

Zambia requested the convening of a Council meeting to consider the situation in Namibia.

At the 2827th meeting, on 29 September 1988, the Council included in its agenda the letter dated 27 September from Zambia, and considered the item at the same meeting.

Following the adoption of the agenda, as a result of consultations held among members of the Council, the President made a statement⁸⁵ on behalf of the members of the Council. The statement reads as follows:

Ten years ago, on 29 September 1978, the Security Council adopted resolution 435 (1978) in order to ensure an early independence of Namibia through free elections under the supervision and control of the United Nations.

The members of the Council express grave concern that such a long time after the adoption of resolution 435 (1978) the Namibian people have not yet attained their self-determination and independence.

Reaffirming the pertinent resolutions of the Security Council and the legal responsibility of the United Nations with regard to Namibia, the members of the Council once again call upon South Africa to comply at last with these resolutions and to cease its illegal occupation of Namibia. In this respect, they stress the Council's continuing commitment to discharge its particular responsibility for furthering the interests of the people of Namibia and their aspirations for peace, justice and independence through a full and definitive implementation of resolution 435 (1978).

They support the resolute action led by the Secretary-General with a view to the implementation of resolution 435 (1978) and encourage him to continue his efforts to that end.

The Council notes developments in recent weeks in efforts by a number of parties to find a peaceful solution to the conflict in southwestern Africa that are reflected in the joint statement of 8 August 1988 by the Governments of Angola, Cuba, South Africa and the United States, which has been circulated as a Security Council document.

The Council also notes the expressed readiness of the South West Africa People's Organization to sign and observe a ceasefire agreement with South Africa, as stated in documents S/20129 of 17 August 1988, in order to pave the way for the implementation of resolution 435 (1978), its early implementation is the common aspiration of the international community. The members of the Council urge the parties to display the necessary political will to translate the commitments they have made into reality in order to bring about a peaceful settlement of the Namibian question and peace and stability in the region.

In particular, they strongly urge South Africa to comply forthwith with the Security Council's resolutions and decisions, particularly resolution 435 (1978), and to cooperate with the Secretary-General in its immediate, full and definitive implementation. To this end, the

⁸⁵S/PV.2827, the President (France), pp. 3 and 4; see also S/20208.

Council urges States Members of the United Nations to render all necessary assistance to the Secretary-General and his staff in the administrative and other practical steps necessary for the emplacement of the United Nations Transition Assistance Group.

By a note verbale⁸⁶ dated 14 December 1988 addressed to the Secretary-General, the representative of the United States transmitted the text of the Protocol of Brazzaville reached with the mediation of the Government of the United States of America. The parties agreed, *inter alia*, to recommend to the Secretary-General that the date of 1 April 1989 be established for the implementation of Security Council resolution 435 (1978). Angola and Cuba further undertook to have concluded by 22 December 1988, when they would meet in New York together with South Africa, an agreement with the Secretary-General on verification arrangements to be approved by the Security Council.

By a note verbale⁸⁷ dated 22 December 1988 addressed to the Secretary-General, the representative of the United States transmitted the text of the agreement signed by Angola, Cuba and South Africa on the same date at United Nations Headquarters. The parties agreed, *inter alia*, immediately to request the Secretary-General to seek authorization from the Security Council to commence implementation of resolution 435 (1978) on 1 April 1989; and to cooperate with the Secretary-General to ensure the independence of Namibia through free and fair elections and to abstain from any action that could prevent the execution of resolution 435 (1978). The parties further agreed, consistent with their obligations under the Charter of the United Nations, to refrain from the threat or use of force and to respect the principle of non-interference in the internal affairs of the States of southwestern Africa. Furthermore, Angola and Cuba agreed to implement their bilateral agreement, signed on the date of the signature of the tripartite agreement, providing for the staged and total withdrawal of Cuban troops from Angola and the arrangements⁸⁸ made with the Security Council for the on-site verification of the withdrawal.

⁸⁶S/20325, annex and appendix.

⁸⁷S/20346, annex.

⁸⁸See S/20338; see also, in this chap., decision of 20 December 1988 (2834th meeting): resolution 626 (1988), under the heading: "Letter dated 17 December 1988 from Angola to the United Nations addressed to the Secretary-General"; "Letter dated 17 December 1988 from Cuba to the United Nations addressed to the Secretary-General".

6. LETTER DATED 6 MAY 1985 FROM THE REPRESENTATIVE OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decision of 10 May 1985 (2580th meeting): resolution 562 (1985)

By a letter¹ dated 6 May 1985 addressed to the President of the Security Council, the representative of Nicaragua requested that a meeting of the Security Council be urgently convened to consider the "extremely serious" situation in the Central American region.

