

26. LETTER DATED 27 JUNE 1986 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

By a letter¹ dated 21 June 1986 addressed to the Secretary-General, the representative of Nicaragua transmitted the text of a note dated 17 June 1986 from the Minister for Foreign Affairs of Nicaragua to the Ministers for Foreign Affairs of the Contadora Group and the Support Group.

By a letter² dated 27 June 1986 addressed to the Secretary-General, the representative of Nicaragua transmitted the text of a note dated 25 June 1986 from the Acting Minister for Foreign Affairs of Nicaragua to the Secretary of State of the United States of America.

By a letter³ dated 27 June 1986 addressed to the President of the Security Council, the representative of Nicaragua requested the convening of an emergency meeting of the Council.

At its 2694th meeting, on 1 July 1986, the Security Council included the item in the agenda and considered it at the 2694th to 2698th meetings, from 1 to 3 July 1986. The Council invited the following, at their request, to participate in the discussion, without the right to vote: at the 2694th meeting, India and Nicaragua; at the 2695th meeting, Afghanistan, Democratic Yemen, the German Democratic Republic, the Lao People's Democratic Republic, Spain, the Syrian Arab Republic and Viet Nam; at the 2696th meeting, Angola, Cuba, Czechoslovakia, El Salvador, Mongolia and the Ukrainian Soviet Socialist Republic; at the 2697th meeting, Algeria, Guyana, the Islamic Republic of Iran, the Libyan Arab Jamahiriya and Yugoslavia.

At the 2694th meeting, the Minister for Foreign Affairs of Nicaragua referred to the approval given by the House of Representatives of the United States Congress to the request for new funds (\$100 million) for the mercenary forces fighting against Nicaragua. He declared that the decision amounted to a declaration of war and was one further step towards sending United States troops to Nicaragua. He denounced the actions of the United States Administration against the sovereignty, independence, self-determination and territorial integrity of Nicaragua. He recalled that the Contras had been established in 1981, financed, trained and directed by the United States Central Intelligence Agency (CIA); after they had attacked and mined Nicaraguan ports in 1983 and 1984, the United States Congress had prohibited direct or indirect aid to those forces. However, in 1985 and again in 1986, so-called humanitarian aid had been approved, which had been used for training the mercenary army, supplying it with heavy weapons, and transport. He maintained that the \$100 million was but the tip of the iceberg and its approval by the House of Representatives signalled the beginning of a new dangerous stage in the United States policy of State terrorism designed to bring Nicaragua down through the overthrow of its freely and democratically elected Government. He referred to the United States' ongoing boycott of all diplomatic efforts to find a peaceful, just and hon-

ourable solution of the Central American crisis; its refusal to resume direct dialogue with Nicaragua; constant pressure and blackmail with the view to thwarting the efforts of the Contadora Group. He gave an account of these efforts including the latest "Panama message" of 7 June 1986,⁴ which the Government of Nicaragua considered the only instrument for effective conclusion of the negotiating process to achieve peace in Central America. The speaker conveyed his country's readiness to make available to the Contadora Group the inventory of military weaponry and other information;¹ as well as the agreement with the three fundamental commitments outlined in the Peace Act;⁴ non-use of a country's territory as a base for aggression; non-participation in a military or political alliance that threatened peace in the region; no support to subversive groups. He considered that the United States Government lacked the political will to support the Contadora process. The representative also recalled the Judgment of the International Court of Justice on the Nicaraguan request in regard to the military activities carried out by the United States against Nicaragua. He referred particularly to the rejection by the Court of the notion of collective self-defence invoked by the United States. He noted that the Court had accepted that, by assisting the Contras, the United States acted in breach of its obligations under international law. In conclusion, the Minister reiterated the irrevocable determination of his people to defend themselves. He renewed the appeal to the Government of the United States to desist from its militarist designs and to resume direct dialogue with Nicaragua, and expressed his conviction that the Security Council, the organ responsible for the maintenance of international peace and security, had a fundamental role to play in preventing a catastrophe.⁵

The representative of the United States of America pointed out that Nicaragua had brought its standard complaint to the Security Council for the eleventh time in order to divert the Council's attention from its own behaviour in the region. The source of conflict in Central America was Nicaragua's aggression, he added. With regard to the opinion of the International Court of Justice, he argued that, even at first reading, serious questions could be raised about certain conclusions of law which were included in the Court's opinion. He went on to add that those conclusions were uniquely dependent on the evidence and the facts presented by Nicaragua. He did not believe that the Court was equipped to deal with complex facts and intelligence information which was not available to it. He stated that, contrary to the assertion of the representative of Nicaragua, the Sandinista leadership actively, deliberately and substantially supported subversion in Latin America. That was, he said, in line with commitments by that leadership to promote the revolutionary struggle beyond Nicaragua's borders. He added that facilities had been established within Nicaragua for training guerrillas from other Central American countries. The real, varied

¹S/18175.
²S/18189.
³S/18187.

