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# SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-EIGHTH YEAR

**1698<sup>th</sup>** MEETING: 16 MARCH 1973

PANAMA CITY

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## SIXTEEN HUNDRED AND NINETY-EIGHTH MEETING

Held in the Legislative Palace, Panama City, on Friday, 16 March 1973, at 3 p.m.

*President:* Mr. Juan Antonio TACK (Panama)  
later: 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/1698)

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 3.40 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 the decisions previously taken by the Security Council [1696th and 1697th meetings] and with its consent, I invite the representatives of Algeria, Argentina, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guyana, Haiti, Jamaica, Mauritania, Mexico, Uruguay, Venezuela and Zaire to take the places reserved for them in the Council chamber and to participate without the right to vote in the consideration of the question on the agenda.

2. I should like to inform the Council that I have received letters from the representatives of Honduras, Guatemala, Trinidad and Tobago, and Zambia in which they ask to be allowed to participate without the right to vote in our deliberations, in accordance with Article 31 of the Charter. In conformity with the practice of the Council, and with its consent, I intend to invite these representatives to participate, without the right to vote, in the debate on the question on our agenda and to take the places reserved for them in the Council chamber, it being understood that they will be invited to take a place at the Council table when they wish to make a statement.

*At the invitation of the President, the representatives of Honduras, Guatemala, Trinidad and Tobago, and Zambia took the places reserved for them.*

3. The PRESIDENT (*interpretation from Spanish*): The first name on the list of speakers is that of Mr. Dudley Thompson, Minister of State of Jamaica. I invite him to take a place at the Council table and to make his statement.

4. Mr. THOMPSON (Jamaica): Mr. President, I wish to thank you and the members of the Security Council for this opportunity to appear before you and to participate in today's proceedings in the name of the Government of Jamaica. I wish personally to congratulate you.

5. It seems that I have waited all my life to see just this thing happen in Panama. My country lies a mere 500 miles to the north of Panama. At the turn of this century Jamaicans in large numbers, along with people from the other Caribbean islands and other Latin American countries, joined in the great task of building the Panama Canal. One result of this is that there has remained in Panama a large community of Jamaican descent—and in addition very many of our people at home were born in Panama or have close relatives in this country. The Panama episode is an important part of the history and the development of Jamaica and has been recorded as such in song and story. This has given the people of Jamaica an opportunity to appreciate the friendliness, charm and hospitality of the Panamanian people. We have also been able to appreciate the beauty of the country and the steady growth and development of its social, cultural and economic life.

6. Jamaica joins the other countries of Latin America in extending to the members of the Security Council a very warm welcome on the occasion of their first series of meetings in this region, and my country wishes to pay a deserved tribute to all the members of the Council for the decision which made such a series of meetings possible. It is our earnest hope that the result of this series of meetings will be a better understanding by the world at large of the preoccupations and the serious problems which confront Latin America, and the factors which will contribute to the maintenance of a secure and lasting peace in this part of the globe.

7. The Jamaican people notes with particular pleasure the choice of one of the smaller territories of the American region as the place in which this series of meetings should be held. Our friendly neighbouring country of Panama is happily chosen for this purpose, for it is a country of great strategic importance in this hemisphere, lying as it does at

the bridge which connects the land masses of North and South America and at the cross-roads of the ocean path along which the merchant vessels of all nations carry their rich cargoes.

8. As always, the Security Council is concerned with the problem of the maintenance of world peace and security. In this respect the countries of this region can regard with satisfaction, even with pride, the contribution they have made over the years to the evolution of the concepts and institutions which have gained general acceptance in the sphere of international peace and the peaceful settlement of international disputes.

9. It is proper to remind the Council that the Member States of the United Nations adopted without dissent, at the session of the General Assembly commemorating its twenty-fifth anniversary, a Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [resolution 2625 (XXV)]. First, that Declaration called upon Member States, among other things, to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State; secondly, it called upon them to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered; thirdly, it reminded them of their duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter. The cause of international peace would be well served indeed if all Member States—great and small—would strictly observe those principles.

10. Let us not delude ourselves that because there are no actual hostilities between States of the Latin American world the moment is not propitious to pursue the paths of constructive diplomacy. In my country's judgement we who are gathered today can best serve the cause of peace by inviting the Security Council to focus its attention not on international conflicts but on the root causes of international tension and the circumstances which unless relieved will produce armed conflicts and will continue to threaten the maintenance of peace in this part of the world.

11. First among those causes of tension is the effective denial of the right of self-determination to peoples. Colonialism has virtually disappeared from this part of the globe but it has not totally disappeared. I am encouraged to see that further progress is being made and that shortly, on 10 July of this year, we shall be able to welcome one more territory, the Commonwealth of the Bahamas, into the fold of independent countries of the Americas. There is, however, one small country not abundantly endowed with resources but having a proud and progressive people that yearns to throw off the yoke of colonialism and take its place in our family of nations. Yet because of a dispute alien to the people of the territory, having its origin in circumstances which are centuries old, our brothers in Belize have been unable to reach out for that sovereignty and independence that is rightly theirs. As I have said elsewhere, there is no doubt that the only remaining deterrent, the single lingering obstacle to the achievement of this goal of independence by these people is fear—a fear

founded on substantial grounds for the security and territorial integrity of their own country. I invite the Council to take note of this fear for its security which threatens this small nation and to consider what steps can be taken to safeguard the right of these people to self-determination.

12. Another source of tension which threatens peace in this hemisphere is interference in the domestic affairs of States by other States. That is true wherever and from whatever source it comes and however we may try to mask the ruthlessness of personal motive behind the rhetoric of good intention. It is essential to the maintenance of peace in this region that the third of the principles I mentioned earlier, which would prohibit the use of economic, political and other pressures to coerce another State in order to inhibit the exercise of its sovereign right, should be strictly observed.

13. Large arsenals of armaments constitute a constant threat to the peace and security of the world and are a menace to defenceless countries striving to utilize their meagre resources for economic and social development. As a representative of a small nation which spends less than 3 per cent of its annual budget on defence, I call the attention of the great Powers to the disproportionate amount of their own resources which they devote to armaments. It has been a source of great concern to my country that at a time when there is so much poverty in developing countries, and even in some sections of the more affluent countries, many are still deprived of the basic necessities of life.

14. It has to be acknowledged that the world still maintains expenditure on armaments of the order of \$200,000 million annually, while the total resources devoted to development aid, both bilateral and multilateral, have been stagnant and in some cases reduced. Nor is it possible in the context of these figures to discern any meaningful effort on the part of the heavily armed Powers to direct their social and economic programmes toward reducing the disparity of income between the very wealthy nations and the very poor. This co-operation which the principles I mentioned earlier have called upon us to provide, this co-operation of one State with another, is significantly inadequate in economic relations. Nations are left to struggle with the problems of poverty and underdevelopment, are required to provide the higher standard of living which their peoples are demanding, but to provide it within a system of international economic relations which effectively ensures that the lion's share of the gains from production will continue to accrue to the wealthy nations of this world. There is no long-term cause of tension, no long-term threat to international peace more gravely menacing than the conditions at present governing economic relations between the nations.

15. At the twenty-seventh session of the General Assembly, the Prime Minister of Jamaica expressed himself thus:

"The time has come to reconstruct the basis on which the gains arising from the exploitation of these resources are shared between those, on the one hand, who provide

the capital and know-how, and those, on the other, who own the resources and provide the essential infrastructure and the labour force. Let the resources continue in our ownership from the point of extraction to the final sale of the processed product. Let the agreements of the future cover not the sale of our resources to developed countries, but the reasonable payments which shall be made to those who supply capital and know-how for their services in the process of conversion."<sup>1</sup>

16. Insecurity opens the door to international anarchy. It is only by mutual recognition of national sovereignty, with its ingredients of rights and duties—such as non-intervention—that international security becomes meaningful; otherwise, inequality of power is destructive of the independence of small nations.