At its 2577th meeting, on 8 May 1985, the Council included the letter by Nicaragua in its agenda. Following the adoption of the agenda, and in the course of its delibera-

tions, the representatives of Algeria, Brazil, Ecuador, Ethiopia, Mexico, Nicaragua, the United Republic of Tanzania and Yugoslavia were invited to participate in the discussions. At the 2578th meeting, the representatives of Bolivia, Colombia, Cuba, Cyprus, the Dominican Republic, Guatemala, the Islamic Republic of Iran, Mongolia, Poland and Zimbabwe; at the 2579th meeting, the representatives of Argentina, the German Democratic Republic, Guyana, the Lao People's Democratic Republic and Viet Nam. At the 2580th meeting, the representatives of Costa Rica, Honduras, Spain and the Syrian Arab Republic, were invited, at their request, to participate in the discussion.

¹S/17156.

At the 2577th meeting, the representative of Nicaragua gave a detailed account of the aggressive actions of the United States Government against his country preceding the latest imposition of a total embargo. He asserted that, despite some public declarations the Reagan Administration refused to accept the existence of an independent, democratic, non-aligned State in Central America and aimed at overthrowing the Nicaraguan Government on the pretext that it was exporting its revolution to various countries. That pretext was used to justify the creation and foundation of a huge mercenary force, the construction of a large permanent military infrastructure on Honduran territory, the presence of United States troops there, as well as the establishment of military manoeuvres on land, sea and air; this was followed by a systematic financial blockade, the almost complete reduction of the sugar quota, the closing of the consulates, the mining of the ports and the blocking of the efforts of the Contadora Group. Having been unable to prove the export of its revolution, the United States accused the Nicaraguan Government of being totalitarian and repressive, and had invested considerable amounts to finance the counter-revolution. The representative of Nicaragua indicated that, when the United States Congress had refused to grant more funds, President Reagan had submitted a so-called peace plan for Nicaragua, authorizing the money intended for humanitarian aid to be used for military purposes unless the Government of Nicaragua committed itself to undertaking negotiations with the assassins of its people. That plan, which the speaker described as "a dictatorial interference in the affairs" of his country, was rejected by Nicaragua as threatening its sovereignty and reducing it to a neo-colonial status. Instead of taking the opportunity to resume bilateral negotiations and move from a policy of domination to one of mutual respect and cooperation, President Reagan had notified the Congress of his decision to impose a total trade embargo upon Nicaragua. A note verbale from the State Department suspended the Treaty of Friendship, Trade and Navigation between the United States and Nicaragua for a period of one year, beginning on the date of the note. The latest measures of the Administration included the prohibition of all imports and exports between the two countries, except for the so-called democratic resistance; all the activities of air carriers and vessels, because, according to President Reagan, Nicaragua constituted an unusual and extraordinary threat to the national security and foreign policy of the United States. The speaker denounced those actions as unreal, out of proportion and violating the fundamental norms of economic and political relations between States, the principle of self-determination of peoples, the principle of non-interference in the internal affairs of States, and the principle of the peaceful settlement of disputes. He also indicated that the United States rejected the jurisdiction of the International Court of Justice, contrary to the obligations it had entered into, and violated the Charter of the Organization of American States (OAS), of the General Agreement on Tariffs and Trade (GATT) and even the suspended Treaty, which, among other things, stipulated one year's written notice in case one party decided to terminate it. He referred to numerous General Assembly resolutions disregarded by the Government of the United States and announced that Nicaragua was prepared to take formal legal action under GATT and in ICJ. He also considered that the Latin American Economic System (SELA) should intervene in the mat-

ter and conveyed that his Government had called for it to convene a meeting at the ministerial level.

He emphasized that the recent embargo had a clearly political meaning and was another premeditated step by the United States down the road of direct military intervention against Nicaragua; it represented a threat to the peace and stability of Central America, was a severe blow to the Contadora process, and made the possibility for the continuation of the bilateral talks more remote. The representative stated once again the principles of Nicaragua's foreign policy. He recalled the vote in the Security Council of a draft resolution denouncing the mining of Nicaraguan ports a year ago, which had not been adopted owing to a negative vote of the United States. He called for the Security Council to intervene and expressed the hope that it would support his country's efforts in the quest for peace in Central America and would reject the measures he had described, which infringed the rights to self-determination, sovereignty and independence.²

The representative of the United States stated that the remarks of the Nicaraguan Ambassador deserved and would have a response and that his country preferred to respond at the next meeting.²

At the 2578th meeting, on 9 May 1985, the representative of India stated that the situation in the region had steadily deteriorated despite the efforts of the Contadora Group to find a political solution to the problems of Central America. Security Council resolution 530 (1983) of 19 May 1983, recalling all the relevant principles of the Charter of the United Nations, as well as General Assembly resolution 38/10 of 11 November 1983 remained to be implemented. He pointed out that the Coordinating Bureau of the Movement of Non-Aligned Countries, which had been asked by the Seventh Conference of the Heads of State or Government of Non-Aligned Countries to monitor closely the events in the Central American subregion, had met in urgent session to hear the statement by the Permanent Representative of Nicaragua and had issued a communiqué, in which the Bureau strongly condemned the embargo, and other political, economic and military acts against Nicaragua; emphasized the need for a negotiated solution of the problems of the region; reiterated its full support for the efforts of the Contadora Group and called upon the United States Government to resume bilateral talks with the Government of Nicaragua. The representative of India further stated that his Government considered that the cause of the tensions in the region lay in the historical factors and that the disputes could only be resolved by peaceful means. Expressing the hope that the meeting of the Contadora Group and the five Central American countries in Panama City would come to a constructive conclusion, he urged the Council members to shape their actions accordingly.³

The representative of Peru stated that the trade embargo against Nicaragua affected principles enshrined in the Charter of the United Nations and the Charter of the Organization of American States and ignored the important progress achieved by the international community toward harmonizing inter-State relations. He cautioned against an improper assessment of the political priorities on the continent which would be an obvious error of perception of

²S/PV.2577, pp. 6-38.