⁴S/18143.
⁵S/PV.2694, pp. 3-16.

and massive evidence of this activity was received from aerial photography, captured documents, weapons and captured or defecting commanders in the territories of El Salvador, Honduras and Costa Rica. The representative gave examples of Nicaraguan cross-border military incursions. He also asserted that the massive military build-up in Nicaragua, reinforced by the presence of thousands of Cuban and Soviet advisers, had a most profound impact on Nicaraguan society. The repressive regime responsible for the militarization of the society created a tragic situation in the country, which gave rise to the development and growth of the armed democratic resistance. Its 20,000 participants were the same men and women who had fought alongside the Sandinistas against Somoza and who now wanted to establish true democracy in their country with full respect for human rights and an economic system providing for growth and the equitable distribution of wealth. The representative described the United States policy towards Nicaragua as having four broad objectives: an end of Nicaraguan aggression through conventional military attacks or through support to guerrilla groups; severance of Nicaraguan military ties to Cuba and the Soviet block; reduction of Nicaragua's military strength to levels that would restore military equilibrium to the region; and fulfilment of the original promises for democratic pluralism and respect for human and civil rights. He expressed his conviction that achievement of these goals would ensure the restoration of peace and security in the region. He described the above-mentioned goals as consistent with multilateral diplomatic initiatives endorsed by the Security Council.

He recalled that the United States initially had provided substantial economic assistance to the Sandinista-dominated regime and had been instrumental in the action of the Organization of American States delegitimizing the Somoza regime. However, later on, when the role of the Sandinistas in the Salvadoran conflict had become clear, his country had sought, through diplomatic and other means, to convince Nicaragua to halt its subversive policies. Later still, economic measures and further diplomatic efforts had been employed but the Nicaraguan posture had remained one of complete and sustained intransigence. He acknowledged that Nicaragua's neighbours had asked for assistance and the United States had responded. Referring to over \$2 billion aid to the Central American countries since 1979, he informed the Council that three quarters of the sum had been used for economic assistance and barely one fourth had been military assistance. The speaker went on to say that, faced with the failure of all peaceful means and the unacceptability of allowing Nicaraguan subversion and aggression to continue unchecked, supporting the resistance was the most effective way of exerting pressure on the Sandinistas to modify their policy. He expressed the hope that the combination of factors, such as the failure of Nicaragua's policy of aggression, a burden of military costs, a collapsing economy, deepening popular discontent and effective democratic resistance, would lead the Sandinistas to engage in serious negotiations aimed at achieving both regional peace and internal reconciliation. He confirmed that the United States policy did not seek the overthrow of the Nicaraguan Government. Nicaragua had accepted the Contadora Document of Objectives as the basis for negotiations. The United States, too, had made clear that full and verifiable implementation of the Document would meet their policy goals in Nicaragua and the region.

He believed that the House of Representatives' approval of the request for further assistance to the resistance should give the Nicaraguan Government good reason to negotiate seriously. He was sure that the actions of his Government were in compliance with international law and the Charter of the United Nations. He reiterated the United States readiness to resume a high-level bilateral dialogue with Nicaragua at the same time as it opened talks with its opposition.⁶

