



Security Council

PROVISIONAL

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ENGLISH

**PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
SEVEN HUNDRED AND FOURTH MEETING**

Held at Headquarters, New York,
on Thursday, 31 July 1986, at 4 p.m.

President: Mr. KASEMSRI

(Thailand)

Members:

Australia

Bulgaria

China

Congo

Denmark

France

Ghana

Madagascar

Trinidad and Tobago

Union of Soviet Socialist Republics

United Arab Emirates

United Kingdom of Great Britain and

Northern Ireland

United States of America

Venezuela

Mr. HOGUE

Mr. GARVALOV

Mr. LI Luye

Mr. GAYAMA

Mr. BRUCKNER

Mr. de REMOULARIA

Mr. DUMEVI

Mr. RAROTONDRABOA

Mr. ALLEYNE

Mr. SAFRONCHUK

Mr. SHIKIR

Sir John THOMSON

MR. WALTERS

Mr. AGUILAR

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The meeting was called to order at 4.35 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 22 JULY 1986 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/18230)

The PRESIDENT: In accordance with the decisions taken at previous meetings on this item, I invite the representative of Nicaragua to take a place at the Council table; I invite the representatives of Afghanistan, Cuba, Czechoslovakia, Democratic Yemen, El Salvador, Honduras, India, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Poland, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the United Republic of Tanzania, Viet Nam and Zimbabwe to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mrs. Astorga Gadea (Nicaragua) took a place at the Council table; Mr. Nengrahary (Afghanistan), Mr. Oramas Oliva (Cuba), Mr. Kulawiec (Czechoslovakia), Mr. Al-Ashtal (Democratic Yemen), Mr. Meza (El Salvador), Mr. Rendon Barnica (Honduras), Mr. Krishnan (India), Mr. Vongsay (Lao People's Democratic Republic), Mr. Treiki (Libyan Arab Jamahiriya), Mr. Gorajewski (Poland), Mr. Al-Atassi (Syrian Arab Republic), Mr. Oudovenko (Ukrainian Soviet Socialist Republic), Mr. Chagula (United Republic of Tanzania), Mr. Bui Xuan Nhat (Viet Nam), and Mr. Mudenge (Zimbabwe) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should like to inform members of the Council that I have received a letter from the representative of the Islamic Republic of Iran in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Rajaie-Khorassani (Islamic Republic of Iran) took the place reserved for him at the side of the Council Chamber.

The PRESIDENT: The Security Council will now resume consideration of the item on its agenda.

The first speaker is the representative of the Congo, on whom I now call.

Mr. GAYAMA (Congo) (interpretation from French): There are some alarmingly persistent subjects with which the Security Council is more or less regularly forced to deal because of its inability to exercise over them - not to mention over the parties concerned - the necessary authority that could, if not impose a just and lasting solution to them, at least lessen their negative consequences.

The problem President Daniel Ortega exposed to us last Tuesday is of this type. We considered one aspect of it in a debate held earlier this month, and that was not, unfortunately, the first occasion.

As things are going, one need not be clairvoyant to predict that this will not be the last time, ardently as we might hope to be mistaken in that prediction.

If we have correctly understood the motives invoked by the delegation of Nicaragua, it is a question of drawing the logical conclusions from the Judgment of the International Court of Justice of 27 June 1986 with regard to the "Military and Paramilitary Activities" in and against that country.

Who would not feel challenged by such a problem? Although pleased at the clear and concise expression of the problem made by the Court, which, as indicated in Article 1 of its Statute, is the principal judicial body of the United Nations, it is for that reason particularly regrettable to note the selectivity that taints the basic principle of recognition of the Court's jurisdiction on the part of certain States, some of them permanent members of the Security Council to whom the very creation of the Court is due.

Why are we pleased that the Court was seized of this matter and passed judgement upon it? The opinion of the People's Republic of the Congo is based on its choice in favour of the processes of peaceful settlement of differences among States as the means of preserving and promoting international peace and security.

(Mr. Gayama, Congo)

It goes without saying that that choice implies recognition of the sovereign rights of peoples and States freely to determine their system of Government or development. Because of the natural diversity in situations and in the economic, social and cultural experiences that make up today's world, including Central America, with its varied history of periods of numbing inaction and of creative revolutionary upsurges, it is useful to reaffirm the validity of such ideas as independence, sovereignty and self-determination.

It would therefore be only fair to allow the Managua Government to engage in the experiments and inescapable changes it has decided to make in Nicaraguan society without outside interference or constraint of any kind. To that extent, the Judgment handed down by the International Court of Justice, as well as the admissibility of the request introduced by Nicaragua, constitutes recognition of a genuine legitimacy that it would be ill-advised to question. Indeed, any reservation or selectivity cannot but severely damage the very structure of international law, which has vigour and credibility only to the extent that

"Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party", as stipulated in Article 94, paragraph 1, of the United Nations Charter.

In keeping with that principle, the Security Council is not passing judgement on the Court's Judgment. If there were reason to do so, it would be more appropriate for the Council to consider the attitudes and policies which, in the case now before it, are impeding the evolution of the Contadora process by hindering the achievement of the goals of peace by peaceful means.

Indeed, in the long run no one would be able to participate in an international system from which the primacy of law had been unseated in favour of the use of force and coercion. Were such a trend to gain strength, the attraction of the very notions of democracy and freedom would be weakened and would lead to

(Mr. Gayama, Congo)

all kinds of attacks on the fundamental norms for which the international community has gradually managed to win acceptance by those - individuals or States - who were using their differences as bases for co-operation rather than for opposition or conflict.

Three years ago, with the adoption of resolution 530 (1983) on the situation in Central America, the Security Council reaffirmed as one of the conditions for a settlement of the problems of the region, the right of Nicaragua and of all the other countries of the area to live in peace and security. It would not have been without interest had the Council undertaken a dispassionate evaluation of the measures needed to achieve conformity with that decision.

In order to do that once again, and having heard expressed the broad international sentiment of practically unreserved support for the efforts of the Contadora Group and the Support Group, we are of the opinion that the Central American question need not inevitably be a problem exclusively or principally involving Nicaragua and the United States.

Those two countries, whose history and geography pose no obstacle to the development of friendly and mutually advantageous relations, as evidenced by bilateral agreements signed in the past - such as the 1956 Treaty of Friendship, Commerce and Navigation - with a view to developing concord and trade between them, should, without any unnecessary conditions, resume talks designed to achieve the normalization of their relations, which would certainly remove the main obstacle to peace in the region.

By becoming further integrated into the Contadora negotiated peace process, American and Nicaraguan relations would, ipso facto, lose that autonomy that is so inimical to the concerns of diplomacy as one would like to see it practiced as an alternative to threats, confrontations and the clash of arms.

(Mr. Gayama, Congo)

Despite the sensitivity of the situation, and the explosive, special nature of its elements, my delegation remains committed to the logic of dialogue rather than to the logic of constraint.

By advocating "cessation of outside support for the irregular forces operating in the region", the "Caraball Message" laid down a positive framework that, in the opinion of the Congo, would be appropriate for attaining the peace and security so sorely needed by the people of Nicaragua and all those in the region.

Convinced that a policy of co-operation and good-neighbourliness is better than a policy of confrontation and suspicion, and better able to promote the achievement of the goals of freedom and democracy, we are certain that the Security Council will find in the communiqué issued by the Movement of Non-Aligned Countries urging a political, peaceful and negotiated settlement to the crisis in Central America, as well as in the appeal of the International Court of Justice, elements that, at this stage, can serve to avoid the irreparable and to ensure in that region of the world the over-all conditions so necessary for the guarantee of its progress and its independence.