³S/PV.2578.

the nature of Latin American problems. The conflict, he said, should not be attributed solely to East-West confrontation, but could be regarded as the result of an extraordinary inter-American economic and social crisis, as well as the historical lack of understanding of imbalanced North-South relations. He called upon the member States to reject the economic measures recently taken, which his Government considered a serious mistake and expressed the hope that the United States and Nicaragua, abiding by United Nations principles and the tenets of the Contadora Act would reach a comprehensive and definitive solution.³

The representative of the United States charged that Nicaragua was using the Security Council as a propaganda forum in order either to forestall the progress of the Contadora process or to influence American domestic political debate on Central America. He insisted that the United States was not preparing to invade Nicaragua and expressed the hope that the peoples of Central America would produce popularly elected Governments even in the face of difficult economic, social and political obstacles. Noting the undemocratic nature of the Sandinista regime, he charged Nicaragua with intimidating, destabilizing and subverting its neighbours, and with effecting a military build-up disproportionate to the country's population, economy and legitimate defence needs. Regarding the negotiating efforts of the Contadora Group, he reaffirmed the United States' support and hope for a peaceful regional solution, but expressed scepticism about Nicaragua's commitment to the letter and spirit of Contadora's 21 objectives. With reference to the trade embargo, he maintained that customary international law did not oblige a State to trade with any other State, and cited to that effect articles of the Friendship, Commerce and Navigation Treaty and GATT, containing appropriate provisions, as well as a number of precedents in international practice. He condemned Nicaragua for violating the Charter of the United Nations, the Charter of the Organization of American States and the Rio Treaty, as well as the 1949 General Assembly resolution and the 1970 General Assembly Declaration on Principles of International Law.³

The representative of Mexico expressed the grave concern of his Government with the United States actions against Nicaragua that, in his interpretation, jeopardized international order, led to an escalation of regional tensions and violated Chapter VII of the Charter of the United Nations, the Declaration of Principles of International Law, General Assembly resolution 2625 (XXV) of 24 October 1970 and the Charter of the Organization of American States. He recalled the decisions of the Latin American Economic System (SELA) that had affirmed that the application of coercive measures undermined the peacemaking efforts of the Contadora Group. He called upon the Council to determine the measures that should be adopted to guarantee the sovereignty and territorial integrity of Member States and to establish peace and security in the Central American region. He expressed the willingness of Mexico to assist in resuming the Manzanillo talks and insisted on resolving regional differences in keeping with the provisions of Chapter VI of the Charter of the United Nations.

The representative of China referred to Security Council resolution 530 (1983) and stated that a United States trade embargo against Nicaragua caused further deterioration in relations between the two countries and constituted a

violation of the purposes and principles of the Charter of the United Nations. He reiterated China's resolute support of the Contadora Group peace efforts and stressed the hope of his Government that the Central American question would be settled by the Central American countries free from any outside interference.³

The representative of Denmark described the crisis in Central America as closely related to the processes of change in centuries-old social inequality and economic under-development of the countries of the region that could not be overcome by attributing it to an East-West context and especially by armed force. He expressed his Government's support for the peace efforts of the Contadora Group, as well as its satisfaction with the San José communiqué stating that "the imposition of economic sanctions—though not violating general international law—would in no way help in solving the problems and reducing the conflicts of the region". He acknowledged that the embargo put the Contadora process in serious jeopardy, and appealed to the parties to refrain from any action that would further aggravate the situation.³

The representative of the Soviet Union expressed full support for the statement of the representative of Nicaragua and its request for an urgent meeting of the Security Council. He also agreed with the Coordinating Bureau of the Movement of the Non-Aligned Countries who condemned the lawless action against Nicaragua. He stated that the situation in Central America was deteriorating owing to anti-Nicaraguan action on the part of the United States, such as the direct coordination of the Somozists and their allies' armed operations, the participation of an unprecedented number of United States servicemen in the region, the use of armoured and tank technology in military manoeuvres, turning the territories of certain Central American States into a springboard for a devastating anti-Nicaraguan war. He considered those actions as blocking any means to a political settlement in the region. He blamed the United States for breaking off the United States-Nicaraguan talks and thwarting the peace efforts of the Contadora Group, as well as for rejecting all constructive proposals made by Nicaragua. With regard to the trade embargo and other discriminatory economic measures, he emphasized that they were imposed in spite of established international principles and of the bilateral and multilateral commitments entered into by the United States within the framework of the United Nations and other organizations. He pointed out the discrepancy in the United States attitude towards economic sanctions against Nicaragua and against the apartheid regime in South Africa. He underlined that the Soviet Union considered that a solution to the problems of Central America could be found by seeking a peaceful settlement through negotiations, expressed full support for the activities of the Contadora Group and the initiatives of the Government of Nicaragua, called upon them to observe the United Nations consensus decisions, including Security Council resolution 530 (1983) and General Assembly resolutions 38/10 and 39/4 of 26 October 1987. He assumed that the Security Council would demand that the rights of Nicaragua be respected, including its right to determine its own political, economic and social system; would condemn the intervention in the affairs of Central America and the illegal imposition of economic embargoes and would call for an immediate end to those actions.³