The representative of Venezuela stated that his country, together with other members of the Contadora Group and the Support Group, had made and continued to make efforts to contribute to peace and cooperation in Central America. Such efforts were parallel to efforts by the international community, as shown by the statements of many Governments and by resolutions of the Security Council, the United Nations General Assembly and the General Assembly of the Organization of American States. The Contadora Group had drawn up a set of documents containing detailed, concrete proposals which, in the form of the revised Contadora Act on Peace and Cooperation in Central America, had been presented to the Central American Foreign Ministers on 6 June 1986. The general guidelines for the process were laid out in the Panama Message⁴ of 7 June 1986, which was read in full by the representative. He went on to say that, with the completion of work on substantive aspects of the problem, and upon approval of the revised Contadora Act by the Central American countries, procedural arrangements would be necessary in order to enable its implementation. He expressed the hope that the States directly concerned would respond positively to those efforts. At the same time, the speaker pointed out that the recent decision by the United States House of Representatives to authorize significant financial and military assistance to the so-called Contras did not promote the negotiating process as devised and carried out by the Contadora Group and the Support Group. He reiterated that the principle of non-intervention in the internal affairs of other States, directly or indirectly, was stressed in the Charter of the Organization of American States and, while the Charter of the United Nations did not contain a provision framed in similar terms, the General Assembly had repeatedly affirmed its validity in numerous resolutions. He also added that the recent decision of the International Court of Justice established that the principle of non-intervention formed part of customary international law. He expressed the regret of his delegation that the United States was persevering in conduct that was contrary to international law and far from promoting the cause of peace in Central America. He hoped that such a course would not be pursued forever and that the United States Government would come to understand that such actions were prejudicial to its relations with the countries of the region. He noted that history showed that United States intervention in various countries generally resulted in the establishment of autocratic regimes, which had been largely responsible for the political, economic and social backwardness of those countries.⁷

The representative of India recalled Security Council resolution 562 (1985), which supported the right of Nicaragua and of the countries of the region to decide on their own political and economic system; reaffirmed support for

⁶*Ibid.*, p. 17-32.

⁷*Ibid.*, pp. 32-44.

the Contadora Group; called upon the States to refrain from actions impeding the peace objectives; and called upon the Governments of the United States and Nicaragua to resume their dialogue. He also underlined that the situation in Central America was an important issue engaging the attention of the Movement of the Non-Aligned Countries. He referred to the condemnation of the acts of aggression against Nicaragua by previous non-aligned declarations and read the text of a communiqué, which had just been adopted by the Coordinating Bureau of the Movement. The Bureau had expressed grave concern at the recent vote in the House of Representatives and condemned any such funding of mercenary forces as a violation of the sovereignty and political independence of Nicaragua; it reiterated its call for bringing the Contadora peace process to fulfilment and deplored the fact that the United States had continued to prevent a negotiated political solution and to obstruct the peace process. He was convinced that peace in Central America should be based on acceptance of the principle of the political and socio-economic pluralism of States, observance of the principles of non-interference and non-intervention and on a positive appreciation of the problems of the region. He urged a constructive and cooperative approach to enable a peaceful solution. He called upon the Security Council to grasp this reality and to give the urgent task of bringing peace to the region a real chance.⁸

The representative of Nicaragua, speaking in exercise of his right of reply, denied the accusations put forward by the representative of the United States and defended the validity of the decision of the International Court of Justice in favour of Nicaragua.⁹

At the 2695th meeting, the representative of the German Democratic Republic expressed support for Nicaragua. He asserted that recent decisions made in Washington, D.C. had led to a new stage in the undeclared war against Nicaragua. He added that new weapons and equipment, training and instruction by United States military and secret service specialists would bring about an intensification of attacks in order to topple by military force the legitimate Government of a sovereign, independent and non-aligned State. He declared that his country condemned State terrorism and the use of force in international relations, as it completely disregarded the purposes and principles of the Charter of the United Nations and endangered peace in that region and the world. He referred to the Judgment of the International Court of Justice in favour of Nicaragua and the rejection by the Court of the alleged assertion of need for a so-called collective self-defence which had been fabricated only to justify an aggressive course. He recalled the communiqué adopted at a recent meeting of the Warsaw Treaty member States, according to which "no State or group of States could build its own security and well-being upon imposing its will on other countries and peoples by military force". The speaker welcomed the efforts of the Contadora States and the Support Group to find a peaceful solution. He called for an end to the escalating acts of murder and terror perpetrated against the people of Nicaragua. He stressed that the Security Council should adopt relevant measures and thus contribute to a peaceful, just and honourable solution in Central America.¹⁰

The representative of Viet Nam supported the claim by Nicaragua and pointed out that the United States did not conceal its contempt for the liberation movement and seized every opportunity to support rebels fighting elected Governments in Asia, Africa, Latin America and elsewhere around the world. Considering Central America its own backyard, the United States arrogated to itself the right to punish any country which seemed to be independence-oriented. He noted that Nicaragua threatened no country, let alone the United States. He called upon the Security Council to condemn the irresponsible act by the United States Government and expressed confidence that Nicaraguans would successfully defend the independence, sovereignty and territorial integrity of their country.¹¹

The representative of the Union of Soviet Socialist Republics shared the concern of the Nicaraguan Government over the escalation of the United States' aggressive policy against that country.