17. In the interests of the peace and security of the hemisphere my delegation cannot turn a blind eye to a major issue which affects two countries with which we enjoy particularly close and friendly relations—and here I refer to the United States of America and the Republic of Panama. We cannot but be aware of the strong views held by the two parties principally concerned with the Canal Zone. Nevertheless, since this meeting of the Security Council is concerned with the maintenance of peace and security in Latin America, I experience no reticence in making reference to the subject.

18. The issues involved relate, on the one hand, to the solemnity of treaties, and, on the other, to the question of sovereignty. Since the original Convention was executed there have been substantial developments in relation to the attitudes displayed by countries in dealing with such problems. Such attitudes are reflected in the willingness on the part of both parties to follow the spirit rather than the letter in which such conventions were originally drafted. It is also recognized that in the instant case the original Convention, made in 1903, has on two occasions come under review, and on both occasions, in recognition of the changing patterns of relations between the parties concerned, substantial readjustments in favour of the Republic of Panama were agreed upon. Both parties should therefore be encouraged to continue this process of peaceful negotiation, based on the principle of the sovereign equality of States. Accordingly, we hope that as a result of the discussions at this series of meetings—the atmosphere of which is not one of crisis but of dispassionate deliberation—a new climate will be created which will enable these negotiations to be resumed with a sense of urgency leading to a satisfactory solution between the parties.

19. To return to the subject of disarmament, the Latin American nations, with commendable self-denial, have entered into their own disarmament treaty: the Treaty of Tlatelolco.<sup>2</sup> We have aimed at making this little corner of the globe a nuclear-free one. All that we have required on the part of nuclear Powers in order to make our effort

effective is the undertaking that they will not introduce nuclear weapons into our nuclear-free zone, and that they will resist all claims by any country situated within the zone to be supplied with nuclear arms. It is for that reason that I must again appeal to the great Powers which have not yet done so speedily to proceed to sign and ratify the Additional Protocol II to the Treaty of Tlatelolco.

20. I must also reiterate the desire of my country that all impediments be removed, to enable every independent country in this region to become a party to this Treaty, so that all of Latin America can become potential beneficiaries of the protection that we have sought for ourselves. It does seem tragic that while some great Powers, by not signing the Treaty and its Protocol, have refused to support this umbrella of peace for millions in this region, there are within our midst young nations which are ready and willing to give it their support but which are not yet qualified to do so, as some of us have not yet made up our mind to give them full membership in this brotherhood of peace. I refer to the noble Republic of Guyana, whose indisputable case for recognition has been put with his customary clarity by Mr. Ramphal [*1696th meeting*]. His reference to the decisions taken by the Prime Ministers of Barbados, Guyana, Jamaica and Trinidad and Tobago at the meeting of the Commonwealth Caribbean Prime Ministers at Chaguaramas illustrates that we speak on these matters with one single voice.

21. Finally, I take this opportunity of stating on my Government's behalf our firm belief that the ultimate responsibility for the peace and security of Latin America, as for the rest of the world, lies in the hands of the Security Council. It is important, therefore, that the Council should actively concern itself not merely with direct and imminent threats to peace which might arise in this part of the world, but with the causes of tension, the economic inequities and the failures to observe the principles of non-intervention in the internal affairs of other States which must lead eventually to the breaking of international peace and security.

22. The PRESIDENT (*interpretation from Spanish*): The next name on the list of speakers is that of the Minister for External Relations of Venezuela, Mr. Arístides Calvani. I invite him to take a place at the Council table and to make his statement.

23. Mr. CALVANI (Venezuela) (*interpretation from Spanish*): I am particularly pleased to address the Security Council on this unique occasion when for the first time it is meeting in a Latin American country and in one which has such close and brotherly ties with Venezuela.

24. We feel that Latin America should increasingly reaffirm its international significance in accord with its historical and cultural heritage and with the vast potential of its human and natural resources. We consider that it is a positive step towards that end that the Security Council, the organ to which the Charter confers the primary responsibility for maintaining international peace and security, should hold a series of meetings in a Latin American country.

<sup>1</sup> *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings*, 2049th meeting, para. 62.

<sup>2</sup> Treaty for the Prohibition of Nuclear Weapons in Latin America (United Nations, *Treaty Series*, vol. 634, p. 326).

25. On 26 January of this year the Council decided that at this series of meetings the agenda would be the following: "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." [resolution 325 (1973)].

26. I shall make some general remarks on this very important item which is of interest to all the Latin American countries equally, and I should like to avail myself of this opportunity to express my gratitude to the Security Council for the invitation extended to my country, under rule 37 of its provisional rules of procedure, to participate in the debate on this subject. I also wish to express my gratitude for the initiative of the Government of Panama which has enabled the delegation of Venezuela to be presided over by the Minister for Foreign Relations. I also wish to place on record our sincere gratitude to the Government and people of Panama for the generous and proverbial hospitality they have shown.

27. It can be asserted that Latin America has very fortunately not suffered the scourge of wars—in its classical definition, of course—to the extent it has been suffered by other continents. But can it really be affirmed that in Latin America all the conditions for peace exist? The reply must needs be negative. Peace cannot be reduced to the absence of wars. On that we are agreed; it had been stated by all or almost all the speakers who have preceded me. The absence of warlike conflicts is a negative aspect of peace; it is not its true essence. That leads us to ask ourselves what the conditions are for the existence of complete and genuine peace among nations.

28. The first condition is real equality among national communities. To this end what is needed is a radical conversion which implies profound change in existing structures. No country on earth, however powerful and developed, has more dignity than another. Every people has its own personality, its own way of life, which must be respected. We must accept ourselves as we are, with our qualities and our shortcomings. A frank and loyal dialogue must be established among nations as the best means to reach understanding. Mutual respect between national communities—a primary condition for peace—excludes relations of domination and subjection between the developed and the developing countries and even among the industrialized countries themselves. What is needed is genuine participation on a more social and democratic basis of the community of peoples. Further, to be genuine, peace must be shared in the obligations and in the rights it entails. It is in this way that international authority will not be viewed as an instrument of universal domination. Equality and dignity between States presupposes, finally, the elimination of racism.

29. The second condition for the establishment of peace between nations is the regulation of relations between peoples inspired by international social justice. At this point I should like to endorse the statement made by the head of State whom I represent, Mr. Rafael Caldera:

"The formula for bringing about happy relations which will take the form of friendship and international

co-operation cannot be a fierce struggle to buy more cheaply for ourselves and to sell ourselves at a higher price. The idea that more trade will make aid less necessary is true but only so long as trade becomes fairer and justice for the peoples of the developing countries takes the form of a greater chance to bring about the urgent changes they need. I believe in international social justice. As Aristotle saw it, justice demands that one should give everybody that which is his. As his thought has been developed in Christian philosophy, that which is his as a concept does not apply merely to individual men but also to society for the common good. There is no difficulty at all in applying this concept to the international community.

"Just as society at the national level has a right to impose various relationships upon its members, so the international community requires of the various peoples participation in accordance with their capacity so that everybody may live a human life. The obligations and rights of the various peoples have to be gauged, therefore, according to the capacity and needs of each people, in order to make peace, harmony and progress feasible so that we shall all advance in real friendship."

Therefore, if we believe that the development of all of man and of all men is the new name of peace, what is required is a fundamental turn-about in the principles which now move the international order. Otherwise the programmes of assistance will establish new forms of colonialism and strengthen existing injustices and there will be an endless broadening of the difference between the rich and the poor countries.

30. At the present time in the evolution of mankind, it is impossible to accept that a developed country should impose on an under-developed country to which it gives "its assistance" a counterpart which is equal to—although usually it is rather more than—the value of the service rendered. How is it possible to emerge from under-development in these conditions? We rightly stated at the General Assembly that the riches of the developed countries have their roots in the poverty of the developing countries. Accordingly, it is necessary for relations between nations to be ordered in accord with the principles of international social justice.