The representative of Australia pointed to the existence of unjust economic and social situations as the basic source of the region's problems, and urged that the East-West conflict be kept out of Central America. He called upon all countries to support the actions of the Contadora Group, believing that solutions could come only from the people of the region themselves and could not be imposed from the outside. In his opinion, the Security Council should support this process of negotiation by pointing to the principles and practices which should guide all States involved, which should fulfil in good faith their obligations under the Charter of the United Nations. He referred to Security Council resolution 530 (1983) underlining the right of Nicaragua to choose its own form of Government without interference. Concerning trade sanctions, he recalled that the Australian Prime Minister and Foreign Minister had made it clear that they did not consider the imposition of an embargo to be an appropriate action in the circumstances, while not denying that the United States had a right to be concerned at the events so close to its own borders.

He made a plea to all countries to refrain from violence, expressed the hope that all the parties would embrace the process of dialogue and negotiation, working together for political, economic and social reforms, as necessary steps towards the emergence of stable Governments, supported by democratic choice, for the improvement of human rights. He expressed Australia's hope that the debate in the Security Council would play some part in the achievement of those objectives.³

The representative of France quoted Security Council resolution 530 (1983) and General Assembly resolutions 38/10 and 39/4 as the basis for finding a lasting regional solution in Central America. He stressed that the undertaking of the Contadora Group could not but be adversely affected by coercive measures taken against Nicaragua and expressed regret that this event had taken place just after the Ten of Europe had sent a goodwill mission to Central America. He reaffirmed his country's commitment to the principles of the Charter of the United Nations, to continuation of the Contadora process, and to the bilateral negotiations to produce urgently needed easing of tension.³

The representative of Cuba stated that the unjustified unilateral embargo imposed by the Washington Administration upon Nicaragua was a new step in the escalation of United States Government action against that country. He reminded the Council that the United States' allies had expressed disagreement with the embargo during their meeting in Bonn. He claimed that the embargo was a harsh blow to the efforts of the Contadora Group and should be rescinded by those who had imposed it, thus making a contribution to easing tension in the area. He called upon the Security Council to act on the basis of the Charter of the United Nations by supporting the Contadora Group so that reason and dialogue might prevail.³

The representative of the United Republic of Tanzania, on behalf of the Non-Aligned Movement and of his country, pointed out that the very principles of the United Nations, as embodied in the Charter, were at stake in the admittedly explosive situation in the area; the security of States was being undermined and a serious threat to international peace was posed. He emphasized that a lasting solution to the problem with regard to Nicaragua and to the whole area depended entirely on the strict observance of

the principles of the Charter of the United Nations, especially in respect to Nicaragua as a non-aligned State. He referred to the endeavours of the Contadora Group to achieve a peaceful settlement of the dispute among the Central American countries, to oppose outside interference, to develop a positive orientation. With regard to General Assembly resolution 38/10, unequivocally supporting the Contadora efforts, he noted that it had not been implemented. The delegation of the United Republic of Tanzania, guided by the common position of the Non-Aligned Movement, maintained that it was of vital importance to put an end to all interference and threats from outside, and urged "all those concerned to refrain from making Central America an arena for their rivalry and from displaying their military might or resorting to intimidation for that purpose". He pledged solidarity with the people and Government of Nicaragua and expressed the hope that the Security Council could "do no less than give encouragement and support to ongoing genuine efforts aimed at bringing about a long-lasting peace and a just solution to the problems of Central America".³

The representative of Poland emphasized that the crisis in Central America could in no way be attributed to East-West rivalry, but rather was the result of the extension of different destabilizing factors, such as the lack of economic development and grave social injustices and a policy of interference, as manifested by United States military activity in the region, pressure and economic coercion against Nicaragua. He condemned the imposition of "so-called economic sanctions" that were not approved by the Security Council, but were wholly ideologically motivated, unlawful and inconsistent with the provisions of the Charter, in particular, Articles 1 and 2.