He observed that Nicaragua had made consistent efforts to use procedures set out in the Charter of the United Nations in order to defend its sovereignty and to maintain peace and security in the region. He referred to the recent decision of the International Court of Justice which had found that the United States violated international law by training, arming, equipping and financing the Contra forces. He also referred to the Court's rejection of claims for arbitrary exercise of the right to "collective self-defence", frequently invoked by Washington to justify its aggression against sovereign States. He condemned the approval by the House of Representatives of an allocation of \$100 million to finance mercenaries as an extremely dangerous step towards aggravation of tension in Central America and an escalation of the undeclared war against the people of that region. He considered that the latest step confirmed that the United States Administration was an open opponent of a political settlement. It rejected the appeals of the Contadora Group and the Support Group, as well as Nicaraguan proposals for a radical reduction in offensive weapons. He also pointed out that Washington was raising a propaganda row about a fictitious threat to its "national interests" from Nicaragua, Cuba and the Soviet Union in order to mask its own policy in the region. He denied the allegations about his country's intentions to use the territory of Nicaragua for military and strategic purposes. On the contrary, he added, it was the United States which was pursuing the course of militarization in Central America by stationing military personnel, conducting manoeuvres and establishing military bases and airfields. In conclusion, the representative strongly condemned the new, extremely dangerous step taken by the United States to escalate its aggressive activities in Central America and demanded that it be halted. He believed that a solution to the critical situation in Central America could be achieved through a political settlement based on international law, and called upon the Security Council to oppose strongly attempts to trample upon the sovereignty of independent countries and upon the relevant provisions of the Charter of the United Nations.¹²

¹¹Ibid., pp. 7-12.

¹²Ibid., pp. 21-26. Similar views were expressed at the same meeting by the Representative of Bulgaria (pp. 27-32); at the 2696th meeting by the Representatives of Czechoslovakia (pp. 43-51) and Mongolia (pp. 52-57).

⁸Ibid., p. 44-51.

⁹Ibid., p. 51-52.

¹⁰S/PV.2695, pp. 3-7.

The representative of the Syrian Arab Republic recognized the legitimacy of the concern of the representative of Nicaragua at the persistent attempts by the United States to destabilize and overthrow the Government of Nicaragua. He considered the approval of new aid to the mercenaries to be in contravention of the provisions of the Charter of the United Nations, namely, the principles of self-determination and the right of peoples to choose their own social and economic systems. That action was undermining the efforts of the Contadora and the Lima Support Groups to restore peace in Central America. It was required that all States refrain from furnishing military or material aid to the irregular forces. He drew a parallel to policies of the United States Administration on South Africa and the Middle East. He concluded that it was the duty of the Security Council to put an end to such flagrant, direct intervention by a super-Power and a permanent member of the Security Council.¹³

The representative of the Lao People's Democratic Republic confirmed his country's condemnation of the acts of armed provocation, aggression and destabilization, which had taken the form of a total trade embargo and the mining of Nicaraguan ports. He recalled that at the ministerial meeting of the Coordinating Bureau of the Non-Aligned Countries, his delegation had unequivocally condemned an imperialist super-Power and a permanent member of the Security Council. He added that Nicaragua wanted justice and dignity and not "pax Americana" and that the United States ought to accede to the appeal of the international community and renew contact with the legitimate Government of Nicaragua, as called for in resolution 562 (1985). He called upon the United States not to disrupt the noble efforts of the members of the Contadora Group and the Lima Support Group.¹⁴

At the 2696th meeting, the representative of Australia observed that the major Powers, in particular, permanent members of the Security Council, had special responsibilities to set an example to the international community in the conduct of international relations. It was clear that peace in Central America remained elusive despite efforts by the Contadora Group and the Support Group owing to a lack of the political will required to finalize an agreement. He added that serious economic and social problems were at the root of the political tensions in Central America.