Mr. DUMEVI (Ghana): My delegation has already paid a well-deserved tribute to you, Sir, for the excellent manner in which you have been steering the Council's work in this month of July. Even as the hour draws near to the end of your tenure of office, the Ghana delegation remains confident that you will continue to give useful guidance in the search for a solution to the problem before the Council.

Barely a fortnight ago, the Council considered what has become known in this Chamber as the United States-Nicaragua dispute. Since Tuesday, 29 July, the Council has, at the request of Nicaragua, been preoccupied with matters arising from the Judgment handed down on 27 June by the International Court of Justice in the case of the Military and Para-Military activities in and against Nicaragua.

The Ghana delegation had the privilege of listening to His Excellency Comandante Daniel Ortega Saavedra, President of the Republic of Nicaragua, and the Permanent Representative of the United States as they presented the cases of their respective countries.

The Ghana delegation, of course, has no difficulty in applauding the panel of eminent judges for their clear and unambiguous decision regarding fundamental principles of international law regulating the conduct of inter-State relations, significantly at a time when some Member States prefer the use of force to a peaceful settlement of disputes. By its decision the World Court has upheld the sovereign right of Nicaragua freely to choose its own political, economic and social systems and, impliedly, has rejected all forms of outside political and economic pressure on that country in its efforts to establish a new society based on historical experience. But behind all this, however, there is the crucial question: What should the Security Council do? Although the Ghana delegation has no specific proposals to make at this stage, it seems to us that the solemn duty of the Council is to urge the two parties to resume a serious political dialogue.

(Mr. Dumevi, Ghana)

From the statement of the two spokesmen, it would seem that Nicaragua has once again repeated its willingness to enter into a serious political dialogue with the United States. In fact, President Daniel Ortega Saavedra, was quite clear on this:

"Today, as in the past, we repeat that we do not want confrontation, that we have come before the Security Council not to insult the Government of the United States but rather to seek peace and respect international law; to seek a peaceful and honourable solution to our differences." (S/PV.2700, p. 17)

Unfortunately, although the United States representative has expressed his Government's intentions to find a peaceful solution, they have been hedged around with so many restrictions that no one can be quite sure of the seriousness of those intentions. The Security Council, in our view, should urge all the parties to the dispute to seize upon this opportunity to work together to find a fundamental solution to their differences. The World Court itself has in its Judgment strongly urged a political dialogue as the only sensible means of solving the problem.

Central America continues to be an area of conflict and turmoil with serious implications for international peace and security. The search for a peaceful solution through the Contadora process deserves the full support of all; it should not be undermined by acts of sabotage and the destruction of infrastructure, calculated to cause harm to the economy of Nicaragua with a view to overthrowing its Government. The efforts of the people of Nicaragua to establish a society which truly reflects the realities of the historical experiences of Nicaragua must be supported. Any attempt to place difficulties in their way or to overturn Nicaragua's popular aspirations would only result in conflicts.

The PRESIDENT: The next speaker is the representative of Honduras. I invite him to take a place at the Council table and to make his statement.

Mr. RENDON BARNICA (Honduras) (interpretation from Spanish): Sir, may I begin by saying how happy my delegation is at seeing you once again presiding over the debates of the Council this month. Your high personal qualities and great diplomatic skill guarantee the success of the task which has been entrusted to the Council. I should also like to congratulate you on the recent elections which have taken place in your country, which is a further reaffirmation of your people's dedication to a pluralistic, democratic and representative system.

My delegation deems it appropriate to take part in this debate because we believe that the question before the Council is closely related to the present situation in Central America. We believe that the statements made by the delegation of Nicaragua on Tuesday, 29 July, do not reflect and do not give us the details of the real aspects of the situation which prevails in the region, because once again they take a unilateral approach which distorts the political and security issues in Central America.

Similarly, we consider it necessary to participate in the debate of the Council since the Government of Nicaragua, on Monday, 28 July, submitted to the International Court of Justice an unproductive request for a ruling against the Government of Honduras.

Given that initiative, it is no longer surprising that the Government of Nicaragua is attempting to turn the highest judicial organ of the international community into a political forum and also wants to transform the Council into a free propaganda apparatus serving its own nefarious interests.

Nor is it surprising that the Government of Nicaragua claimed to be the only country ready to sign the last version of the Peace Act, giving the impression of true devotion to the Contadora initiative while other parties to this process lack the political will to support it. Nevertheless, the Contadora peace initiative has encountered a number of problems, owing fundamentally to the intransigence of the

(Mr. Rendon Barnica, Honduras)

Sandinista Government which refuses to accept verifiable commitments to internal reconciliation, democratization and disarmament, or to give up its alliances with anti-democratic, extra-continental Powers.

While four Central American countries have achieved democracy, seeking a brighter future for our people, in peace and freedom, our efforts are being undermined by the policies pursued by one of the Governments in the area which, instead of playing a constructive role in the elimination of the obstacles to development, has caused serious internal division in its country, the political, economic and security effects of which are being felt in Honduras and other Central American countries.

(Mr. Rendon Barnica, Honduras)

In fact, the internal conflicts which remain unsolved in Nicaragua and the arms race undertaken by that country have considerably changed the security balance which existed in Central America and which was a factor of peace.

Even though it is already armed to the teeth, Nicaragua states that it will further increase its army from 200,000 to 300,000 men - a force unprecedented in the area, causing neighbouring countries to feel seriously threatened. Nicaragua's alignment with extracontinental totalitarian Powers constitutes an additional threat to the security of its neighbours and to their political systems. Nicaragua is responsible for that part of the East-West conflict which is all too apparent in the present Central American situation.

No one can ignore the unlawful actions fomented by the Sandinista Government against other Central American countries. In the specific case of Honduras, not only does Nicaragua infiltrate subversive groups into Honduran territory in order to incite guerrilla warfare against the established democratic Government, but it is training those insurgents to destabilize other democratic Governments in the region. Nicaragua has also committed innumerable direct violations against the sovereignty and territorial integrity of Honduras, the most blatant, perhaps, being the recent incursion in March of this year, when approximately 1,500 Sandinista soldiers penetrated 25 kilometres inside our national territory, a fact which was acknowledged by President Daniel Ortega Saavedra himself, when he said here that they had suffered casualties during the Sandinista incursion.

We recall that serious, unprovoked incident perpetrated by the Sandinista People's Army with growing concern, as we have heard that in recent days concentrations of Sandinista troops have formed in various parts of our common border and are acquiring such proportions as to threaten to bring about a deterioration in the normal relations of respect between the two countries. The situation is further complicated by the fact that these concentrations of troops

(Mr. Rendon Barnica, Honduras)

are causing local Honduran peasants to flee inland from this danger to their lives and property.

The pursuit of aggressive, threatening policies has been obvious also in Nicaragua's support for all types of terrorist movements which, on our territory, have engaged in countless kidnappings, bombings, skyjackings, sabotage and other violent acts against our citizens, our enterprises and the very Government of Honduras.

These policies have brought about popular unrest in Nicaragua and the appearance of insurgent groups of Nicaraguans which are fighting the abuses of the Sandinista Government. But the internal conflict in Nicaragua is not contained within its borders and leads to additional tension with neighbouring countries: the Sandinista Government has been carrying out a policy of disrupting border settlements and persecuting indigenous Nicaraguans of Miskito origin, thus creating a mass exodus of refugees towards neighbouring countries.