He proposed that any existing differences be resolved through dialogue and in the spirit of the Charter of the United Nations. He noted that the extension of political tension into the sphere of economic cooperation introduced an element of uncertainty and instability, and made many States reluctant to commit themselves to broader economic cooperation, fearful of increasing exposure to political pressures. He called upon States to start the process of confidence-building in international economic relations, thus providing a favourable stimulus to political relations. Poland shared the conviction that the Contadora process was "the appropriate forum for dealing with the Central American situation"⁴ and considered that the immediate cessation of acts of intervention and economic coercion was the main condition for the restoration of peaceful relations.³

The representative of Algeria observed that a dangerous development of the situation in Central America, following an inexorable logic of confrontation, threatened to break out into a regional conflagration aggravated by the global context in which "tangible signs of renewed confidence could not yet be discerned". He drew attention to the Charter of the United Nations, to Security Council resolution 530 (1983) as well as to the efforts of four Latin American countries (Colombia, Mexico, Venezuela and Panama) to achieve the translation into reality of the goodwill created by the Contadora process in the five Central American countries, and reflected in the Act on Peace and Coopera-

⁴A/40/235.

tion in Central America. He condemned the trade embargo against Nicaragua, adopted by the United States in violation of international law, as seriously reducing the chances of a negotiated political settlement, the impact of the crisis being greater "because of the mobilization of all Nicaragua's national means to face the constant threat to its sovereignty and independence". He considered that persisting in depicting the problem of Central America as an East-West confrontation was "the continuation of a mistaken approach".

He stated that Algeria supported the efforts of the Contadora Group, "since they reaffirm the urgency of reabsorbing regional conflicts within their regional framework, at the precise moment of the welcomed resumption of dialogue between the super-Powers. Quite clearly, then, the work of the Contadora Group by its significance goes beyond the initial limits of an urgent recourse to an ad hoc initiative and reaches the level of symbolic efforts that basically revert to the choice laid down in the Charter of our Organization, which gives pride of place to recourse to dialogue and negotiation."³

The representative of Brazil referred to the statement issued by the Brazilian Government⁵ and expressed deep concern against "transplanting into the region the problems that pertain to the East-West confrontation". His Government deplored the use of unilateral economic measures inconsistent with the Charter of the United Nations and with the Charter of the Organization of American States. He appealed to all the parties involved to abstain from any acts that endangered the prospects for understanding and to make a direct commitment to negotiation efforts.³

The representative of the United States of America, responding to the allegations that the trade embargo was a violation of the Charter of the United Nations, repeated that there was nothing in the Charter that prevented a State from exercising its right to terminate trade. He considered his country's actions to be consistent with the Charter of the Organization of American States, while Nicaragua, in his opinion, was conducting a campaign of subversion and aggression against its neighbours and violating the political and human rights of its people. He said "the United States decision to cease trading with Nicaragua is intended primarily to prevent Nicaragua from deriving benefits from trade with the United States which would, directly or indirectly, support its illegal, aggressive and destabilizing course of action in the region".³

The representative of Nicaragua pointed out that the United States delegation was trying to divert the attention of the Security Council from the central issue, acts of aggression to which Nicaragua had been victim for many years, to arguments related to Nicaragua's internal affairs. He asked why the United States did not use the Security Council or the International Court of Justice if it was so sure that Nicaragua was violating the Charter of the United Nations and the Charter of the OAS, as well as committing aggression and constituting a threat to peace and security.³

The representative of the Soviet Union rejected the accusations of the Soviet Union's involvement in the region. He reminded the Council that the intervention of the United States in Latin America had begun long before the Soviet Union existed on the map of the world, that the United

States had committed 81 acts of intervention, including 10 against Nicaragua.³

At the 2579th meeting, on 10 May 1985, the President drew the attention of the members of the Council to a draft resolution⁶ presented by Nicaragua which was later voted upon paragraph by paragraph.

Among other things, the draft resolution stated that the Security Council, recalling relevant resolutions of the Council and the General Assembly, and seriously concerned about the increased tensions in Central America, aggravated by the trade embargo which undermined the efforts of the Contadora Group, regretted the recent trade embargo as inconsistent with the principle of non-interference and as representing a danger to stability in the region. The draft resolution called for an immediate end to those measures and also called upon the interested States to refrain from any action or intention to destabilize or undermine other States or their institutions.

The representative of Burkina Faso called upon the Security Council to denounce and combat the total United States embargo against Nicaragua thus protecting "mankind from this double standard of justice, which means that, depending upon whether one is powerful or weak, the court judges one to be right or wrong". He referred to General Assembly resolutions 38/10 and 39/4, and expressed the hope that the Security Council would manage to bring both parties to resume dialogue.⁷

The representative of Ethiopia claimed that the decision of the Security Council would "indicate whether the world was headed for the continued supremacy of the rule of law or a dark age of brute force wherein chaos reigns". He characterized the trade embargo as aiming at destabilizing and eventually overthrowing the popularly elected Government of Nicaragua, as well as being a violation of bilateral agreements between the United States and Nicaragua; article 32 of the Charter of Economic Rights and Duties of States and principles of GATT, particularly paragraph 7 (iii) of the Ministerial Declaration adopted on 28 November 1982 by the Contacting Parties. He also referred to General Assembly resolution 39/210 of 18 December 1984, calling on all developed countries to refrain from any economic sanctions against developing countries; resolution 39/204 of 17 December 1984, calling upon all the Governments to contribute to the reconstruction and development of Nicaragua. He stated that his Government was convinced that the Contadora Process was the only "path that will lead to peace, security and development in Central America".⁷

The representative of Cyprus expressed the hope that the Security Council "which is primarily entrusted with the maintenance of international peace and security, will exert every effort to achieve, finally, an immediate end to the hostilities in the region and to the threats directed against the sovereignty, independence and territorial integrity of Nicaragua".⁷

The representative of the Ukrainian SSR supported Nicaragua's claim, called upon the Security Council to "take steps that will lead to the cessation of these acts of aggression and subversion against" Nicaragua.⁷

⁶S/17172. After it was voted upon paragraph by paragraph, the revised draft was adopted as resolution 562 (1985) at the 2580th meeting, on 10 May 1985.