He urged that the East-West conflict should be kept out of the region and that international disputes should be settled by peaceful means in accordance with the Charter of the United Nations. He also considered that all States had the right to choose their own form of government free from outside interference. Recalling Security Council resolution 562 (1985), in which the United States and Nicaragua had been urged to resume their dialogue, the speaker lamented the fact that the wish of the Council had remained unheeded. He urged all sides to avoid actions which might complicate the search for peace. In his view, the vote by the House of Representatives to allocate \$100 million in military aid to the Contras had done nothing to promote a peaceful settlement of Central American problems, nor had it encouraged the Government of Nicaragua to improve po-

litical freedoms or to negotiate with the Contras. The subsequent Nicaraguan decision to close down *La Prensa* was also to be regretted. Referring to the findings of the International Court of Justice, the representative indicated that his country remained committed to the observance of international law and to the role of the Court in settling international disputes.

He said that, on the positive side, the United States and Nicaragua had maintained diplomatic relations and that they both had elected Governments which enjoyed popular support. He noted further that both countries had proclaimed their concern for the region and its people. All those factors, he hoped, could form the basis for a new era of relations between them. He expressed the belief that the Contadora process presented the most positive prospect for peace in Central America, and that it was up to the countries directly involved to make reciprocal concessions and to exercise tolerance in order to carry the peace process forward.¹⁵

The representative of Spain underlined a need for a comprehensive, regional, peaceful and negotiated solution and reiterated his Government's support for the work of the Contadora and the Lima Support Groups. He emphasized the need to ensure respect for international law and appealed to the parties concerned to contribute to the creation of the conditions necessary for peace in Central America.¹⁶

The representative of China considered that the recent action of the House of Representatives placed new obstacles to the restoration of peace and stability in Central America. He maintained that any form of interference in the affairs of the countries of the region would aggravate the tension and would be detrimental to a peaceful settlement.¹⁷

The representative of Democratic Yemen condemned United States policies and practices of aggression and called upon the Security Council to support Nicaragua's legitimate right to sovereignty and self-determination.¹⁸

The representative of El Salvador stated that, although the Council had been convened to consider the relations between the United States and Nicaragua, his country had decided to participate in the debate because the statement of the representative of Nicaragua affected the interests of the whole region, in particular his country, and because his Government wanted to leave no doubt about its position on the crisis. He interpreted the Nicaraguan statement that the authorization of aid to the anti-Sandinistas would lead to a widespread conflagration, as a threat by Nicaragua to neighbouring countries to drag them into a conflict on a regional scale. Moreover, the internal situation in Nicaragua, where 300,000 soldiers were on a war footing, proved that that country enjoyed an unusual military hegemony that was totally illogical in the region. He also stated that the crisis in Central America had intensified because Nicaragua did not respect the basic principles of international coexistence and constantly interfered in the internal affairs of other States. In the case of his country it had been impossible to resolve any political, economic and social problems, because of the existence of minority groups which

¹³Ibid., pp. 21-26.

¹⁴Ibid., pp. 32-36.

¹⁵S/PV.2696, pp. 3-8.

¹⁶Ibid., pp. 8-10.

¹⁷Ibid., pp. 10-12.

¹⁸Ibid., pp. 12-16.

had taken up arms supplied by external forces, namely, Nicaragua. Those groups had resorted to terrorist acts in order to achieve their political objectives. They attacked a legally established Government and violated the fundamental rights of the Salvadoran people. He then cited a number of facts which, according to him, had shown Nicaraguan interference in El Salvador. The speaker expressed the readiness of his Government to continue a realistic and sincere dialogue with the opposition forces at the national level, as well as to support the Contadora initiatives at the regional level. He observed that the majority of the speakers in support of Nicaragua had come from countries outside the area of conflict, but ultimately the solution of the problem had to come from the Latin American countries which had a special interest.¹⁹

The representative of Cuba condemned the United States Administration for the campaigns of slander against the Sandinista leaders, the mining of the ports, the economic embargo and the interminable manoeuvres on Nicaragua's borders. The recent approval of \$100 million for the arming and training of the mercenary bands was the culmination of the policy of harassment, a violation of international law and of the principles of peaceful coexistence and non-interference in the internal affairs of States. He maintained that the United States policy towards Nicaragua was in line with its intent of imposing its philosophy on the world. In that context he referred to the escalation of the arms race, the invasion of Grenada, the bombing of the capital of the Libyan Arab Jamahiriya, the economic blockade of Cuba and the support of the apartheid regime in South Africa. He favoured a peaceful negotiated solution to the conflict in Central America and said that the Security Council, entrusted by the Charter with the responsibility of safeguarding international peace and security, could do no less than the International Court of Justice, and that the peoples of America hoped that the illegal measures imposed against Nicaragua would be ended.²⁰