Is this not a clear-cut expression of a policy of persecution and repression by a totalitarian régime? More and more Nicaraguan refugees are trying to escape the conditions in their country and the abridgement of their civil and political rights and their freedom. Their presence in Honduran territory now numbers more than 40,000 people.

The internal conflict in Nicaragua has further led to the displacement of thousands of Honduran peasants who had been living in the border area. The Sandinistas enter our territory and kidnap, mistreat and kill our citizens. They lay mines on Honduran territory through which civilians travel. They throw grenades and attack Honduran villages with artillery fire. Nicaragua is thus violating international law and breaching the legal order with which it is supposed to comply. Yet it portrays itself as a victim of countries which have neither totalitarian nor expansionist goals, as do Nicaraguan leaders - as they themselves admit.

(Mr. Rendon Barnica, Honduras)

I should like here to refer to the four conditions established by the 17th consultative meeting of the Organization of American States in its resolution of 23 June 1979, regarding the solution of the internal crisis in Nicaragua. Those conditions are:

First, the immediate and definitive replacement of the Somocista régime.

Secondly, the establishment of a democratic government in the territory of Nicaragua whose composition shall include the main representative groups that opposed the régime of Somoza and that reflect the free will of the people of Nicaragua.

Thirdly, the guarantee of respect for human rights for all Nicaraguans without any exception.

Fourth, the early holding of free elections, leading to the establishment of a truly democratic government that will guarantee peace, freedom and justice.

With the exception of the first condition, the others remain valid and have not been complied with despite the statements of the delegation of Nicaragua made here two days ago to the effect that the policy of Nicaragua will continue to be one of respect for its international commitments.

Nor can we forget the consequences of the principle contained in article 3 (d) of the charter of the Organization of American States, in accordance with which:

"The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy."

This principle reflects the interdependence which exists between democracy and peace and whose full application is becoming increasingly urgent in Central America. The effects of the progressive hardening of the Sandinista Government results in new violations to human rights, which are well known to the

(Mr. Rendon Barnica, Honduras)

international community, the most recent ones being the expulsion of Bishop Vega and Monsignor Carballo, the drafting of seminary students, the closing down of the Catholic radio station, the freezing of Church bank accounts, the confiscation of Church property, the occupation of protestant churches and the persecution of Jews.

Nicaraguan repression has also led to the closing down of the newspaper La Prensa, whose President is Mrs. Violetta Chamorro, former member of the Junta of National Reconstruction. Mrs. Chamorro stated on Wednesday, 23 July, that "the Sandinista Party has already established a great concentration camp, which is Nicaragua." Those who are not in that concentration camp have fled in panic or have been expelled by the Sandinista Government in its intolerance, to become stateless. The Sandinista Government cannot deny its direct responsibility in the regional crisis.

Despite the tension in the region, Honduras had succeeded in maintaining internal and external peace. We have been able increasingly to consolidate our democratic system in a spirit of freedom, justice and hard work. In our foreign policy we have been able to maintain our goal of preserving internal peace and protecting the Honduran people from the scourge of war.

We believe that peace is a sine qua non for economic, social and political development and effective international co-operation for development. Hence, we aspire to a democratic peace in Central America, guaranteed by laws - a stable and secure peace for all peoples in the region, a peace which will not be constantly breached by violence generated by the struggles which occur in certain countries or which stem from world tensions.

(Mr. Rendon Barnica, Honduras)

Thus, on Monday, 28 July, the Honduran Minister for Foreign Affairs informed the mass media of the outcome of the meetings held on 25 and 26 of that month with the Ministers for Foreign Affairs of Costa Rica, El Salvador and Guatemala in the City of San Salvador, with a view to fostering the continuation of open and frank regional negotiations, which would of course include the Minister for Foreign Affairs of Nicaragua, in order to begin a new rapprochement which might result in the adoption and implementation of commitments ensuring democratic peace and security in the region.

In the light of the recent initiative of the Government of Nicaragua before the International Court of Justice against my country, my Government is compelled to take another look at the diplomatic steps that it was ready to take and would have represented a meaningful initiative to render viable a political solution of the situation in Central America.

Honduras is a country devoted to peace and democracy. We have always shouldered our national and international responsibilities to ensure harmonious coexistence in the region. The Nicaraguan régime seems to realize that it, too, has certain responsibilities in the national and international order and that it must comply with them to maintain peace, restore the right of its own people and help it find self-determination. The mutual observance of obligations by States is an essential and unrenounceable rule.

The PRESIDENT: I thank the representative of Honduras for the kind words he addressed to the presidency.

The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): Sir, your presidency of the Security Council brings great pleasure and satisfaction to all your friends. I am greatly enjoying this pleasure. I congratulate you on this occasion and wish you success in the performance of the heavy but delicate task of presiding over the present series of Council meetings, convened to deliberate the perennial problem of the international community, namely, United States foreign policy.

Your predecessor, Ambassador Blaise Rabetafika of Madagascar, had the same problem during his term of office. He had to preside over meetings where United States aggressive policies were deliberated and he, too, discharged his duties very ably and to the complete satisfaction of us all. I therefore wish to express my delegation's appreciation for his ability and performance.

As is known, the Security Council and, in a broader sense, the entire international Organization have only one serious problem - imperialism. Among the manifold and variegated aspects of imperialism, there is the serious and crucial case of American imperialism. In the policy of American imperialism there exists a particular administrative error, that of the present Administration, which itself is unique in its perversion and Satanism, so much so that even United States senators must cry out, as they actually do, that they are ashamed of their national identity because of the policies policies being pursued by their Administration.

It is not necessary to quote the exact words of Senator Biden of Delaware. That United States Senator who made such a strong and powerful criticism of his Government did not do so in his personal capacity: he made a point on behalf of millions of American citizens who had voted for him. This means that the good American people also are ashamed of their Administration's policies. In other words, they are ashamed of the same policies that are openly and speciously vindicated by the United States representation here.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

I was fortunate to be able personally to attend the anniversary celebrations of the Sandinista Revolution on Sunday, 20 July 1986. I saw for myself what the Reagan Administration also sees but deliberately denies and does everything to destroy. I also met a good number of Americans from all walks of life, and especially an unusual number of university professors and knowledgeable academics who have come to admire that small but solid and powerful political entity which is standing upright on the ruins of the Somoza régime. Those objective, learned, United States scholars, too, are ashamed of the foreign policy of their present Administration.

On the Saturday of my trip I travelled to cities outside the capital. I saw open markets. I saw the country's economy. I saw the churches, those built long before the revolution and those built after the revolution; they were not only open but also quite crowded. I saw that the Sandinista Revolution is a genuine Nicaraguan one, not a communist revolution transplanted to Nicaragua - contrary to what United States officials claim. I realized that the present United States Administration was lying to the American people.

I could also see why the greatest and most powerful empire of the world - the American empire - is afraid of the Sandinista Revolution: it is afraid of it because it conveys the message of struggle and freedom and teaches the lesson of resistance and liberation. That is what the United States Administration is afraid of, not the military force of a country whose entire population is less than one fifth the population of the state of New York.

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

Last night one of the television programmes was telling the American public that child abuse alone claims the lives of at least 2,000 American young children every year. This number, like the other crime statistics of American society, is constantly increasing. If the United States Administration really cares for the American people, it should see to the dangers inside the United States instead of trying to divert public attention from the internal filth and misery to other countries.