31. The third condition for peace is the establishment of an active solidarity which will really bring together the different peoples of the earth. This solidarity can be dynamic only to the extent that it is directed towards a universal common good and is inspired in international social justice. In the world of tomorrow, if we wish to arrive at a shared peace and not an imposed one, active solidarity between nations will compel us to successive processes of integration so as to move from national autarchies towards the creation of a supranational society. This is what might be called a pluralist integration, which is far more appropriate than the system of defensive-offensive alliances which is typical of bloc policy. Active solidarity between nations requires the liquidation of the machinery of political and economic subjection which has in fact been imposed by the developed countries of the East and the West to the detriment of the under-developed countries.

32. Active solidarity between nations imposes on us, finally, the obligation to give a new ideological content to the new civilization, to the new international order which we can already begin to perceive. This new ideology must start from the historical reality that we live in and the profound aspirations of peoples. It will be a social and revolutionary humanism based on the recognition of the unity and indivisibility of the destiny of mankind and the eminent dignity of the human person. The goal will be the development of all of man and of every man, of the whole of a people and of every people. It will consider it to be a fundamental right for every national community to participate actively in decisions which affect it internationally. At all times it will be directed towards the attainment of that universal common good inspired in an ideal of international social justice. It will in this way endeavour to build a lasting peace. It will not be peace that has been imposed but peace voluntarily sought, accepted and shared.

33. All that we have said in regard to peace does not of course exclude the right of peoples to rebel against tyranny, colonialism, racism or any other form of oppression. In such a case, indeed, it is the oppressors who are practising violence, and the right to rebel, legitimately exercised, represents the effort of the people to restore legal order.

34. There is in Latin America a united desire for peace, justice and progress. The President of Venezuela in February this year held talks with seven heads of Latin American States. In all the countries he visited and in the conversations he held with the highest leaders of those brother countries he found the deep conviction that the common progress of mankind requires the effective right for all countries to participate in taking decisions which affect their economies and conditions of development, internally and externally.

35. The policy of my country is guided by a sound, democratic nationalism, and we find a growing nationalism in all of Latin America which, in our opinion, should not be limited to a Venezuelan nationalism, a Panamanian nationalism, a Brazilian nationalism, an Ecuadorian nationalism or an Argentine nationalism but must be a genuine Latin American nationalism. Only with that view, and with the conviction that it is necessary for the Latin American peoples to constitute political societies committed to a quest for a just social transformation, independently of the great power centres and free from economic exploitation, whether internal or external, will it be possible to achieve the integral development of our countries.

36. There is also a clear awareness that it is a sovereign right of all States, particularly the developing ones, to explore, conserve, exploit and make use of or dispose of their natural resources, and firm support for the principle that any attempt to prevent or bar, directly or indirectly, the exercise of that legitimate right—as was stated by the United Nations Conference on Trade and Development—jeopardizes the principle of self-determination and non-intervention and might become a threat to international peace and security.

37. All these principles which I have enunciated are, we believe, fundamental for the analysis which the Security

Council is going to undertake on the item on its agenda. We also believe that Chapter VIII of the Charter on regional agreements should at all times be taken particularly into account.

38. I could not end this statement without referring to a case which is closely linked to the item on the agenda and in regard to which no Latin American can feel indifferent. I am referring to the case of the Panama Canal.

39. I shall not go into the historical background, which is known to all, on this subject. We already know that the so-called Hay-Bunau Varilla Convention of 18 November 1903<sup>3</sup> was the result of the policy which prevailed in those times when the largest Powers imposed on the weaker States conditions violating the principles of international law, even the most elementary ones. Thus, the history of that era is full of examples of treaties, even of arbitral awards, which, although maintaining the external forms and appearances of legality, are intrinsically vitiated by the circumstances and the manner in which so many peoples of our hemisphere were compelled to subscribe to them, although they never accepted them morally.

40. Not only was the 1903 Convention and its interpretation by the United States rejected by the peoples of Latin America, but subsequent generations in the United States, too, recognized the injustices of that Convention and showed a willingness to change them. Yet the claims of the Panamanian people were not achieved with the revisions of 1936 and 1955.

41. We face a situation which is potentially dangerous. The events of November 1959 and of January 1964 are proof of the risks one runs unless adequate solutions to a problem are reached.

42. On 3 April 1964 the General Committee of the Council of the Organization of American States, acting as an Organ of Consultation, in accordance with article 12 of the Inter-American Treaty of Reciprocal Assistance, announced that the Governments of Panama and the United States had agreed on a Joint Declaration, paragraph 3 of which stated:

“That therefore, the Ambassadors designated will begin immediately the necessary procedures with the objective of reaching a just and fair agreement which would be subject to the constitutional processes of each country.”<sup>4</sup>

Those negotiations did not live up to the expectations, but it is our hope that the two States, with which Venezuela maintains cordial relations, will be able to arrive at a just and equitable solution by way of direct negotiations, which is the best means for the peaceful settlement of disputes, in conformity with the respect required in a relationship between sovereign States.

<sup>3</sup> Isthmian Canal Convention. 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.

<sup>4</sup> See *The Department of State Bulletin*, vol. I, No. 1296 (Washington, D.C., U.S. Government Printing Office, 1964), p. 656.

43. At this time I wish to reaffirm the complete, deeply felt and sincere solidarity of the people and Government of Venezuela with the people of Panama in their just claims. This solidarity is not new. It has always existed in the hearts of all Venezuelans. I am particularly happy to recall the decision adopted by the Chamber of Deputies of Venezuela on 22 February 1960, when the present President of the Republic presided over that body. In his statements made to the press yesterday he reaffirmed that idea and that solidarity.

44. I end this statement by expressing my Government's earnest hope that this session of the Security Council will be a constructive step in the quest for peace, justice and progress and will help to lay the foundation for a solution of this important problem.

45. The PRESIDENT (*interpretation from Spanish*): The next name on the list of speakers is that of the representative of Uruguay, Mr. Jorge Suárez Carballo. I invite him to take a place at the Council table and to make his statement.

46. Mr. SUAREZ CARBALLO (Uruguay) (*interpretation from Spanish*): On this first occasion when the Security Council is meeting in Latin America pursuant to the possibilities set forth in Article 28, paragraph 3, of the Charter, I should like on behalf of Uruguay to express our pleasure at the holding of this series of meetings and, furthermore, at the fact that it is being held in the Republic of Panama, the true geographical heart of the continent. This is a land which was described by the Uruguayan writer José Enrique Rodó as one that unites two continents and brings together two mighty oceans. It is now a nation where the United Nations is to undertake an over-all study of the problems of international peace and security in the light of the tenets and principles of the Charter. When the Latin American Group met in New York and supported the suggestion of Panama that these meetings of the Council be held here, my country gave full support to the initiative.

47. Uruguay is not a member of the Security Council, but we speak here today because of the provisions of Article 31 of the Charter and also pursuant to the decision adopted yesterday in this main organ of the United Nations; and in so doing we wish to express our appreciation for being allowed to give our views on the item on the agenda.

48. I must first of all reiterate the constant concern of the Government of Uruguay over the need to strengthen international peace and security, as well as our continuing support of any measures conducive to achieving that end within the framework of the system of the Charter and the principles contained therein. Thus, in order to ensure the unshakable maintenance of international peace and security, Uruguay has at all times set forth as a main principle of its foreign policy the imperative requirements for the peaceful settlement of any and all international situations or disputes. All problems—be they actual or potential, carrying within them the seeds of conflicts—which arise in America and might endanger peace and security in the region, as interpreted in a broad and modern sense, thus including all types of conflict, can and must be solved in accordance with the rules and the principles set forth in the Charter.

49. It is for that reason that Uruguay offers its whole-hearted support for any measure which, like that submitted by the sister Republic of Panama, may be addressed to drawing out the Security Council to fulfil its duties as set forth in the Charter and ensure the adoption of preventive measures that might give fruitful results now in Latin America, the continent that lies at the very heart of our main concerns and aspirations.