⁷S/PV.2579.

⁵S/17166.

The representative of Madagascar supported Nicaragua's condemnations, the non-aligned countries' communiqué of 7 May 1985, and Nicaragua's draft resolution.⁷

The representative of Bolivia said that his country trusted that the differences existing between the two parties would be solved by means of direct dialogue avoiding actions that might lead to a greater division between the members of the inter-American system. He referred to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV); the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, contained in General Assembly resolution 36/103 of 9 December 1981; the Manila Declaration on the Peaceful Settlement of International Disputes, approved in General Assembly resolutions 37/10 of 15 November 1982 and 39/79 of 13 December 1984.⁷

The representative of Mongolia supported the position of the Government of Nicaragua, totally rejected any policy of diktat directed against sovereign, independent States. He called upon the Security Council to do everything possible to find a peaceful solution to the problems of Central America. He quoted the Declaration of his Government on this matter of 22 April 1985.⁸

The representative of Trinidad and Tobago expressed regret at the recent actions of the United States which had increased tensions and aggravated the existing critical situation in the area. He shared the view that the problems of the countries in the region were rooted in their social and economic conditions and should not be drawn into the wider East-West context. He fully supported the effort of the Contadora Group to achieve a negotiated settlement of the conflict.⁹

The representative of Colombia underlined his country's support of the efforts of the Contadora Group "to resolve the problem of common concern to the countries of America and of fundamental interest to the civilization of the West".⁹

The representative of Zimbabwe was perturbed "at the contemptuous rejection by the super-Power (United States) concerned of repeated proposals of peaceful settlement of the crisis in Central America that had emanated not only from Managua but also from the Contadora Group and from various capitals in Central America and the rest of Latin America. He assured the Council that his country would do its best to encourage a peaceful resolution of the conflict."⁹

The representative of Yugoslavia attributed the conflict to "the attempts to preserve the obsolete relationship of domination" on the part of the United States. He stated that "economic coercive measures are not only unacceptable from the point of view of international relations as such; they are, in the present international economic crisis and in times when developing countries are languishing under the debt burden, an additional, strong element of insecurity and disorder affecting international economic relations at large". He called upon the parties to seek a solution of the problems by negotiation.⁹

The representative of the Lao People's Democratic Republic said that his delegation believed that the Council, which under the Charter bears the primary responsibility for preserving international peace and security, should take the necessary steps to put an end to the aggression of which Nicaragua was victim and contribute to the search for a mutually acceptable negotiated political solution on the basis of mutual respect and respect for the Nicaraguan people's right to self-determination. The Lao Government and people wished to reaffirm their unswerving support for the just cause of the Government and the heroic people of Nicaragua.⁹

The representative of Ecuador reaffirmed his Government's constant support for the action of the countries of the Contadora Group as one possible mechanism that should intensify its efforts to find a way to put an end to the problems affecting the Central American region. A united position by its five countries and acts of dialogue and negotiation was both desirable and necessary for that to be achieved. It was also desirable to try to avoid at all costs the transfer of East-West tensions to the new world. He expressed the hope that this action would lead to a peaceful settlement of disputes, which was the primary goal of the lofty functions of the Security Council.⁹

The representative of the Dominican Republic read a communiqué issued by his Foreign Minister, in which the Government reiterated its devotion to peace and its abiding view that only a negotiated peace, in keeping with the means and principles of international law, particularly those enshrined in the inter-American system and the Charter of the United Nations could guarantee a genuine and effective solution to the conflict; that the peace efforts of the Contadora Group were the best way to achieve both peace and social justice and the strengthening of democratic institutions sought by the peoples of Central America.⁹

The representative of Guyana declared that such disputes must be settled by exclusively peaceful means, with full respect for the right of the people of Nicaragua to choose their own forms of political, economic and social organization and for their right to live in peace, free from outside interference, pressure or coercion; a right that was reaffirmed by the Council in its resolution 530 (1983). He also stated that the problems of Central America were not susceptible to military solutions, nor could solutions be imposed from outside. He hoped that the Security Council would make an effective and worthy response to the serious situation which Nicaragua had brought to its attention.⁹

The representative of Guatemala said that political pluralism must be guaranteed and fundamental human rights must be respected. He reaffirmed his unconditional support for the peace efforts of the Contadora Group and called for the Security Council to try to create a more favourable negotiating climate, enabling progress to be made in the difficult and delicate negotiations in the Contadora Group.⁹

The representative of the German Democratic Republic said that his Government rejected the machinations of attempts at blackmail of Nicaragua by means of economic blockade, and called for an immediate end to those measures, in the interests of the international climate and the free development of international trade. It condemned any form of armed aggression and the exertion of political pressure against Nicaragua, as well as threats against Cuba and the growing attacks on other Central American countries. He supported the demand of the non-aligned coun-

⁸A/40/269; S/PV.2579.