It is probably time for the political leaders of the United States to really see where they are and what they are doing instead of putting their noses into every pot all over the world. They must sooner or later awaken to the fact that other nations just do not like them. They have all the technology, all the regalia of modernism and materialism; yet the poor people of the third world just do not like them. The people of the third world are scrupulous in selecting only certain aspects of American culture. But they do not want to follow the American models, and definitely never the American policies.

Imperial, illegitimate interests are behind every definition of the American Administration. The humanitarian values of the good-hearted American people of the past are now exploited in attacking other nations, which are charged with the violation of human rights, whereas the same American Government remains loyal to the apartheid régime.

American officials preach the peaceful settlement of disputes, and yet they launch a military attack on Libya. Sanctions against South Africa, they claim, are not justified or constructive. And they veto sanctions which the whole world adopts, whereas they impose sanctions against Nicaragua, which the whole world rightly forbids. They impose a war of aggression on us, and when we defeat the aggressor enemy, they hypocritically plead for peaceful negotiations. Nicaragua is

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

always prepared for the peaceful resolution of whatever issues the United States wants, but United States officials believe that the military operations of the contras constitute the only solution.

I have never seen a system so committed to wrongdoing, to contradicting reasonableness and common sense as the Administration of the United States. It sends hay to the American farmers in the drought-stricken states of the South, but it sends millions of dollars of the American budget to the contras. I believe reason dictates that probably the hay should go to the contras and the money to the American farmers.

Why does the United States Administration advise the Palestinians to negotiate with the Zionist aggressors but itself not negotiate with the genuine and legitimate Government of Nicaragua? Why this double standard and hypocrisy and lying? The answer is simply that arrogance and corruption go together. Arrogant Powers use freedom of speech for the propagation of pornography, and the immorality of economic sanctions for the prolongation of apartheid. The letter of human values is always used by global arrogance to violate and trample upon the essence of all human values. And that is exactly how the International Court of Justice is played with by the United States Administration.

The United States was once a staunch advocate of multilateralism and the international Organization. In those days, American officials were day-dreaming of a global government with its headquarters in New York under the influence of the United States of America. But when the reality of the history of the international Organization proved to be slightly different from their expectations, the same international body is very bad and it does not deserve the budget the United States Administration had promised it. And therefore they do not meet their financial commitments to the international body. They veto the verdict of the Security

(Mr. Rajaie-Khorassani, Islamic
Republic of Iran)

Council, and they reject the decision of the International Court of Justice. They also impose sanctions against Nicaragua and a war of aggression on others. This is the consequence of the corruption that is governing the value system of the American policy-makers.

By all these observations, my delegation wishes not only to declare the support of our Government for the revolutionary Government and people of Nicaragua against the aggressive and inhuman policies of the United States, but also to draw a broader conclusion: that unless United States officials seriously reconsider the whole machinery and criteria of their behaviour, they will never be able to have an honourable status in the world.

The destruction of facts and the confusion of events by the imperialist media were able to serve as a useful instrument in the hands of global arrogance for only a limited period, and only while the satanic role of the media was not exposed to the world - but not now. American policy-makers must go back to law-abidingness, honest policy-making and the fair treatment of others before being forced to do so by the oppressed people.

The PRESIDENT: I thank the representative of the Islamic Republic of Iran for the kind words he addressed to me.

The next speaker is the representative of El Salvador. I invite him to take a place at the Council table and to make his statement.

Mr. MEZA (El Salvador) (interpretation from Spanish): Mr. President, I should like to thank you for giving me this opportunity to speak again during these meetings of the Security Council. In my earlier statement I said that the conclusions of the Court on Nicaragua's conduct vis-à-vis El Salvador create confusion if we are to make an objective analysis of the situation of my country. Some speakers, in referring to the conclusions of the Court, attempt to demonstrate that Nicaragua bears no responsibility nor does it interfere in any way in the internal affairs of El Salvador.

But it is my duty to insist - and I shall do so as many times as necessary - that we, and other Central American countries, on the basis of specific facts and examples, which I believe are not unknown to many Members of this Organization, are well qualified to attest, as the representative of Honduras has just done, to the aggressive policy being pursued by the Managua régime in Central America. Therefore, we repeat our rejection of the conclusions of the Court on the ground that the case considered by the Court does not refer to Nicaragua's relations with the rest of the countries of Central America or to Nicaragua's interference in the internal affairs of El Salvador. As has been argued by some speakers, those conclusions spring solely from an incomplete analysis and review of the situation.

We might well have lodged a complaint against Nicaraguan aggression. We have refrained from doing so only out of our desire to maintain a policy of respect for the order which must prevail in the various forums and mechanisms established for the peaceful settlement of disputes, including the Contadora process. We continue to hope that Nicaragua might change its attitude and try to reconcile its own interests and rights with those of the rest of the countries of Central America within the framework of respect for the principles of peaceful coexistence.

(Mr. Meza, El Salvador)

Moreover, although we have not asked any country to come to our defence, we have invoked the right to request whatever assistance we deem necessary to defend our identity, institutions, independence and sovereignty in order to maintain autonomy in our decisions on the manner in which we should counter any kind of aggression or interference in Salvadorian internal affairs.

I should like to point out in conclusion that there are many kinds of intervention and aggression. One such form has been Nicaragua's actions against El Salvador, which can be understood only when one is near the scene of the events, or taking part in them. Many countries adopt unrealistic, subjective positions and criteria, even though they are many miles removed from the scene; their biased views are based on their specific, well-known ideological and political interests.

Mr. RAKOTONDRAMBOA (Madagascar) (interpretation from French): The situation in Central America continues to be of deep concern to the international community. On the one hand, the risks of foreign meddling and intervention are growing at an alarming rate; on the other hand, the efforts of the Contadora Group and the Support Group to seek a negotiated political solution seem paralysed. This brief picture of the situation emphasizes the importance of the Judgment handed down by the International Court of Justice on 27 June in the case of the Military and Para-Military Activities in and against Nicaragua, in which the Court by a wide majority of its members decided that the United States of America has, against the Republic of Nicaragua, violated a certain number of obligations imposed upon it by customary international law.

We had the honour and privilege of hearing the statement of Comandante Daniel Ortega Saavedra, President of the Republic of Nicaragua, here in the Council. We listened with interest and attention to his description of the situation in the region.

(Mr. Rakotondramboa, Madagascar)

My delegation has had frequent occasion to express Madagascar's position on the political situation in the region, but we wish to emphasize our commitment to the full exercise of sovereignty by all States in the region without foreign meddling or interference and on the basis of mutual respect for their inalienable right to freely choose their political, economic and social system.

Those principles, moreover, were reaffirmed by the Council when, in resolution 562 (1985) of 10 May 1985, inter alia, it called upon all States to refrain from carrying out, supporting or promoting political, economic or military actions of any kind which might impede the peace objectives of the Contadora Group. Unfortunately, those preventive measures advocated by the Council were ignored. The acts of foreign interference in the affairs of States in the region increased in various forms, obliging the Government of Nicaragua to go to the International Court of Justice.

The Council has already heard the observations of numerous delegations on the Judgment handed down by the International Court of Justice on 27 June 1986. I should like to confirm in that regard the views already expressed by my delegation in a statement before the Council on 3 July of this year. My delegation, moreover, would like to emphasize two essential points:

First, the Court has clearly recognized that the United States of America has violated, by its activities with regard to Nicaragua, its obligations under customary international law;

Secondly, the Court recalled

"to both Parties their obligation to seek a solution to their disputes by peaceful means in accordance with international law." (S/18221, para. 16).