The representative of Ghana stated that it was important that the Security Council was seized of the matter because the recent decisions of the United States Congress and of the International Court of Justice were of profound significance to international peace and security, and because of the need to search for possible means for preventing any further escalation of violence in Central America. He considered that the United States was arming the Contras with the objective of destabilizing the Nicaraguan revolution and imposing "hand-picked traitors" as legitimate contenders for power. He expressed support for the Charter of the United Nations and the pronouncements of the International Court of Justice. He rejected attempts to explain the instability in the Central American region as resulting from a historical confrontation between East and West in that region. He rejected the claim that arrogated to only regional countries the right to pronounce on matters within their geographical region. He called upon the Security Council to issue a strong condemnation of the illegal acts of the United States and emphasized that the democratic pluralism in international relations ought to be unequivocally embraced by its members.²¹

The representative of the Ukrainian Soviet Socialist Republic attributed the conflict in Central America to deep-rooted causes, such as the consequences of the harsh economic exploitation of human and natural resources of the countries of the region by foreign companies and the imperialistic imposition of political domination. He recalled the resolutions of the Security Council and of the General Assembly reaffirming the rights of Nicaragua and appealing to the interests of all States concerned to cooperate fully with the Contadora Group. He interpreted the decision of the United States Administration to finance directly the crimes of the Contra bands as part of an aggressive policy designed to overthrow the lawful Government of Nicaragua. He favoured a fair and negotiated settlement of the problems of Central America. The representative stressed that the United Nations, and particularly the Security Council, should play an important role in normalizing the situation in this region.²²

The representative of the United States of America, speaking in exercise of the right of reply, referred to a number of offensive and inaccurate remarks. He argued that to be denounced by a country which had forced, through terror and repression, two million of its own people to flee was for him a badge of honour, and suggested that some representatives who advocated freedom and democracy might well be advised to put those principles to work in their home countries. He mentioned, in particular, the Soviet Union, Cuba and Ghana. He also reiterated his country's position concerning the Judgment of the International Court of Justice, stating that the Court was not competent to deal with the crisis in Central America. The speaker maintained that there was evidence of Sandinista aggression. He presented a chart showing the Nicaraguan military build-up which had started much earlier than the claims of the Contra operations. He asserted that the resistance within Nicaragua made its Government more than quadruple its prison space during the past seven years. He also gave some examples proving Nicaraguan involvement in El Salvador and invited the members to visit the United States Mission to view a display with more evidence.²³

The representative of Ghana, exercising his right of reply, stated that the foreign policy of his country was based on the concept and practice of positive neutralism, which reflected an active effort to find solutions to international problems, and that its reluctance to applaud acts of aggression by the United States did not constitute an offence against anyone.²⁴

The representative of Nicaragua pointed out that the United States had failed to prove that his country was a factor of destabilization in Central America. She added that, because of Nicaragua's respect for the rule of law, her Government had brought its case to the International Court of Justice. She quoted from the Judgment of the Court and reiterated her country's readiness to resume the bilateral dialogue with the United States.²⁵

The representative of the Soviet Union expressed regret that the representative of the United States had resorted to attacks on several Member States. He commented that the

¹⁹*ibid.*, pp. 16-22.

²⁰*ibid.*, pp. 22-27. Similar views were expressed by the representative of Angola (pp. 57-60).

²¹*ibid.*, pp. 28-38.

²²*ibid.*, pp. 38-43.

²³*ibid.*, pp. 61-66.

²⁴*ibid.*, pp. 66-70.