50. In this specific case raised by Panama, that is to say the question of the Canal, my country considers that this is a bilateral matter even though it does affect general principles and interests. This matter is the subject of negotiations under way between the Republic of Panama and the United States and it must be solved in a manner satisfactory to both parties in accordance with the principles of justice, equity and the sovereign equality of States, principles recognized by international law and most emphatically reaffirmed by the existing law of nations. Uruguay expresses its whole-hearted hopes that the negotiations at present under way will be satisfactorily concluded.

51. To echo what was said by a number of representatives of Latin American States yesterday and today, Uruguay, a member State of the Agency for the Prohibition of Nuclear Weapons in Latin America, wishes to stress the importance that it attaches to the Treaty of Tlatelolco, which must serve as an instrument for peace and security on the continent. We would also urge the Security Council to help in ensuring the signature and ratification of both the instrument and its two Additional Protocols.

52. My country has adopted an unshakable stand regarding the affirmation of the principle of its right to sovereignty over its natural resources. Uruguay wishes to reiterate its full right to the utilization of the resources of our territorial sea, whose outer limit we have legitimately set at 200 maritime miles, as well as the exploitation of the resources of our continental shelf.

53. Uruguay has pinned great hopes on these meetings of the Security Council. We would hope that its deliberations would be reflected in specific decisions, decisions that may be inscribed in the history of the United Nations and stand as a valuable precedent and example in the achievement of the Organization's aims and the reaffirmation of its principles. All this will be a positive contribution towards understanding and harmony among the Latin American States.

54. The PRESIDENT (*interpretation from Spanish*): I invite the Minister for External Relations of Costa Rica, Mr. Gonzalo J. Facio to take a place at the Council table and to make his statement.

55. Mr. FACIO (Costa Rica) (*interpretation from Spanish*): My Latin American colleagues who have spoken before me have eloquently justified the holding of this series of meetings of the Security Council in Panama City. They have rightly considered the measures which are necessary to take "for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the



Charter." They have also stressed the exceptional historical and legal contribution of the nations of our region to the formulation of several of the basic principles of the United Nations, such as the legal equality of States, non-intervention, the self-determination of peoples and the prohibition of the use of force in international relations. Accordingly, I do not deem it necessary to reiterate ideas which have been so perfectly stated by the Latin American representatives to whom we have been listening.

56. In my statement today I wish to refer specifically to a question which, although not explicitly inscribed on the agenda, has been given a place of priority in the interest of all those participating in this meeting. I am referring of course to the question of the Panama Canal.

57. I am well aware that this is a bilateral matter which has to be solved directly by the parties concerned, Panama and the United States. I express the hope that bilateral negotiations will be resumed in a spirit of harmony and a striving for justice which will do honour to the high moral qualities of both the Panamanian people and the people of the United States. But while it is the responsibility of these parties to conduct the negotiations, their results are not a matter of indifference to us. I believe that the situation created by the Convention of 1903 has profound repercussions in hemispheric relations as well as in world relations. That is why I consider that it is not unsuitable for the Security Council to hear the reasons which the present Government of Costa Rica has been citing for more than two years to explain its firm support for the aspirations of the Revolutionary Government of Panama in its patriotic endeavours to renegotiate completely the Isthmian Canal Convention so as to recognize absolute Panamanian sovereignty over the Canal Zone and so that it may be given greater benefits because of its geographical contribution to this great endeavour.

58. We take this position with no hostility towards the Government of the United States, with whom we have excellent relations and whose diplomats we know are today determined to arrive at a just solution of the problem.

59. Regarding Panama, a black legend has been woven according to which the independence of that country was promoted and brought about by President Theodore Roosevelt, with the assistance of a French intriguer, Philippe Bun au Varilla, with the exclusive purpose of guaranteeing to the United States the construction and absolute control of the inter-oceanic canal.

60. Only a lack of knowledge of the history of this people during its independent life has permitted that black legend to picture Panama as an indolent protectorate of the administrators of the canal, ignoring the long and solitary struggle it waged, in order to claim its complete sovereignty, from the day after the Convention of 1903 was imposed on them.

61. The people of the Isthmus of Panama declared itself independent from Spain in 1821 and by its own decision annexed itself to Greater Colombia, as was recognized by Simón Bolívar. On the disintegration of Greater Colombia in 1830, Panama seceded for a short time from New

Granada. After being subjected once again to New Granada's domination it became temporarily independent in 1831. In 1840 for the third time Panama was separated from New Granada and took the name of the State of the Isthmus, remaining such until 1842. In 1855, by an additional act to the constitution of Granada, the Federal State of the Isthmus was created, with its own local government. In 1861 there was a new separatist movement. In 1863 the sovereign State of Panama was constituted, in accordance with the Federal Constitution which created the United States of Colombia, and this situation lasted until 1886, when, on the adoption of the centralist Constitution which created the Republic of Colombia, the Isthmus became the Department of Panama.

*Mr. Boyd (Panama) took the Chair.*

62. All these facts bear witness to the spirit of autonomy of the people of Panama and serve as a genuine historical background to the emancipation movement of 1903. As was written by the illustrious ex-President of Panama, Mr. Ricardo J. Alfaro:

"It was logical that in 1903 there should once again be a separatist movement and that the movements of 1821, 1830, 1840 and 1861 should reappear. Separation was consummated because it had deep roots in history, geography, economics and the interests and feelings of the people of Panama. Therefore it is absurd and craven to maintain, as poorly informed historians and writers have done—or perhaps they were badly inspired—that the independence of Panama in 1903 was the work of the arbitrariness of Theodore Roosevelt."

63. What has given some credence to that black legend is the fact that the independence of Panama was linked to the Convention with the United States for the opening of the inter-oceanic canal and to the special historical circumstances which forced the nascent republic to accept that Convention.

64. At the beginning of the twentieth century the Panamanians, sunk in poverty, realized that their geographic position constituted their best natural resource. Therefore they saw in the opening up of an inter-oceanic canal possibilities for employment, investment, development and progress which they had not been able to achieve by the exploitation of other resources. The Herrán-Hay Canal Treaty, which was negotiated between the plenipotentiaries of Colombia and the United States of America in January 1903, aroused the naive hopes of the inhabitants of the isthmus. That is why the refusal of the Senate of Colombia to ratify it in the month of August of that year was the spark that set aflame the revolutionary movement which culminated on 3 November of that year in the proclamation of the independence of Panama. Once the new Republic was recognized by the principal world Powers, the Provisional Government Junta decided to negotiate with the United States a canal treaty which was substantially the same as the Herrán-Hay Treaty. To start negotiations it designated as Minister Plenipotentiary to the White House a Frenchman, Philippe Bun au Varilla, a former director of the Inter-Oceanic Canal Company and owner of most of the shares.

65. Today it would be reprehensible for the basic diplomatic representation of a country to be given to a foreigner who was linked to important private business interests, but at that time it was considered understandable that the Government Junta should have recourse to someone who appeared to represent the best interests of the Panamanians with regard to the Canal. A lack of experience natural in persons who were just starting out as an independent government led them to confuse that interest with the interest in ensuring the survival of the Republic.

66. But the Junta—and this is very important—did not entrust Bun au Varilla alone with the negotiation of the new canal treaty. It also appointed an advisory committee made up of the head of the revolution, Dr. Manuel Ambador Guerrero, Mr. Federico Boyd, a member of the Government Junta, and the jurist Pablo Arosemena.

67. However, Bun au Varilla betrayed the confidence placed in him by the members of the provisional government. Disregarding the dignity of the young Republic and the future fate of the people of Panama, he sought only to protect his financial interests and concluded a treaty which was so advantageous to the United States that there was not the slightest risk that the United States Senate would refuse to ratify it. Those governing that great country took advantage of that anomalous situation to reach the expansionist goals which were then sought by the United States.