⁹S/PV.2580.

tries for a peaceful solution to the problem of the region in its communiqué of 7 May 1985.⁹

The representative of Argentina noted that the contribution the Security Council could make to regional efforts was of fundamental importance. He reiterated that the only genuine alternatives for achieving peace were political negotiations initiated by the Contadora Group and the resumption of the dialogue begun at the Manzanillo meetings. He hoped that it would be possible to prevent the Central American conflict from becoming part of a much broader confrontation and that the region would not have to bear the consequences of East-West confrontation. He called for the parties to respect the principles of inter-American Law and (the principle) of non-intervention and self-determination of the Charter of the United Nations. He denounced economic sanctions as impeding a speedy solution of the conflict and polarizing positions.⁹

The representative of Viet Nam stated that the trade embargo was in violation of the Charter, International Law and the bilateral treaty. He supported the communiqué of the Co-ordinating Bureau of the Non-Aligned Countries. He urged the Security Council to take effective measures to compel the United States to put an end to its dangerous and hostile acts. He supported the draft resolution which called for the resumption of bilateral talks in Manzanillo.¹⁰

The representative of the Syrian Arab Republic considered the blockade a violation of Security Council resolution 530 (1983), General Assembly resolutions 38/10 and 39/4 and of the Charter of the United Nations. He called upon the Security Council to shoulder its responsibilities under the terms of the Charter.

The representative of Honduras, appraising the balance sheet of the Contadora Group negotiating process Declaration of 17 May 1985¹¹ as positive, emphasized that his Government was studying the trade embargo from the point of view of its implications for the regional economic relations. He informed that the subject would be dealt with at a meeting of the Central American Monetary Council (to be convened on 17 May 1985 in San José, Costa Rica); at the joint meeting of the Ministers of trade and the Presidents of the Central Banks of the Central American States. Regarding the draft resolution, he pointed out that its paragraph 1 was in contradiction with "the broad objective of its request for the convening of the Council". He argued against Nicaragua's role as a spokesman in any objective evaluation of the situation in Central America, for which it was to a very large extent responsible. He gave examples of some conflict situations as being in contradiction with the Charter of the Organization of American States, the Charter of the United Nations and the objectives of the Contadora process.¹² He expressed regret that any Central American country would experience disruption of its traditional foreign trade relations, the victim of which was the entire Central American population. At the same time, he emphasized that any resolution adopted by the Council "would have no value as a precedent in support of a country of the region that publicly refused to admit its own responsibility for the crisis".¹² He stated that the Nicaraguan Government disregarded the substance of resolutions, principles and norms of the inter-American system and of

the United Nations by creating wrenching divisions within its own population, "massive flows of refugees to neighbouring countries, support for subversive movements against those countries, terrorism, the flight of Central American capital, the significant decline of foreign investment, deterioration of inter-regional trade and diversion of resources" from development to the arms build-up. He referred to the Declaration of San Salvador, calling for actions to be taken within the established legal order aimed at achieving national reconciliation in all countries where profound divisions in society had arisen. He commented on the joint military exercises with the United States, and denied the existence of foreign military and security advisers and arms. He urged the Nicaraguan Government to attend the upcoming Contadora meeting and reiterated Honduras' support for the identity of Central America, for the removal of expansionist ambitions, of the arms race, of the foreign presence, and for commitment to the Contadora Act.¹³

The representative of the Islamic Republic of Iran analysed the attitude of the United States to the neighbouring countries said to be in its own backyard and based on over-emphasizing the danger of the spread of communism; supported the people and the Government of Nicaragua; deplored intervention in its internal affairs, as well as any kind of intimidation and called upon the Security Council to exert every effort to terminate acts of hostility against Nicaragua.¹⁴

The representative of Spain expressed concern over economic sanctions, and advocated the course of regional negotiations within the Contadora process.¹⁵

The representative of Costa Rica read a statement of his Government, which expressed concern over the increasing number of elements forming part of the East-West confrontation which were having a particularly exacerbating effect on the regional crisis; recognized that one of the objectives of the embargo was to bring pressure on the Nicaraguan Government to promote internal dialogue and national reconciliation in Nicaragua and El Salvador and to move towards the establishment of democratic institutions. Having studied the situation, the Government of Costa Rica concluded that it was legally impossible for it to participate in the economic measures, or to adopt measures of similar nature, as it could constitute a breach not only of its obligations as a member of the Central American Common Market but also bilateral treaties with Nicaragua and, moreover, could create obstacles to the objectives of the Contadora process.¹⁶

The President, speaking in his capacity as representative of Thailand, expressed grave concern over the issue of the economic embargo which had worsened the relationship between the United States and Nicaragua, with both of whom Thailand enjoyed diplomatic relations. He stated that his concern stemmed from the consequent repercussions of the economic sanctions, which could have adverse effects on the ongoing Contadora process. He noted that, in the instances where the more powerful nations exercised power against the less powerful, the sympathy of his country lay with the less powerful countries. Concerning the

¹⁰*Ibid.*, pp. 67-75.