²⁵*ibid.*, pp. 70-72.

evidence presented by the representative of the United States was a propaganda show, and the material produced had been fabricated by the CIA. He attributed the position of the United States to the policy of neo-globalism, with the aim of suppressing national liberation movements and undermining regimes that were not to the liking of the United States. That had been the case with the Libyan Arab Jamahiriya and Grenada. He warned that new acts of aggression were being planned against Nicaragua.²⁶

At the 2697th meeting, the representative of the Islamic Republic of Iran said that the Security Council was ready for constructive work for ensuring peace and security for small nations, but that all its efforts for the protection of the small victimized Member States were being obstructed by the impediment of the veto exercised by one permanent member. He noted that, by its non-acceptance of the jurisdiction of the International Court of Justice, the United States was extending the veto and nullifying the Court's decisions. He stated further that the whole enterprise of allocating \$100 million for the support of the Contras might have been motivated not only by animosity towards the Nicaraguan revolution but also by corruptive motives. He mentioned other cases on which the Security Council was unable to act effectively, such as the occupation of Palestine or the problem of apartheid, and said that the views of individual members, as well as the collective voice of the Council, should reach the American public outside the Council's chamber, and that the media should invite the members of the Council to panel discussions and live debates.²⁷

The representative of Madagascar recognized the complexity of the situation in Central America and the need to preserve a balance among the various opinions. He was also aware of the fact that the Council could not obtain complete information and had to take as a point of reference the principles of international law, past resolutions and decisions of the Security Council, the successive actions taken by the Contadora Group and by the Support Group as well as the Judgment of the International Court of Justice. He pointed out that States could exercise their natural right of collective or individual self-defence according to Article 51 of the Charter, but in the case under consideration, it was essential to have irrefutable proof that there had in fact been an armed aggression; and that the exercise of that right was valid only until the Security Council had taken measures to maintain international peace and security. He added that the exercise of the right of collective self-defence might "warrant intervention, which might result in counter-intervention, which in turn could also claim to be based on the same principle". He went on to say that the choice of "the most appropriate means of self-defence . . . must be defined in the context of morality, law, justice and commonwealth and civil responsibility". He concluded by calling upon the Council, first, to demand that all States respect the obligations incumbent upon them under the Charter; second, to ensure that intervention and interference were not allowed to be automatically justified on the pretext of the defence of national interests, as construed unilaterally; third, to support the principles that constitute the foundation of interna-

tional society in which pluralism can also be accommodated; and fourth, not to rest content with giving a purely formal, almost ritual, support to the Contadora efforts but rather to create all the political, legal and other conditions necessary for them to succeed.²⁸

The representative of Denmark stated that, unfortunately, no immediate solution to the complex problems of the region was in sight and that recent developments demonstrated the urgency of intensifying negotiations. He considered that there was no realistic alternative to the Contadora process and that it was the responsibility of the countries of the region themselves to solve their differences. His country demonstrated its support and encouragement by participating in the ongoing political and economic cooperation between the States members of the European Community, the Central American States and the Contadora Group aimed at strengthening economic development and social stability in the region. In his opinion, a lasting solution to the conflicts in Central America should be based on a commitment to democratic systems of government, freedom of the press and respect for the Universal Declaration of Human Rights. He rejected outside interference of any kind in the internal affairs of the Central American countries and the use of force or violation of the sovereignty of any State. His country remained committed to the role of the International Court of Justice in settling international disputes and to the strict observance of international law. He appealed to all countries to show restraint, to renew the dialogue and to seek a solution to disputes in Central America by peaceful means.²⁹

The representative of France said that Central America was faced with political conflicts and violent struggles which for years had forestalled any prospects for peace and stability. France, as a permanent member of the Security Council, could not remain indifferent. His Government was committed to a peaceful settlement, based on dialogue and reconciliation. That also was the approach followed by the Contadora Group. He reaffirmed his country's concern over the arms race in that region and emphasized the importance which France attached to the development of democracy in the countries of the region. He added that in order to achieve that objective it was essential to ensure respect for fundamental freedoms and human rights. He supported the quest for a comprehensive and lasting settlement guaranteeing all States of the region their sovereignty and security.³⁰

The representative of the Congo expressed thanks to and admiration for those Latin American countries whose leaders, at different levels, at different times and in various places, had spared neither time nor effort to find the most equitable and lasting solution possible to the problems besetting the Central American region. He noted, however, that the United States had demonstrated a systematic desire for obstruction, if not rampant interventionism. He expressed the hope that the use of force would be soon banished from inter-American relations, and that all States would recommit themselves to the provisions of the Charter and make the International Court of Justice the final arbiter of their disputes.³¹

²⁶*ibid.*, pp. 73-76.

²⁷S/PV.2697, pp. 3-16.

²⁸*ibid.*, pp. 16-22.

