretary, for the Tribunal's perusal, the result of the voting in each Province and, subsequently, the Controller-General of the Republic proceeded to record the figures contained in the reports of the delegates in order to compare them with the calculations set forth in the records prepared by the Provincial Voting Board.

Upon completion of the proceedings, Judge Luis Carlos Moriega read out the final results of the voting throughout the Republic, the figures for which were as follows:

| | |
|------------------------------|---------|
| <u>Number of votes cast:</u> | 766,232 |
| <u>Votes in favour:</u> | 506,805 |
| <u>Votes against:</u> | 245,117 |
| <u>Invalid ballots:</u> | 14,310 |

Thereupon Judges Celedonio Guardia and Julio E. Harris M. submitted a draft resolution, read out by the Secretary, in which note was taken of the ratification of the new Canal Treaties by the Panamanian people in the national plebiscite, held on 23 October.

The draft resolution was adopted unanimously.

To conclude the extraordinary meeting, the Judges of the Electoral Tribunal and the distinguished audience, stood and heard the Presiding Judge announce to the country the formal ratification by the Panamanian people of the Torrijos-Carter Treaties in a free and genuine national plebiscite.

This Act is hereby done and signed in the presence of the Honorary Witnesses and all those who participated in this solemn and historic event.

Done at Panama City on 28 October 1977.

(Signed) Luis Carlos Noriega
Judge, President of the Electoral Tribunal

(Signed) Celedonio Guardia
Judge, Vice-President

(Signed) Julio E. Harris M.
Judge, Member

(Signed) Miguel Angel Ordoñez
Secretary-General