(Mr. Rakotondramboa, Madagascar)

In the light of these facts, the Council can only amplify the conclusions of the Court, first, by denouncing as contrary to the principles of international law, as well as to the goals of the United Nations Charter, any direct or indirect meddling or interference in Nicaragua's internal affairs and any resort to force in violation of its sovereignty; secondly, by breathing new life into the efforts of the Contadora Group and the Support Group in order to facilitate a peaceful settlement of the problems in the region.

This action by the Council, consonant with the exercise of its responsibilities in matters of peaceful settlement of disputes, will contribute to specifying the international consensus on the need to settle the problems of Central America, thereby favouring the conclusion of an agreement on peace and co-operation in the region. At the same time, we will have demonstrated before international public opinion our firm determination to demand respect by all States for the obligations incumbent upon them under the Charter in the conduct of their international relations. We will also have satisfied Nicaragua's legitimate request to make the United States comply with the decision of the International Court of Justice. Finally, we will have promoted the establishment of a climate of stability and confidence in the region, a condition for any dialogue among the parties concerned.

Mr. Li Luye (China) (interpretation from Chinese): Having listened attentively to the statement made by His Excellency President Daniel Ortega Saavedra of Nicaragua and the statements made by representatives of other countries, the Chinese delegation wishes to make the following observations concerning the issue currently under consideration by the Council.

First, the Chinese Government holds that non-interference is an important principle in international law. By providing military and other aid to the anti-Government armed forces in Nicaragua, the United States has infringed on the

(Mr. Li Luye, China)

sovereignty of that country and violated international law and the norms guiding international relations. The Chinese Government opposes the acts of interference in the internal affairs of Nicaragua and hopes that the United States Government will respect the ruling of the International Court of Justice.

Secondly, the Chinese Government has emphatically pointed out on numerous occasions that the key to the relaxation and elimination of tension in Central America lies in the removal of all outside interference. China maintains that the independence, sovereignty and territorial integrity of Nicaragua and the other countries in the region should be respected and that the problems among the countries in the region should be settled by the people of these countries themselves. The problem between the United States and Nicaragua should be solved through peaceful negotiations on an equal footing.

Thirdly, the unremitting efforts by the Contadora Group and the Support Group for the realization of peace in Central America have won extensive appreciation and support from the international community. The Chinese delegation hopes that the countries concerned will refrain from taking actions that may further aggravate the situation in Central America and will abandon all policies of interference so as to enable the Contadora Group and the support group to achieve the desired results in their endeavour for the realization of peace and stability in the region.

Mr. AGUILAR (Venezuela) (interpretation from Spanish): In our statement made on 1 July last, we were pleased to be the first in congratulating you, Sir, on your assumption of the presidency of this Council during this month, and today, the last day of your term, we have an opportunity to thank you on the excellent manner in which you have presided over our work.

On this occasion I have a very sensitive task to perform, for I have been given the honour of speaking on behalf not only of Venezuela, but of the other

(Mr. Aguilar, Venezuela)

members of the Contadora Group - Colombia, Mexico and Panama - and of the members of the Support Group - Argentina, Brazil, Peru and Uruguay.

However, we find comfort in the fact that the position of the Contadora and Support Groups has been clearly set forth in numerous documents widely circulated as official documents of the Assembly and the Security Council. Moreover, the purposes and principles that are the basis for the Contadora initiative are the same ones for which Latin America has fought ever since the days of its independence at the beginning of the last century.

It is a well-known fact that Latin American countries have always attached great importance to the principles of self-determination, non-intervention, respect for the sovereignty and territorial integrity of States, renunciation of the threat or use of force in relations among States, and the peaceful settlement of all international disputes.

All these principles are enshrined in the United Nations Charter and in the charter of the Organization of American States (OAS), and, in accordance with the decision of the International Court of Justice of 27 June 1986, today they represent norms of customary international law. It is well to recall, however, that they are all deeply rooted in the conscience of our peoples; they are the outcome of a long process of struggle by our countries to have them incorporated in American international law and international law in general. This is not the time to engage in a detailed account of these efforts which began many years ago at the Congress of Panama in 1826 and are continuing to this day. Suffice it to say that such principles are the basis of our concept of international relations, as demonstrated by the uninterrupted flow of international documents and instruments in which these have been reiterated time and again.

(Mr. Aguilar, Venezuela)

It is therefore not surprising that Latin American countries in general have systematically condemned any action that represents a violation of such principles, regardless of political or ideological motivations or opportunistic considerations.

(Mr. Aguilar, Venezuela)

The Contadora initiative is also inspired by other principles which are so dear to the Latin American countries and which are today enshrined in the charter of the Organization of American States. Some of these principles are the following: international law is the standard of conduct of States in their reciprocal relations; international order consists essentially of respect for the personality, sovereignty and independence of States, and the faithful fulfilment of obligations derived from treaties and other sources of international law; good faith shall govern the relations between States; the solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy; and the proclamation by the American States of the fundamental rights of the individual, without distinction as to race, nationality, creed or sex. Those principles are taken from article 5, paragraphs (a), (b), (c), (d) and (j) of the charter of the Organization of American States.

It is not necessary at this time to state again the objectives of the Contadora Group and what it has done so far to achieve peace in Central America. Very complete information in that respect is contained in the statement made on 12 January 1986 in Caraballeda, Venezuela, on peace, security and democracy in Central America; in the communiqué issued in Punta del Este, Uruguay; and in the Panama message dated 7 June 1986. Those are only the most recent documents, and they have been circulated as documents of the General Assembly and the Security Council. Nor is it necessary at this time to quote from or comment on the Contadora Act for Peace and Co-operation in Central America, dated 6 June 1986; its text is also well known to all. It is, however, appropriate to recall that in the letter of 26 June 1986 addressed to the Secretary-General of the United Nations by the Minister for Foreign Affairs of Colombia, the Secretary for Foreign Affairs of Mexico and the Ministers for Foreign Affairs of Panama and Venezuela, they reiterate

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"to the countries of the region and to those with ties and interests in the region the steadfast determination of our Governments to lend their good offices to all parties involved in these commitments". (S/18184, p. 10)

There is no doubt that the support given the Contadora initiative by the General Assembly, the Security Council and many States from various regions of the world has been a powerful form of encouragement for its actions to achieve peace. That support is extremely valuable, and we are very pleased and encouraged by the references made by the International Court of Justice to the Contadora peace efforts in its Judgment of 27 June 1986. In paragraph 291 of that Judgment, the Court states that it could not but take cognizance of this effort, which it says "merits full respect and consideration as a unique contribution to the solution of the difficult situation in the region".

Further on in the paragraph, the Court states that

"The work of the Contadora Group may facilitate the delicate and difficult negotiations, in accord with the letter and spirit of the United Nations Charter, that are now required"

and recalls to the parties to the case

"the need to co-operate with the Contadora efforts in seeking a definitive and lasting peace in Central America, in accordance with the principle of customary international law that prescribes the peaceful settlement of international disputes". (S/18221, para. 291)

We do not wish to enter into a detailed analysis of the decision of the International Court of Justice, which clearly deserves careful study. We would only say that we are also pleased that the Court has based its decision on the principles to which reference has already been made - the principles of

(Mr. Aguilar, Venezuela)

non-intervention, prohibition of the threat or the use of force, and respect for the sovereignty of States - which the Court describes as existing obligations under customary international law.

But, at this time, it is more important to emphasize - as preceding speakers have done - the appropriateness of dialogue between all the parties concerned and the readiness of the Contadora Group to continue to leave no stone unturned in its effort to achieve a peaceful, negotiated solution to the problems of the region.