²⁹*ibid.*, pp. 22-25.

³⁰*ibid.*, pp. 26-27.

³¹*ibid.*, pp. 27-33.

The representative of the United Arab Emirates stated that disagreement on or disapproval of a given political or economic system should not be used as a pretext for violating the rules of conduct among States, because the result would be chaos where third world countries would be the first victims. He recalled the provisions of Article 33 of the Charter of the United Nations and supported the efforts of the countries of the Contadora Group which, in his view, were better able to understand the circumstances and causes of the crisis. He could not support any unilateral action outside the framework of the provisions of the Charter, more notably those relating to the Security Council machinery. He noted Nicaragua's responsiveness and its desire to negotiate, and called for the United States to reconsider its position. As the volatile situation in Central America threatened not only peace and security, he considered that it was the primary responsibility of the Council to halt and settle such conflicts permanently and comprehensively. He reaffirmed his country's rejection of threats to the independence and sovereignty of States on the pretext of the East-West conflict and the imposition of any conditions on their independence and political options.³²

³²*Ibid.*, pp. 33-38.

At the 2698th meeting, the representatives of Algeria, Guyana and Yugoslavia denounced actions aimed at the destabilization of the Government of Nicaragua and joined other non-aligned countries in their support of the efforts of the Contadora Group and of the Judgment of the International Court of Justice. They called for a peaceful solution to the dispute.³³

The representative of the Libyan Arab Jamahiriya strongly denounced the approval of funds by the United States House of Representatives for assistance to the Contras. According to him, such funds could be used to undertake a direct invasion of Nicaragua. He rejected the use of the pretext of collective self-defence and called upon the Security Council to exercise the powers vested in it by the Charter in order to put an end to the policy of blackmail and force pursued by the United States all over the world, including Latin America, Africa, Asia and the Mediterranean.³⁴

The representatives of Trinidad and Tobago and Afghanistan supported the position of Nicaragua and called upon the parties to act according to the findings and Judgment of the International Court of Justice.³⁵

³³S/PV.2698, pp. 3-18.

³⁴*Ibid.*, pp. 18-25.

³⁵*Ibid.*, pp. 26-33.

27. LETTER DATED 22 JULY 1986 FROM THE PERMANENT REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

INITIAL PROCEEDINGS

Decision of 31 July 1986 (2704th meeting): rejection of a draft resolution submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago and the United Arab Emirates

By a letter¹ dated 22 July 1986 addressed to the President of the Security Council, the representative of Nicaragua requested the convening of a meeting of the Council.

By a previous letter² dated 11 July 1986 addressed to the President of the Council, the representative of Nicaragua transmitted the text of the Judgment of the International Court of Justice dated 27 June 1986 in the case *Military and Paramilitary Activities in and against Nicaragua*.

By a letter³ dated 18 July 1986 addressed to the Secretary-General, the representative of the United States of America transmitted the text of the separate and dissenting opinions on the Judgment of the International Court of Justice dated 27 June 1986 in the case *Military and Paramilitary Activities in and against Nicaragua*.

At its 2700th meeting, on 29 July 1986, the Council included in its agenda the letter dated 22 July 1986 from the representative of Nicaragua. Following the adoption of the agenda, the President, with the consent of the Council, in-

vited the representatives of Afghanistan, Cuba, Czechoslovakia, Democratic Yemen, El Salvador, Honduras, India, the Islamic Republic of Iran, 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, at their request, to participate in the discussion without the right to vote.⁴

At the same meeting, the representative of Nicaragua,⁵ while reiterating the decision of the International Court of Justice in the case of Nicaragua and the United States, recalled that in its principal Judgment, the Court had decided that the United States had acted against Nicaragua in breach of its obligation under customary international law: not to intervene in the affairs of another State; not to use force against another State; not to violate its sovereignty and not to interrupt peaceful maritime commerce. The Court had decided that there was no legal justification for any of those activities. The Court had also explicitly rejected the justification of collective self-defence maintained by the United States in connection with the military and paramilitary activities in and against Nicaragua. He further stated that, as a result of those decisions, the Court had ordered the United States to cease and desist immediately from all those illegal activities and to compensate Nicaragua for the damages suffered. Stressing the Court's

¹S/18230.

²S/18221.

³S/18227.

⁴For details, see chap. III of the present *Supplement*.

⁵S/PV.2700.