68. On 15 November 1903 the Secretary of State, John Hay, sent to Minister Bun au Varilla a draft treaty which was similar to the Herrán-Hay Treaty but with much more severe clauses for Panama, such as enlargement of the Canal Zone by 60 per cent and the suppression of the clauses which recognized that the canal works did not represent a diminution of Colombian sovereignty. But this seemed immaterial to Bun au Varilla, who was going to gain \$40 million from the building of the canal. On 17 November he presented a counter-draft which went much further than Hay himself had wanted, including the fatal formulation of article III, by virtue of which Panama recognized that the United States would have over the Canal Zone "the rights, power and authority . . . which [it] would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority". Of course, Secretary Hay welcomed Bun au Varilla's counter-draft.

69. When Mr. Hay learned that the members of the Panamanian Advisory Committee were arriving in New York on 18 November on the way to Washington, being convinced that they would not approve what had been proposed by the Frenchman, on the afternoon of that same day he invited Bun au Varilla to his private residence and requested him to transform the counter-draft into a treaty. On the night of 18 November, in an almost clandestine manner, the Isthmian Canal Convention was signed in the private home of Secretary Hay. When a few hours later the Panamanian Advisory Committee arrived, Bun au Varilla received it with the *fait accompli* of the signature of the Convention. In vain were the protests of the commissioners

to the disloyal plenipotentiary and Secretary Hay, who had taken advantage of the unscrupulousness of Bun au Varilla.

70. On the announcement that General Reyes offered to ratify the Herrán-Hay Treaty on the condition that the isthmus would return to Colombian domination, and given the veiled threats against the independence of Panama if it dared to repudiate the signature of its plenipotentiary on the first convention entered into by the new Republic, and taking into account the policy of duress pursued by the great Powers at that time, the Provisional Government Junta had no choice but to accept the *fait accompli* and ratify the Convention which had been negotiated and signed behind the backs of the Panamanians..

71. Thus the plenipotentiary's powers had been exceeded and violence or intimidation had been employed to obtain consent—improper practices which are sufficient to declare null and void any treaty concluded in such circumstances.

72. When the Convention was submitted to the United States Senate for ratification, Secretary of State Hay, in order to justify his opposition to any change that anyone might seek, told Senator Spooner, in a letter dated 20 January 1904, the following, which revealed the abuse that had been committed:

"As it now stands, as soon as the Senate votes for a treaty, we shall have one which is broadly advantageous for the United States, and we must confess that, whatever face we may put on it, it is not so advantageous for Panama. If we alter the treaty, the period of enthusiastic unanimity which, as I said to Cullon, only occurs once in the life of a revolution, will have passed, and a new field will be opened up in politics and polemics. You and I know how many points there are in the treaty to which any Panamanian patriot would object."

The United States Senate ratified the Convention in February 1904, and having rapidly obtained the ratifications the Convention came into force on the 26th of that same month.

73. As a result of that Convention imposed by force of circumstances on the Panamanian nation, and, even more, as a result of the unilateral interpretations given by the United States Government, and particularly by the authorities and inhabitants of the Canal Zone, who, like the French "*pieds noirs*" in Algeria, are much more radical than those of the metropolis in defence of colonial privileges, what has occurred is that a territory has been created which is separate from Panamanian sovereignty. In fact, in the Canal Zone—which covers 1,432 square kilometres of Panamanian territory in the very heart of the Republic, there exists, as was pointed out by the Foreign Minister of Panama, Mr. Tack, in a letter addressed to the Secretary-General:<sup>5</sup>

"a 'Government' distinct from the Panamanian Government, headed by a 'Governor' appointed by the United States Government; there are United States courts which

<sup>5</sup> This letter was sent to all Member States by a note verbale dated 7 October 1971.

are functioning; the United States flag is displayed; the laws governing the area are enacted by the United States Congress; the United States police operates in the zone; commercial and industrial activities are carried on in competition with Panamanian enterprises; and the United States deploys a military force whose presence and activity goes far beyond the mere right to 'protect' the Canal and all this, under the terms of the 1903 Treaty, is to continue in perpetuity. In other words, the Republic of Panama is faced with the awkward situation in which there exists in its territory 'a government within a government'."

What is more, during the first years of life of the Republic of Panama, and until the partial reform of the Convention in 1936, the United States made frequent use of the right given it under the Convention to intervene in Panamanian political life in order to "maintain order and peace"—an order and peace which seemed to be identified always with the obligation of the Panamanians to allow the United States quiet enjoyment of the important privileges obtained through a convention which, I repeat, never represented the free will of the Panamanians because it was negotiated behind the back of their Government by a foreign plenipotentiary who abused his powers, and because it was ratified by means of threats and pressures which would today be rejected by the international legal conscience.

74. Panama has refused to recognize that the Convention grants the United States sovereignty over the Canal Zone. From the brilliant statements made by Minister José Domingo de Obaldía in 1904, to the solid reasoning of Foreign Minister Juan Antonio Tack in 1970, and also in legal judgements given, *inter alia*, by Messrs. Eusebio Morales, Narciso Garay, Ricardo J. Alfaro, Harmodio Arias, Octavio Fábrega, Eloy Benedetti, Felipe Juan Escobar, Jorge Illueca, Carlos Iván Zúñiga and Aquilino Boyd, there has existed an uninterrupted unity of opinion on this fundamental aspect.

75. In the patriotic struggle to obtain their legitimate rights, the Panamanians—who in many other matters are passionately divided—have always maintained a most exemplary unity. During the 69 years that this ignominious Convention has been in force, governors and governed, old and young, men and women, intellectuals, workers and peasants have always defended Panama's right to the integrity of its territory and have incessantly called for fairer treatment in their relations with the United States concerning the Canal.

76. To this clamour from Panama, not a few authoritative voices have been added from the United States. I know, from my own experience, that when ordinary North American citizens become aware of the arbitrary manner in which their country acquired and has exercised its rights over the Canal, they react in favour of Panama. After the bloody episodes of January 1964, when Panama broke off diplomatic relations with the United States—at that time I was Ambassador of Costa Rica in Washington and a member of the Mediating Committee of the Organization of American States—I received many requests to give lectures on the subject. In universities, civic centres and private clubs I explained what I knew of the origins and causes of

the conflict. With the frankness with which a foreign diplomat can speak in a country as free as the United States, I always stated my position as being in favour of Panama, based on the reasons which I have tried to summarize today. And on every occasion I received the approval and support of my listeners. That confirmed once again my respect for the moral qualities and spirit of equity of the common man in the United States of America.

*Mr. Tack (Panama) resumed the Chair.*

77. In September 1971, Senator Alan Cranston of California stated the following before the Subcommittee on Inter-American Affairs of the House of Representatives:

"For the past 68 years we have exercised that power and authority—causing hard feelings, bitterness and scorn between Panamanians and other Latins on the one hand, and the Americans on the other . . . I believe it is time to acknowledge that it is no longer to our advantage to maintain this supposedly sovereign position.

"... I question the need for any continued American control over the affairs of civilian Americans in the Republic of Panama. Does the United States exercise control of this nature in any other area of the world where Americans choose to work and reside? . . . Why should Americans living in the Canal Zone and working on the Panama Canal be treated any differently? If an American chooses to work abroad elsewhere, he does so knowing that he must abide by the laws and live according to the rules of the host country."6

78. Only two days ago, on 14 March, *The Miami Herald* published an important article on the problem of the Panama Canal by a great North American, Jack Hood Vaughn, former United States Ambassador to Panama and ex-Assistant Secretary of State for Inter-American Affairs. He writes, *inter alia*:

"... the United States has operated the Canal Zone much as if it were a military base in the Deep South. Teaming up with groups of congressional leaders the army has managed to postpone progressive change and ignore the Panamanian point of view for nearly half a century.

"...

"The State Department has moved away from the Pentagon's position [since the 1964 incidents]...

"...

"The premise upon which the State Department negotiators have been operating is that there should be an 'orderly and deliberate' transfer of sovereignty over the Canal Zone from the United States to Panama. At the same time the United States would retain responsibility

6 See *Hearings before the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, House of Representatives, Ninety-Second Congress, First Session, September 22 and 23, 1971* (Washington, D.C., U.S. Government Printing Office, 1971), pp. 95 and 97.

for the operation and defence of the Canal but only for a limited time and on an increasingly shared basis with Panama.