We therefore urge all the States involved to lend their support to the efforts being made within and outside the United Nations to lessen tensions and resolve the conflict. All States, large and small, must share this interest in the real and effective application of the international legal order, which clearly implies compliance with the applicable rules of the Charter and the other relevant legal instruments.

In conclusion, I should like as representative of Venezuela to quote the following references made to the present item by the President of my country, Mr. Jaime Lusinchi, in his statement to the country on 5 July last, the anniversary of our national independence:

"The countries of the Contadora Group and the Support Group have engaged in tireless efforts to lessen tensions in the area, to keep open the channels of dialogue and to ensure that reason prevails over force and intransigence. We have not acted out of quixotic motivations, but in accordance with a cool-headed and well-thought-out analysis of the roots of the conflicts that beset the region and the factors affecting them, convinced that warlike options, which may sometimes be tempting in the short term, invariably encourage continued instability and the emergence of new and more acute confrontations in the future. The Contadora initiative is new in Latin

(Mr. Aguilar, Venezuela)

America, but there are precedents in other parts of the world, where subregional co-operation organizations have been set up with a view to containing and minimizing conflicts in their respective geographical areas, to controlling the intervention of outside elements, and to facilitating equitable solutions and preventing the increase of tensions. The success or failure of such initiatives can be measured in terms both of space and of time. Venezuela's objectives continue to be the same: to avoid war and promote peace in a democratic context. Thus, we shall continue this quest, convinced that only by means of multilateral action can we have a true influence on events in the area. We aspire to the achievement of solid guarantees for democracy and freedom in the region with the same firm will with which we reject war and any form of warlike intervention."

The PRESIDENT: I thank the representative of Venezuela for his kind words addressed to the presidency.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall take it that that is the case.

There being no objection, it is so decided.

Before putting the draft resolution to the vote, I shall call on those members of the Council who wish to make statements before the voting.

Sir John THOMSON (United Kingdom): Mr. President, it is a particular personal pleasure for me to sit under your chairmanship. There is an especially warm relationship between the royal families in our two countries, and you and I share many friends and many roots. I believe that all my colleagues here would agree that you are the most elegant of us - and by that I mean not only personally, but also politically. Your professional diplomatic skills are outstanding.

It is also my pleasure to thank, on behalf of my delegation, the Permanent Representative of Madagascar and his Deputy for the able and even-handed way in which they conducted the affairs of the Council last month.

On the motion of Nicaragua we have discussed the problems of Central America a great many times in the last four years. Indeed, we had a debate on this subject only three weeks ago. Having listened to the present debate, I have found little in it that is different from its predecessors. We have had the familiar parade of speakers from the same camp voicing a variety of complaints, some of which have nothing to do with Central America and some of which, I regret to have to say, have nothing to do with the truth. Most of the speakers have referred to the one potential new element in our seemingly endless debates, namely, the Judgment of the International Court. But I have to say that it is depressing to find that, in this long list of speakers stretching over three days of debate, I represent only the fourth country which accepts the compulsory jurisdiction of the International Court of Justice. We are not convinced by arguments coming from countries that have not matched and have not even tried to match our record of respect for the International Court of Justice. I am not surprised that some of those countries refuse to accept the compulsory jurisdiction of the Court because, if they did so, they would speedily stand condemned.

I want to put aside the clouds of irrelevancies and insincerities that have hung over this debate and to deal with the two real issues which should concern us.

(Sir John Thomson, United Kingdom)

I will take first the Judgment by the International Court of Justice. I will not here go into the merits of the arguments which were put before the Court, though I must note that there was significant dissent within the Court to some of the decisions which it took. But I do wish to reaffirm my Government's support for the International Court of Justice and for the rules of international law which it is the task of the Court to uphold. We have very strong views on these matters. To illustrate, I will quote a few sentences from my statement in this Council on 4 April 1984. I said:

"I wish to make it quite clear that the United Kingdom deplores the mining of Nicaraguan waters. ... Our position is well known and consistent: as a maritime nation, we are committed to freedom of navigation, including innocent passage through the territorial sea and access to foreign ports for peaceful trade.

"We deplore any threats to navigation, whenever and wherever they occur." (S/PV.2529, pp. 77, 78)

I recognize that we are the only permanent member of the Security Council to accept the compulsory jurisdiction of the Court. This is a pity. Naturally, it would in our view be right that all Members of the Organization should accept the compulsory jurisdiction of the Court. I hope that we can work towards that outcome. We would have liked the draft resolution before us to stress this point, though it would, of course, be opposed by some delegations. Nevertheless, it remains my delegation's position that others should adopt and act on the same obligations as we have adopted and acted upon.

I turn now to the second issue before us, namely, the familiar problems of Central America. I must begin by saying that my delegation does not accept the formulation in the letter from the representative of Nicaragua which figures on our

(Sir John Thomsen, United Kingdom)

agenda. That letter lays primary stress not so much on the Judgment of the International Court of Justice as on the dispute between the United States and Nicaragua. It is in our view a misrepresentation of the problem to define it simply as a dispute between those two countries.

The problem of Central America, in our view, has many roots. We recognize that some of these are grounded in social and economic conditions which have existed in the area for many years. But we also believe that the situation has been exploited by States outside Central America that have little respect for democracy and little desire to help restore genuine political stability in that troubled area.

Within the area itself there have been faults on all sides. Although the International Court of Justice was not concerned to go into the details of the entire Central American problem, it nevertheless recognized that there had been cross-border incursions from Nicaragua against its neighbours as well as vice-versa. All these difficulties have been compounded by the inability of the appropriate regional organization, namely, the Organization of American States, to find a solution.

The fact that the Organization of American States has not been able to do more has been due primarily to the reluctance of Nicaragua to accept its authority. But it has also been due to the very complexity of the problem. That complexity makes it inappropriate to try to single out for separate consideration a small part of the total problem, as the Nicaraguan letter before us attempts to do.

The problem is political, and it is a political solution that must be found. It must be dealt with as a whole. This is the great merit of the notable efforts which have been made by the Contadora Group and the Contadora Support Group.

We have made it clear that we do not consider the problems of the region can be resolved by armed force and we have consistently urged restraint on all sides.

(Sir John Thomson, United Kingdom)

We are convinced that the best hope of bringing about a solution lies in the signature of a comprehensive agreement based on the 21 Contadora objectives and subject to adequate verification and control. On 20 January 1986 the Twelve States members of the European Community issued a message in which they said, inter alia:

"The Twelve welcome the fact that the message of Caraballeda contains concrete steps and measures designed to generate a climate of confidence and to further the negotiating process.

"The Twelve note that the countries of the Contadora Group and its support Group are offering their good offices to promote actions which they consider of vital importance for the achievement of peace, security and democracy in central America. As at the Luxembourg Ministerial Meeting in November 1985, the Twelve reiterate their continued whole-hearted support for the Contadora peace initiatives and they express their willingness, if called upon, to provide appropriate assistance to those involved in these efforts."

To be sure, the Contadora process is an ambitious one: in seeking to reconcile the national-security interests of the five States of Central America, each of which has a distinct set of needs and circumstances, it has a daunting task. Moreover, one of its major objectives is to establish an effective pluralist democracy in countries which, Costa Rica apart, have had little experience of it. As the Secretary-General has only recently pointed out, the recent elections in Guatemala and Honduras, which we welcome and applaud, are positive developments in an otherwise gloomy situation.