¹¹S/17174.

¹²S/PV.2580, p. 86.

¹³*Ibid.*, pp. 78-96.

¹⁴*Ibid.*, pp. 96-106.

¹⁵*Ibid.*, pp. 106-107.

¹⁶*Ibid.*, pp. 108-113.

draft resolutions, he indicated that, while noting its moderate tone and regretting the trade embargo, his country did not go as far as the wording of operative paragraph 1 and would abstain in the voting.¹⁷

The representative of India requested, under the rule 38 of the provisional rules of procedure of the Security Council, that the draft resolution⁶ be put to a vote.¹⁸

The representative of the United States said that his delegation believed that it was always important to search for and to record areas of agreement; that a general principle of its foreign policy was to seek the peaceful resolution of disputes through dialogue and negotiations and requested a paragraph-by-paragraph vote on the draft resolution before the Council¹⁹ in order to demonstrate the existence of broad areas of agreement between the position of his Government and that of Nicaragua.

The President then put the draft resolution to the vote, paragraph by paragraph; the first, second, third, fourth, fifth and seventh paragraphs of the preamble were adopted unanimously; the sixth paragraph was adopted by 14 votes to none, with 1 abstention; the eighth paragraph received 13 votes to 1, with 1 abstention; operative paragraph 1 received 11 votes to 1, with 3 abstentions, and was not adopted, owing to the negative vote of a permanent member; paragraph 2 received 13 votes to 1, with 1 abstention, and was not adopted, owing to the negative vote of a permanent member; paragraph 3 was adopted by 14 votes to none, with 1 abstention; paragraphs 4, 5, 7 and 8 were adopted unanimously; paragraph 6 was adopted by 13 votes to none, with 2 abstentions. Thus the draft resolution as a whole, as amended, was adopted unanimously as resolution 562 (1985).²⁰ It reads as follows:

The Security Council,

Having heard the statement of the Permanent Representative of Nicaragua to the United Nations,

Having also heard the statements of representatives of various States Members of the United Nations in the course of the debate,

Recalling resolution 530 (1983) which reaffirms the right of Nicaragua and of all the other countries of the area to live in peace and security, free from outside interference,

Recalling also General Assembly resolution 38/10, which reaffirms the inalienable right of all the peoples to decide on their own form of government and to choose their own economic, political and social system free from all foreign intervention, coercion, or limitation,

Recalling also General Assembly resolution 39/4, which encourages the efforts of the Contadora Group and appeals urgently to all interested States in and outside the region to cooperate fully with the Group through a frank and constructive dialogue, so as to achieve solutions to the differences between them,

Recalling General Assembly resolution 2625 (XXV), in the annex to which the Assembly proclaims the principle that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind,

Reaffirming the principle that all Members shall fulfil in good faith the obligations assumed by them in accordance with the Charter of the United Nations,

1. *Reaffirms* the sovereignty and inalienable right of Nicaragua and other States freely to decide on their own political, economic and social systems, to develop their international relations according to their people's interests free from outside interference, subversion, direct or indirect coercion or threats of any kind;

2. *Reaffirms once again* its firm support to the Contadora Group and urges it to intensify its efforts; it also expresses its conviction that only with genuine political support from all interested States will those peace efforts prosper;

3. *Calls upon* all States to refrain from carrying out, supporting or promoting political, economic or military actions of any kind against any State in the region which might impede the peace objectives of the Contadora Group;

4. *Calls upon* the Governments of the United States of America and Nicaragua to resume the dialogue they had been holding in Manzanillo, Mexico, with a view to reaching accords favourable for normalizing their relations and regional détente;

5. *Requests* the Secretary-General to keep the Security Council apprised of the development of the situation and the implementation of the present resolution;

6. *Decides* to remain seized of this matter.

Following the vote, the representative of the United Kingdom explained that his delegation abstained on what were originally the sixth preambular paragraph and operative paragraph 3 (paragraph 1 of the adopted resolution) because they referred to the inalienable right freely to decide on political, economic and social systems, which, he insisted, belonged to peoples, not to States. He quoted the Charter of the United Nations, the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States and stressed that his country deplored the distortion of this principle in operative paragraph 1 of the resolution as adopted.²¹

The representative of Nicaragua expressed profound satisfaction with the debate and the adoption of the resolution; appealed to the United States to comply with its terms. He denounced the use of the veto three times in one draft resolution by the United States, as well as its abstention on a paragraph that asked for the resumption of the dialogue between the two States.²²

The Council thus concluded that stage of its consideration of the item on the agenda.

¹⁷*Ibid.*, pp. 113-116.

¹⁸S/PV.2580, p. 116.

¹⁹*Ibid.*, p. 117.

²⁰For the vote, see S/PV.2580 and chap. IV of the present *Supplement*.

²¹S/PV.2580, pp. 129-130.

²²*Ibid.*, pp. 131-141.