"The State Department's position on sovereignty was recently summarized by a senior official, who said: 'In a modern world we can no longer look upon a sovereign enclave in the territory of another country in perpetuity as a secure environment in which to operate a canal' . . .

" . . .

" . . . Now, after nine years of negotiation and public debate, the issues have never been clearer. The Panamanians have never been more united in their aspirations than they are today. The United States Government, on the other hand, has seldom been as openly divided on how it should proceed.

"As President Nixon's second term begins, nothing comes to mind that would do quite so much for the United States image and leadership in Latin America as the modernization of our relationships with Panama. . . . It is . . . obvious that if push again comes to shove, every nation in Latin America will be on the side of Panama.

" . . .

"Panama looms as another test of Pentagon supremacy in setting foreign policy. Will the United States continue to allow its military planners, with their proven insensitivity to the power of nationalistic drives, to call the shots? "

79. In 1936 and in 1955 the Panamanians succeeded in having the United States accede to a reform of the Convention of 1903. But the concessions were only secondary. As long as the Convention remains in force there can be no just treatment for the nation of Panama. What the United States must do in a gesture of grandeur which would be in accord with its democratic and peaceful tradition is to grant Panama the abrogation of the Convention of 1903, and replace it by another or other treaties which would equitably regulate the operation and defence of the Panama Canal, with Panamanian participation in its administration, without claiming sovereignty over the zone, without privileges for its nationals living there, without depriving the Panamanians of the legitimate benefits which their geographical position gives them, and eliminating for ever the irritating situation of maintaining "a government within another government".

80. The Government of President Nixon agreed recently with that of Nicaragua to abrogate the Bryan-Chamorro Treaty, which gave the United States exaggerated privileges to build and exploit in perpetuity an inter-oceanic canal through the route of the San Juan river. Why not proceed likewise in the case of Panama?

81. On the initiative of the Revolutionary Government of this Republic, negotiations have been reopened between the United States and Panama. We trust that these negotiations will result in a just and equitable treaty which will respond

to the desire for complete sovereignty of the nation of Panama and which will do honour to the greatness of the people of the United States. As Foreign Minister Tack stated so eloquently in the communication already mentioned [*see para. 73 above*] :

"The fundamental issue, in the view of my Government, is the need to terminate the Convention of 1903, which has been and still is the permanent cause of conflict between the two countries. It prevents the free exercise by Panama of its sovereignty over the whole of its territory, it makes our political independence no more than nominal and deprives us of our economic independence. The existence of this alien authority, which has entrenched itself in the middle of our territory, disrupts our integrity and impedes our efforts to achieve optimum development."

82. Costa Rica expects that these just claims of the people of Panama, as presented by its Revolutionary Government, will be met. Little Panama has the moral support of Latin America and of the rest of the world in its relations with the powerful nation to the North. The United States, which has given so much proof of the fact that it has abandoned the policy which prevailed in 1903, should renounce the privileges which its leaders know were not granted through the self-determination of the people of Panama and which, at this stage of hemispheric coexistence are a source of resentment and a bar to the harmony and co-operation which we hope will grow among all the peoples of this continent.

83. The PRESIDENT (*interpretation from Spanish*): The next name on the list of speakers is that of the representative of the Republic of Bolivia, Mr. Julio de Zavala Urriolagoitia. I invite him to take a place at the Council table and to make his statement.

84. MR. DE ZAVALA URRIOLAGOITIA (Bolivia) (*interpretation from Spanish*): First of all, I wish to express to the people and Government of Panama our appreciation for their warm and generous hospitality, and also to state the satisfaction of the delegation of Bolivia at being allowed to be present at the series of meetings which the Security Council is holding in this American land to study "measures for the maintenance and strengthening of international peace and security in Latin America in conformity with the provisions and principles of the Charter".

85. Panama, a name that is very close to the hearts of Bolivians, spells the tradition of joint destiny, unshakable solidarity, and ties of affection and brotherliness which are unique to the peoples of Latin America.

86. I wish to reiterate my Government's faith in this world Organization, which we consider to be the best means of ensuring the rule of peace, progress and justice.

87. But my Government understands international peace and security to mean not only the absence of armed confrontations among nations or of the threat that they might break out; Bolivia considers it its duty to say that the problems of underdevelopment, injustice and complacency on the part of the international community are elements

that increase world tension. We also believe that to postpone the achievement of the aspirations and rights of the weak peoples constitutes a threat to civilized coexistence. That is why we are extremely satisfied to see that we are now trying to find a solution to both old and new problems that occur in our continent. My country is convinced that dialogue, when carried out in good faith and with noble purposes in mind, constitutes the best instrument for the settlement of disputes.

88. The Bolivian people would be betraying its traditions and its doctrine if it did not speak out to all the peoples of the world regarding an isolation which has existed for almost a hundred years. While all over the world immediate solutions are sought and applied to problems that may arise in various places, the dramatic problem of Bolivia is still unsolved despite the firm will of its people.

*Mr. Boyd (Panama) took the Chair.*

89. The integration that is growing in America has suffered a cleavage. Bolivia has been placed in a very inferior position. Furthermore, integration cannot serve as an instrument to establish and maintain injustice. In fact, the process being experienced so vividly in Latin America not only is of an economic nature but also tests the solidarity of a continent—this continent which is endeavouring to become a harmonious whole, in order to obtain from international society a status which will give us a voice in decisions which will affect mankind. But this cannot be achieved if there are injustices and distressing differences.

90. No programme of development and integration in America can be truly effective while the prolonged isolation of Bolivia remains. The fact that we are landlocked is well known to all, and therefore at this time I do not need to repeat the background. Bolivia can no longer be cut off from the ocean. While the limits of the territorial sea have been discussed to the point where 200 miles has been decided upon, and while the due utilization of the wealth of the seas all over the world is discussed, my country is kept farther and farther away from the maritime lanes that are the vital arteries of all nations. If America wants to retain the title of the continent of peace and of law it cannot continue willingly or unwillingly to turn a blind eye to the unjust situation of Bolivia.

91. No international forum can be satisfied with its conclusions if it does not endeavour to find a solution to the Bolivian-Chilean problem. We want to tackle it through conversations based on an understanding of our common needs. We do not seek or ask for pressure or for absurd requirements to be implemented. We advocate direct dialogue as a way of achieving final solutions without curtailing the sovereignty of anyone. In Bolivia we envisage a new stage where reason will prevail and thus allow us to return to the great southern seas discovered by Balboa. Doors that are ajar must be opened wider and more generously. The words spoken and the offers made must be more frank and must be imbued with the determination to arrive at the goals set.

92. Sometimes the Bolivian people is unjustly reproached for not specifically stating its views, but that is very far

from the truth. Bolivia has again and again stated in many parts of the world its unshakable political doctrine. Thus it was extremely happy to hear the Chilean definition of the situation in 1950 concerning the opening of direct talks. At different times, through personal contacts between high Bolivian and Chilean authorities the necessary steps have been taken to do away with the differences that separate us from clear, simple and definitive solutions, but no practical result of any significance has been achieved in these talks despite the goodwill shown by my country.

93. It has been suggested that the lack of communication caused by the breaking off of diplomatic relations conspires against any such direct understanding, but that has no grounds in truth. During these long years we have, as far as informal contacts are concerned, earnestly sought a rapprochement. The diplomatic history of Bolivia is marked by many such contacts. If nothing has been accomplished thus far, we in Bolivia cannot be blamed.

94. There is much talk of non-intervention in the domestic affairs of other States and of the full implementation of the right to self-determination of peoples, and statements are constantly made regarding the exercise of sovereignty over the exploitation of natural resources. There are reaffirmations of respect for national independence and unity, and emphasis is placed on respect for the right of territorial integrity. On the other hand, nothing is said concerning the perpetuation of injustice regarding the right of all peoples to enjoy access to the sea or about peoples isolated behind mountain barriers. Their economic, social and political progress and improvement are indefinitely postponed because of the indifference of others and no one protests. No one expresses solidarity save on rare occasions, as when the Panamanian Assembly has expressed concern in the past. It would appear that the word "understanding" has been deleted from the language of America.