(Sir John Thomson, United Kingdom)

We regret that at the very moment when some Central American countries have been making progress towards this goal, Nicaragua has been taking steps in the opposite direction. We remain convinced that to prevent further deterioration of the situation in the region, all the Central American States, including Nicaragua, must demonstrate the necessary political will to reach agreement on the basis of the 21 Contadora objectives.

We note Nicaragua's declared willingness to sign the Contadora Act. But Nicaragua's actions over the past year and more have given a strong impression of selectivity in its approach to the commitments needed to make a reality of the Contadora principles. I have in mind in particular a commitment to genuine democracy; respect for its neighbours' rights to security and non-interference; and to genuine and verifiable reductions in the level of its armaments.

Nicaragua's recent acquisition of more military hardware, notably several MI-8 and MI-17 combat helicopters from the Soviet Union, can only increase the genuine concern of its neighbours and others. We are also concerned about other recent actions by the Nicaraguan Government. I refer to the recent tightening of the implementation of the state of emergency in Nicaragua which now encroaches seriously upon individual liberties and the expulsion of leading religious figures. We should not be blind to the distressing fact that the screw is being tightened in Nicaragua. Freedom is being suppressed. Political parties may only hold meetings with permission of the Government.

Last, but by no means least, I must draw attention to the closure on 26 June of Nicaragua's only independent newspaper, La Prensa, which shone as a beacon of freedom even in the darkest days of the Somoza dictatorship. Was it not the assassination of La Prensa's editor, Pedro Chamorro, in 1978 that sparked the insurrection that ultimately led to the overthrow of the dictator Somoza? It is a

(Sir John Thomson, United Kingdom)

tragic irony that it should be the Sandinistas, the victors of that revolution, and not the dictator Somoza, who finally close the doors of La Prensa.

The failure of the debate and the draft resolution to address such considerations as these demonstrates a lack of balance. Of course, as the one permanent member of the Security Council that accepts the compulsory jurisdiction of the International Court of Justice, we would have had no quarrel about a resolution taking note of the Court's Judgment. At the same time, we are still considering the International Court of Justice's Judgement, which relates to many complex legal issues of a general nature. We attach primary importance to upholding the rule of law in international relations. We believe that over the years the International Court of Justice has played a valuable role in resolving international disputes and in clarifying the rights and obligations of States under the law. We have invariably accepted the Judgments of the International Court of Justice in cases to which the United Kingdom was a party.

It has not been easy for my delegation to decide how we should vote on the draft resolution before us. As I have said, the Nicaraguan letter and this debate have raised two issues - one legal, one political. I have set out our position on each of these issues. They tend to point to different conclusions as regards voting. This being so, and because we cannot countenance anything that suggests that the Central American problem is only a bilateral United States-Nicaraguan question, my delegation will abstain.

The PRESIDENT: I thank the representative of the United Kingdom for his kind words addressed to the presidency.

I shall now make a statement in my capacity as the representative of Thailand.

The delegation of Thailand deems it appropriate to reaffirm Thailand's strict adherence to the provisions of the Charter and the rules of international law in

(The President)

its conduct of relations with other States. It firmly adheres to the obligation of peaceful settlement of disputes and the principle of non-interference in the internal affairs of other States, the obligation and the principle which should apply equally to all States.

With respect to the countries of Central America, Thailand believes that the States of the region should refrain from any threat or use of force against the sovereignty or territorial integrity of neighbouring States. In this regard, the Contadora peace efforts should obtain the full support of all countries. It is also the right of all States to choose their own political, economic and social systems, free from outside interference of any kind. Security Council resolutions 530 (1983) and 562 (1985) have reaffirmed this.

With regard to the International Court of Justice, which is the principal judicial organ of the United Nations, it is a fact that Thailand's experience with the Court has not been an entirely happy one. However, even though Thailand once disagreed with the Court's Judgment in a case to which it was a party, Thailand decided, in conformity with its Charter obligations, to comply with the decision subject to a right of appeal, should such a right be recognized in the future. Nevertheless, Thailand respects the International Court of Justice and fosters the expectation that the Court will continue to provide the best hope as a vehicle for peaceful change for the international community.

In respect of the draft resolution before us, which deals with general principles as well as the specific issue of the Judgment of 27 June 1986, my delegation has no difficulty with the general principles contained therein, because they are the principles consistently supported by Thailand. However, with regard to the specific issue as reflected in operative paragraph 2 of the draft resolution, which my delegation feels is not entirely devoid of political content,

(The President)

my delegation regrets that it has no instructions, owing to the fact that, subsequent to the national elections held in Thailand recently, no government has yet been formed. My delegation will be obliged therefore to abstain on the vote on the draft resolution before the Council.

I now resume my function as President of the Council. Accordingly, I shall now put to the vote the draft resolution contained in document S/18250, submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago and the United Arab Emirates.

A vote was taken by show of hands.

In favour: Australia, Bulgaria, China, Congo, Denmark, Ghana, Madagascar, Trinidad and Tobago, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela

Against: United States of America

Abstaining: France, Thailand, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT: The result of the voting is as follows: 11 votes in favour, 1 against and 3 abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. de KEMOULARIA (France) (interpretation from French): In its statement in the debate which took place at the beginning of this month on the situation in Central America, the French delegation recalled its commitment to a peaceful solution to the conflicts which are taking place in that region. France considers that the essential goal in this regard must be to succeed in bringing about an overall settlement of all those disputes.

It is because that goal is the same as that of the Contadora Group that France firmly continues to support the effort undertaken by that Group along with the assistance given to it by the Support Group.

My delegation, therefore, would have liked to vote in favour of a draft resolution which had the unanimous support of the Security Council for that approach. But the text on which the Council has just been called upon to vote contains certain objectionable elements relating in particular to the Judgment handed down on 27 June this year by the International Court of Justice, with respect both to the role of the Court and to substance, elements which could not receive unanimous agreement. That is why my delegation was led to abstain in the vote on that draft.

Mr. BRUCKNER (Denmark): Denmark has always been a firm supporter of the International Court of Justice and of its role in connection with the peaceful settlement of legal disputes. Denmark is also to be found among the countries that accept the compulsory jurisdiction of the Court. We have, accordingly, voted in favour of the draft resolution introduced by the non-aligned members of the Council, even if we do have certain reservations of an essentially legal character as regards operative paragraph 2. Indeed, to make an urgent call for full compliance with the Judgment of the International Court of Justice of 27 June at this point in time might be said to be premature.

(Mr. Bruckner, Denmark)

It is the duty of the Security Council to deal with a political crisis in all its aspects. The situation in Central America has been discussed in its entirety numerous times in the Council. As late as 3 July 1986, my delegation made its views clear on the most important questions. The Council has dealt with a number of issues and I would, at this point, simply like to reiterate a few considerations.

The fundamental reasons for the present problems of Central America are to be found in centuries-old socio-economic structures. As has been stressed again and again by the countries of the region, far-reaching economic and social reforms as well as the establishment of genuinely pluralistic democratic systems and the respect for the human rights of all citizens are important elements for a comprehensive settlement. The Contadora Group has made laudable efforts aimed at the inclusion of these principles in a regional settlement.

We continue to support the tireless efforts of the Contadora Group with a view to bringing global and lasting peace to Central America. We remain convinced of the need for a truly regional solution to the problems of Central America. The full co-operation of all parties that are engaged either directly or indirectly in the region is needed for the peace efforts to succeed. Even if the Contadora Group with the backing of the Support Group has not yet achieved the desired result, the Contadora initiative remains the only realistic alternative for durable peace to be established in Central America.

Mr. WALTERS (United States of America): Mr. President, I fear I have been remiss in comparison with the other members in acknowledging our satisfaction at your assumption of the presidency. I thought I had done so earlier, but perhaps I had not, and if so I am sorry. I also wish to recognize the ability and skill with which your predecessor, Mr. Rabetafika, the representative of Madagascar, and

(Mr. Walters, United States)

his assistant, conducted their period of presidency. I wish to make amends at this time. Better late than never.

The United States has been compelled to vote against the present draft resolution for the simple reason that that draft resolution could not, and would not, contribute to the achievement of a peaceful and just settlement of the situation in Central America within the framework of international law and the Charter of the United Nations. That question, and not the 27 June decision of the International Court of Justice, is the real issue before this Council.

That draft resolution in question, presented in the guise of support for the Court's 27 June decision, contains nothing to dispel Nicaragua's wholly disingenuous and self-serving characterization of the situation in Central America. It is absolutely clear from President Ortega's statement Tuesday morning and from subsequent Nicaraguan statements that Nicaragua was not interested in an endorsement of the role of international law and of the International Court of Justice for its own sake, but rather as something that the Sandinista régime could wave about as a vindication of Nicaragua's actions and positions in respect of the conflict in Central America. We must be mindful not only of what the draft resolution says on its face, but also of how it will be exploited to the detriment of peace and security in Central America.

Any doubt in this regard has been dispelled by Nicaragua's institution of proceedings in the Court this past Monday against both Honduras and Costa Rica, two countries that have been the victim of Nicaragua's aggression and that, in good faith, have joined in the Contadora process aimed at a comprehensive, verifiable and simultaneous implementation of the 1983 21-point Document of Objectives. By this action Nicaragua has once again made plain for all to see that its real goal

(Mr. Walters, United States)

is to remove yet another range of issues from the Contadora framework so that those issues can be determined in a manner favourable to Nicaragua - without imposing corresponding and reciprocal obligations on Nicaragua. There can be no doubt that Nicaragua came to this Council with the self-same ends in mind.

This Council could have considered a draft resolution that would have made a genuine contribution to a peaceful and just settlement in Central America. This Council could have considered a draft resolution that would have emphasized and called for the realization of all the interrelated objectives of the Contadora process - objectives to which Nicaragua has solemnly agreed and now chooses to ignore. The present draft resolution, by way of contrast, makes no mention of Nicaragua's solemn undertakings. It makes no mention of Nicaragua's own responsibility for the situation in Central America, and, by focusing on the 27 June decision of the International Court of Justice, presents a false picture of that situation as if it were limited to differences between Nicaragua and the United States. Can we really expect that such a draft resolution would help bring peace to that tortured region? Is there anything in Nicaragua's past behaviour that should lead us to believe that Nicaragua would not exploit such a draft resolution as a blanket endorsement of its military and domestic policies and of its refusal to negotiate seriously on the core issues fundamental to peace in Central America? The United States thinks not, and has cast its vote accordingly.

(Mr. Walters, United States)

In the view of the United States, the Court has asserted jurisdiction and competence over Nicaragua's claims without any proper basis. Moreover, the Court failed to give any meaningful significance to the multilateral treaty reservation or the very substantial evidence of Nicaraguan misbehaviour. Many of the principles asserted by the Court to constitute customary international law have no basis in authority or reason. We do not accede to these baseless assertions. For us to have discussed in detail here the factual and legal weaknesses of the Court's 27 June decision would only have obscured the real matter at issue before this Council, and for that reason we have chosen to reserve such a discussion for another place and time.

For the moment we would merely ask whether those members of the Council that have voted in favour of the present draft really believe it would have bolstered the Court as a judicial institution. Would it have reduced Nicaragua's internal repression or thwarted its subversion of neighbouring States - which, I might add, Nicaragua has undertaken with the expert assistance of outside Powers with a long history of subversion and repression? Would it have contributed in any way to bringing peace and justice to Central America? The answer lies, I am convinced, in the evident intentions of Sandinista Nicaragua in seeking a resolution, not for the purposes that members of the Council might applaud, but as a cover for continued Sandinista actions and behaviour contrary to the principles enshrined in the Charter of the United Nations.

In a word, the United States has voted against this draft resolution because it would have painted an inaccurate picture of the true situation in Central America, because it would not have contributed to a comprehensive and peaceful settlement of the problems in the region, and because it would in fact have done a disservice to the international law and institutions that it purports to uphold.

The PRESIDENT: I thank the representative of the United States for the kind words he addressed to the presidency.

I call upon the representative of Nicaragua, who has asked to be allowed to speak.

Mrs. ASTORGA GADEA (Nicaragua) (interpretation from Spanish): We came to the Security Council this time, as stated by the President of Nicaragua, to deal with a matter that concerns not only Nicaragua but also the entire international community, namely, the very survival of the international legal order and the law itself.

We have heard the statement of the United States representative and observed his negative vote on the draft resolution, allegedly based on the fact that it would not foster the goal of peace in Central America. Peace in Central America has various alternatives, and the situation there and the problems confronting the region are undoubtedly complex. There are problems of the economy, unjust structures, and a central one - United States intervention in the internal affairs of Central American countries and the aggression against my country.

Believing that the International Court of Justice is the judicial body to deal with such matters, we took the issue to the Court. The Court's conclusions are clear and categorical: the United States is in violation of international law by perpetrating aggression against my country. The Court has called upon the United States to cease all military and paramilitary activities against Nicaragua's sovereignty and territorial integrity. There is not a shadow of doubt that if the United States complied with the Court's Judgment peace in Central America would be much closer and we should have put an end to the focal point that has brought so much grief to our peoples in Central America.

(Mrs. Astorga Gadea, Nicaragua)

I should like also to thank those countries which have spoken in this debate for their support of the international legal order and the principles of the Charter and for their solidarity with Nicaragua.

We also wish to acknowledge the support given to the draft resolution submitted by the non-aligned countries members of the Council.

Allow me also to express my satisfaction at the affirmative vote of almost all the members of the Security Council. That was undoubtedly a vote for peace and respect of international law.

On the other hand, in dramatic contrast to that, the United States veto signifies a lack of respect for the international legal order and the norms of peaceful coexistence among States; it was a vote against the United Nations Charter; it was a vote against this Organization's fundamental norms and principles; it was a vote against the right of peoples to self-determination and respect for sovereignty and territorial integrity; it was a vote against the International Court of Justice; a vote against the peaceful settlement of disputes; it was a vote against international peace and security - a vote for war, intervention and the use of force in international relations.

In voting against the United Nations Charter, the United States merely exercised its right to veto the draft resolution and demonstrated that the United States claims to have respect for international law are mere lipservice. The United States thus places itself above the law. Regrettably, this United States policy does not affect only Nicaragua; it also affects Central America and international peace.

However, my country shall not tire of continuing to try to achieve peace for which the peoples of Central America are clamouring and need so much. We will continue to defend our inalienable rights in seeking the course of understanding

(Mrs. Astorga Gadea, Nicaragua)

and political solutions to the problems in Central America. We will continue to support Contadora. We will continue to strive to achieve peace.

The PRESIDENT: There are no further speakers for this meeting.

Before adjourning what is likely to be the last meeting of the Security Council for this month, I should like, in my capacity as President of the Security Council, to pay a warm tribute to all our colleagues around the table and to thank all Council members for the very kind co-operation they extended to the presidency during the entire month of July.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 6.40 p.m.