95. But my country will never forget that our return to the sea is imperative. It is a right we shall never renounce. We have very often stated that we must have access to the sea without any limitations and unhampered by conditions. To achieve that vital objective, which calls for sacrifices from none, we must press for the two basic principles underlying our international relations: dialogue as the effective means of ensuring human understanding and non-recognition of territorial acquisition by armed conquest.

96. Once again, the Nationalist Government of Bolivia presided over by General Hugo Banzer Suárez and the people of Bolivia, united in the same ideal, in this forum reiterate the firm will of our country to return to the sea, and that unchallenged and permanent right cannot be denied by anyone unless one wishes to perpetuate an injustice and seeks to condemn to final strangulation a nation that has proved its sincere solidarity with freedom-loving peoples.

97. But we must add something. At present civilized peoples are becoming increasingly aware that treaties cannot be regarded as immutable if they can create obvious international injustices or deprive nations of any attribute of their sovereignty. Therefore, today Bolivia wishes to

reiterate its solidarity with the aspirations of the Panamanian people.

98. It is for that reason that both the people of Bolivia and its Government, which I represent, must come to the Security Council and before this enlightened and august audience state that the Treaty of 1904, which deprived my country of its long coastline on the Pacific Ocean, cannot last forever. We therefore fulfil the duties imposed upon us by the Bolivians when we confront the Council with this major problem.

99. To conclude, may I recall what was said so accurately at the first of this series of meetings by the illustrious Panamanian leader General Omar Torrijos Herrera: it is more noble to redress an injustice than to perpetuate an error.

100. The PRESIDENT (*interpretation from Spanish*): The next name on the list of speakers is that of the representative of Guatemala, Mr. Luis Aycinena. I invite him to take a place at the Council table and to make his statement.

101. Mr. AYCINENA (Guatemala) (*interpretation from Spanish*): First of all, may I thank the Security Council for permitting me to address it at this important series of meetings.

102. Guatemala has come to these meetings of the Council held for the first time in a Latin American city, with a frank and sincere desire for co-operation. In a message of 12 January 1973 the Minister for External Relations of Guatemala informed the Foreign Minister of Panama that Guatemala whole-heartedly supported his Government's initiative in seeking a series of meetings of the Council in Panama, and offered to be present. A message of 14 March from the Minister for External Relations of Guatemala informed the distinguished Government and noble people of Panama of our fervent hope that success would crown the meetings of the Council. However, the Minister for External Relations of Guatemala is unable to be present at these meetings since he is at this time obliged to meet his colleagues of El Salvador and Honduras to continue dealing with the important matters affecting peace in our region. My presence at these meetings, representing the Minister for External Relations of Guatemala, therefore signifies the embodiment of the hopes of Guatemala that the problems being dealt with here, particularly those directly affecting Panama, will meet with a solution in keeping with justice, equity and the aspirations of its people and also assist us in achieving peace.

103. That is the position of Guatemala—one of fraternal encouragement and sympathy within the Council. Unfortunately, I must now speak pursuant to the terms of Article 31 of the Charter of the United Nations and exercise the right of reply.

104. The Minister for Foreign Affairs of Guyana yesterday [1696th meeting], and today the Minister of Foreign Affairs of Jamaica, both made sombre allusions to the intentions of—to use the words of the first of those two gentlemen—"a neighbouring country" of Belize. The Foreign Ministers of Jamaica and Guyana were clearly speaking

of Guatemala and therefore I feel that were I not to answer I would be remiss in my duties.

105. The Foreign Minister of Guyana was speaking of constructive relationships between our peoples, constructive relationships between the overdeveloped and the underdeveloped. He said that we should wipe out hatred and transform it into understanding. But I do not see how this can be achieved with allusions of the kind that we heard, since they only distort the vital problems that exist. Therefore, much against my will, although I did not intend to come to the subject of Belize, I am forced to do so. I am not quite sure how this may contribute to the normal functioning of this meeting, one that is already beset by problems.

106. For more than 100 years Guatemala, its people and its Government, have had a thorn in the side of their nationality. This is neither the time nor the occasion to speak of the clear and obvious rights of Guatemala over the territory of Belize—besides which, the subject is not up for discussion.

107. Now Guatemala has been attacked. But Guatemala has waged a tenacious struggle to regain part of its territory. We know Guatemala is but a small nation. References have even been made here to colonialism in Latin America. But this is unbelievable; let me say nothing of the damage that this colonial enclave has done to Guatemala. Nor will I speak of this constant affront against our sovereignty. I shall merely say that the northern department of Guatemala, El Petén, has found its development hindered by a wall in the form of a British colony, which, in particular, stands in our way as far as access to the sea is concerned. Is Guatemala to be strangled? But I will say that El Petén and Belize, geo-politically one, are indispensable one to the other, in order for development to be enjoyed by both. The sister republics of Central America are united with Guatemala in its struggle. Spanish-speaking Latin America, and Portuguese and French-speaking Latin America, too, have made many statements supporting us in our just cause. Finally, not to bring up too many documents, may I cite paragraph 6 of the Declaration on the Granting of Independence to Colonial Countries and Peoples in General Assembly resolution 1514 (XV), which was read out before. It states:

"Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations."

108. But let us understand one another. I shall not here and now attack Great Britain, although that might appear paradoxical. The Foreign Ministers of Guyana and Jamaica themselves have refrained from doing so. We held arid, tiresome conversations with Great Britain to find an equitable solution to the problem. And a number of times these conversations were joined by our colleagues in Belize. Surely this is proof of goodwill on the part of Guatemala in our efforts to find an equitable solution to the problem. The talks with Great Britain I must say, have been suspended for the moment. And this was so since, at the end of 1971, on the territory of Belize, in an effort to

intimidate us, excessive numbers of British troops were landed, troops that are still there. We were even threatened with Gurkha soldiers being brought in on the pretext of preventing presumed armed action by Guatemala. What a way of distorting concepts, ideas and realities! For the past century Guatemala has always exhausted peaceful means of settling international disputes. Negotiations, proposals to submit the case to the International Court of Justice, good offices from the Government of the United States, mediation and new negotiations of a direct nature have been offered.

*Mr. Tack (Panama) resumed the Chair.*

109. This is a bilateral problem and a tripartite tragedy: the United Kingdom, the colonizing Power carrying the original sin, should we say, Guatemala, with its territorial rights, and the friendly people of Belize. Guatemala has at all times sought an equitable solution for all, trying to safeguard law, justice and the balanced, peaceful development of the region. As far as the people of Belize are concerned, Guatemala has offered them fraternal assistance to allow it to develop integrally with Guatemala in an atmosphere of peace and security.

110. I do not believe that the allusions to this deep tragedy of America can have any advantageous fruits for a meeting of the Security Council, nor do I believe that it can help in solving the problem itself. But in the meantime, and forced as I have been by circumstances, I state on behalf of my country that our rights to the territory of Belize are inalienable and imprescriptible. I shall not, Sir, become arrogant. Quite the contrary, I should like to wear a humble garb and tell you that the rights of Guatemala are inalienable and imprescriptible because they belong to our people. And our people is the one that defines our traditions, our laws, our constitution and our struggles. It well may be that one day the lack of understanding of the problem may force us to turn to the Council. We wish to inform the Council that the subject of Belize, as far as we are concerned, has not been submitted to the Council. But if a delegation wishes to place it on the agenda, we are ready to discuss the matter fully, with all the consequences to be derived from it.

111. The PRESIDENT (*interpretation from Spanish*): I shall now speak as representative of PANAMA.

112. I have the honour to submit to the Security Council a draft resolution sponsored by Panama and Peru, which was circulated a few moments ago to all the members of this body in document S/10931. I take the liberty of reading out the text of this draft resolution:

*"The Security Council,*

*"Having considered the question of the Panama Canal Zone under the item entitled 'Consideration of measures for the maintenance and strengthening of international peace and security in Latin American in conformity with the provisions and principles of the Charter',*

*"Bearing in mind that it is a purpose of the United Nations to bring about by peaceful means, and in*

*conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace,*

*"Having heard the statements made before it by the representatives of the Republic of Panama and the United States of America,*

*"1. Takes note that both Governments, in the Joint Declaration signed before the Council of the Organization of American States on 3 April 1964, agreed to reach a just and fair agreement;*

*"2. Takes note also of the disposition shown by the Governments of Panama and the United States of America to conclude the following agreements:*

*"(a) To abrogate the Isthmian Canal Convention of 1903 and its amendments;*

*"(b) To conclude an entirely new treaty regarding the present Panama Canal;*

*"(c) To respect Panama's sovereignty in all its territory;*

*"(d) To ensure the reintegration of the territory known as the Canal Zone with the Republic of Panama, putting an end to said Zone as an area under the jurisdiction of the United States of America;*

*"(e) To give back to Panama the jurisdictional prerogatives assumed by the United States of America in the so-called Panama Canal Zone, on dates subject to negotiation;*

*"(f) To lay the groundwork for the assumption by the Republic of Panama of full responsibility for the operation of the Canal;*

*"3. Calls upon the parties directly concerned to execute promptly a new treaty including the agreements mentioned above for the purpose of eliminating the causes of conflict between the two countries;*

*"4. Urges the Governments of the United States of America and the Republic of Panama to continue negotiations in a high spirit of friendship, mutual respect and co-operation;*

*"5. Declares that the effective neutralization of the Panama Canal will foster international peace and security and the maintenance of the peaceful use of the Canal by the international community;*

*"6. Decides to propose the inclusion of the item on the question of the neutralization of inter-oceanic canals in the agenda of the next regular session of the General Assembly;*

*"7. Decides to keep the question under consideration."*

113. We have been encouraged to take this step by the statements that have been made in the course of the debate



regarding the situation of the Panama Canal Zone and the Canal itself, as well as by the fact that this Council has the power to adopt effective measures to prevent and eliminate threats to the peace in keeping with the purposes and principles of the United Nations as set forth in Article 1, paragraph 1, of the Charter, on which the preventive diplomacy of our day rests.

114. The Republic of Panama and the United States of America have committed themselves to agree upon a just and equitable settlement in order to eliminate the causes of the conflict arising from the functioning of the Panama Canal, administered by a foreign Power on Panamanian soil. Arrangements between the two countries must, in the eyes of the Panamanian Government, be based upon respect for their sovereignty and independence as well as the unity and integrity of the territory and the right to self-determination of the people of Panama, which aspires to utilize its natural wealth and resources without foreign interference and for its own benefit.

115. Thus far no satisfactory agreement between the parties has been achieved. The United States has expressed its willingness to abrogate the 1903 Isthmian Canal Convention and to conclude a completely new treaty that will not only respect Panamanian sovereignty but also ensure the reversion of the territory known as the Canal Zone to the Republic of Panama and put an end to the jurisdiction which the United States has exercised over the Zone. On the other hand, the United States has submitted claims which are extremely burdensome to the national existence of the sovereign territory of Panama and which bear no relation to the causes of the conflict which it is proposed to eliminate.

116. The Government and the people of Panama are deeply concerned about the contents and the substance of the new treaty, and also the justice which we seek from that new instrument in order to perfect our independence and, through peaceful means, put an end to the existence of an enclave under a foreign Government's jurisdiction in the heart of Panama, which is unjustified in this day and age.

117. The controversy that exists between Panama and the United States over the question of the Panama Canal Zone has become an explosive situation likely to endanger international peace and security, as has occurred in numerous cases, the most dramatic that of 9 January 1964.

118. Therefore, bearing in mind the time that has elapsed since the two countries assumed the solemn commitment peacefully and by common agreement to eliminate the causes of the friction in their relations, it is obvious that the Security Council has the power to study the matter. Since the United States, through its most authorized spokesmen, has expressed its readiness to conclude formal and specific agreements on the Canal Zone and the inter-oceanic canal, the draft resolution offers a constructive formula which might allow the Council, in exercise of the powers vested in it by Article 37, paragraph 2, of the Charter, to indicate ways by which the two parties can solve the problem.

119. Speaking now as PRESIDENT, I would say that the Minister for Foreign Affairs of Cuba, Mr. Raúl Roa, wishes

to make a statement. I invite him to take a place at the Council table and to address the Council.

120. Mr. ROA (Cuba) (*interpretation from Spanish*): Mr. President, I am grateful to you for calling on me in order that I may exercise the right of reply. I say in advance that I will be extremely brief.

121. The representative of the United States may claim or waive his right of reply to the alleged falsehoods and calumnies which, as he affirmed without reference to the record, I levelled against his country in page after page. They are not calumnies or falsehoods, but truths like daggers which are already recorded in history.

122. Evangelically, the representative of the United States permitted himself to appeal for compassion for the present situation of my country. Ironies of life. Compassion, infinite compassion—yes, that is what the North American people inspires in us today. It deserves a better fate in every respect than the tragic morass in which it has been sunk by its self-appointed leaders. What the people of Cuba, on the contrary, has inspired and continues to inspire, since it acquired the full exercise of its independence, sovereignty and self-determination, is respect, admiration and the solidarity of all the peoples of the world who aspire to build a free, decent and prosperous life which colonialism, imperialism and neo-colonialism have tried to obstruct down to our time.

123. I do not know whether or not the representative of the United States is aware that important sectors of the North American people—the best, doubtless—support and endorse the legitimate and noble aspirations of my people. I ask him not to perpetrate the injustice of confusing them with the runaway criminals and lackeys which his Government shelters and hires.

124. This is certainly not a copy of the Communist Manifesto that I am going to quote from. It is a copy of the Bible. I would wish that this book, which is at every bedside and in every home, hotel and office of the United States, including the Department of State, the Pentagon and the Central Intelligence Agency, might have its century-old voice heard in the Security Council. My quotation is:

“Beware ye of the leaven of the Pharisees, which is hypocrisy.

“For there is nothing covered, that shall not be revealed; neither hid, that shall not be known.

“Therefore, whatsoever ye have spoken in darkness shall be heard in the light; and that which ye have spoken in the ear in closets shall be proclaimed upon the housetops.”<sup>7</sup>

125. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of the United Kingdom who wishes to exercise his right of reply.

126. Sir Colin CROWE (United Kingdom): The representative of Guatemala has just made certain remarks about

<sup>7</sup> Luke 12:1-3.



British Honduras (Belize) which I fear I cannot let pass without comment, nor can I accept his account of the events of last year. My delegation did not raise this matter in the Security Council and I agree with him that it is not on the agenda of the Council, nor do we wish it to be. In reply to his remarks, I must, however, state that my Government has no doubt about its sovereignty in British Honduras (Belize). At the same time, I welcome and reciprocate what the representative of Guatemala had to say about the importance of a peaceful settlement. I fully share his hope that it will be reached in discussion between our two Governments.

127. The PRESIDENT (*interpretation from Spanish*): I now call on the representative of the United States, who wishes to exercise his right of reply.

128. Mr. SCALÍ (United States of America): In exercising my right of reply I will say only this. I have no desire to

prolong a useless debate with the representative of Cuba. His past accusations and the invective and bitterness which he has dressed them with are outdated as well as false. A new more peaceful world is dawning, a world of promise where co-operation and friendly discussion are the order of the day. My President, with a series of important diplomatic initiatives, has played a major role in creating this new atmosphere of understanding and hope. It is in this spirit that my delegation has come to participate in the discussions of this great body. So I would suggest that there be an end to the outmoded, tiresome language of the cold war. I suggest that he lift his sights from the dark subterranean world of plot and counterplot. Let us reason together in this Council as responsible men and women who are worthy of this new search for peace and harmony in every part of the world.

*The meeting rose at 5.50 p.m.*

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