

injustice towards the people of Palestine. He then referred to the principles of a comprehensive and lasting peace in the Middle East, saying that it was the duty of the Security Council to ensure the recognition of those principles by all the parties. The best means to do so would be to convene an international conference. He concluded by stating that the Council must be prepared, in the exercise of its functions, to apply sanctions under Chapter VII of the Charter against those who refused to implement its decisions.<sup>21</sup>

At the same meeting, the representative of Jordan considered that the Security Council had to recall the four facts that were at the root of the conflict. Firstly, the basic problem of the Middle East was the continued Israeli occupation of the Arab Territories and the denial of the legitimate rights of the Palestinian people. Secondly, the increase in acts of terrorism on the one hand and of legitimate resistance on the other reaffirmed the seriousness of the absence of a comprehensive peace and call for prompt actions to achieve peace. Thirdly, the continuation of a state of no war-no peace was the cause of violence in the region and of a continued resistance to the occupiers. And, fourthly, the time factor was not working in anybody's favour. Time could either run against the interests of all if it was used to strengthen aggression and expansion, or be in the interests of all if it was used properly through the adoption of flexibility and moderation.

In its search for peace, Jordan, in cooperation with other Arab countries, had advocated the political option to solve the Arab-Israeli conflict—that of territory in return for peace. The international unanimity on the question, nevertheless, had not led to the establishment of peace in the Middle East. The speaker considered that Palestinians should participate in the formulation of a just and lasting peace. They should also take part in guaranteeing it through the PLO, which had committed itself to the principle of peace and coexistence, based on the legitimate national rights of the Palestinian people. He reiterated the principles of the Palestinian-Jordanian Accord of 1985 and

of the Fez resolutions of 1982 and expressed his support for the convening of an international conference attended by all parties in addition to the permanent members of the Security Council. He recalled that all parties concerned had supported the convening of a conference at one stage or another beginning with the aftermath of the 1973 war. He did not believe that such a conference would strengthen the negotiating position of one party at the expense of the other. He concluded by urging the parties to adopt a more positive and flexible position in order to enhance the possibility for peace.<sup>22</sup>

Also at the same meeting, the representative of Israel conveyed a statement by his Foreign Ministry expressing satisfaction and appreciation for the resolute action of the United States in intercepting the aircraft carrying the terrorists responsible for the act of piracy against the *Achille Lauro*. He considered that act to be an essential step towards the eradication of global terrorism. He stated that the debate degraded the Security Council and that, with the exception of the representative of Israel, none of the speakers had addressed the many conflicts that were consuming the Middle East. Instead, the Council's attention was being deflected from the real issue: PLO terrorism and its danger to world security. He referred to the murder of the *Achille Lauro* passenger and said that the PLO was trying to transform its crime into a victory. He considered that the terrorist act was known and approved by the PLO leadership. He also referred to the bombing of the PLO headquarters in Tunisia, stating that the United States Armed Forces had not participated in the operation. The representative recounted several other incidents demonstrating his country's position on the question. He concluded by saying that his country had called repeatedly for the negotiation of a peace agreement with neighbouring countries—to follow the model of Camp David—direct negotiations without preconditions. He was looking forward to the time when the Security Council would be the scene of constructive diplomacy.<sup>23</sup>

<sup>21</sup>*Ibid.*, pp. 33-38.

<sup>22</sup>*Ibid.*, pp. 46-53.

<sup>23</sup>*Ibid.*, pp. 53-58.

#### 15. LETTER DATED 6 DECEMBER 1985 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

By a letter dated 6 December 1985,<sup>1</sup> the representative of Nicaragua requested an urgent meeting of the Security Council for the purpose of considering the extremely serious situation created by the escalation of acts of aggression directed against his country by the United States Administration.

At its 2633rd meeting, on 10 December 1985, the Security Council included the item in its agenda and invited at the same meeting the representatives of Nicaragua, the Islamic Republic of Iran, Mexico, the Syrian Arab Republic and Viet Nam; at the 2634th meeting, the representatives

of Costa Rica, Cuba, Honduras and the Libyan Arab Jamahiriya; and at the 2636th meeting, the representative of Zimbabwe, at their request, to participate, without the right to vote, in the consideration of the item.<sup>2</sup> The Council considered the question at its 2633rd, 2634th and 2636th meetings, on 10 to 12 December 1985.

At the same meeting, the President drew the attention of the members of the Council to documents S/17674, S/17675 and S/17676, which contained the texts of letters dated 5 and 6 December 1985 from the Chargé d'affaires

<sup>1</sup>S/17671.

<sup>2</sup>For details, see chap. III of the present *Supplement*.

a.i. of the Permanent Mission of Nicaragua to the United Nations addressed to the Secretary-General.

Also at the same meeting, the representative of Nicaragua stated that in the course of the criminal war that the United States Government had been waging against Nicaragua since 1981, there had been an unprecedented event, namely, the use by the counter-revolutionary mercenary forces of surface-to-air missiles supplied by the United States Government. Referring to confidential sources, he affirmed that at least 30 such missiles had been delivered to the counter-revolutionary training camp in Las Vegas. The missiles had been filmed by an American television network; in addition, there was a report that a Nicaraguan helicopter had been downed by a SAM-7 missile. The speaker drew the Council's attention to the fact that for the first time in the history of the American continent, an irregular force fighting against an established Government had received the type of weapons that gave the terrorists unprecedented powers. This confirmed the United States Government's disdain for international law and for the 10 May decision of the International Court of Justice ordering the United States to cease its aggression against Nicaragua. The speaker stressed that his Government and the people of Nicaragua were determined to defend their sovereignty, their territorial integrity, their political independence and self-determination. He called upon the Security Council to denounce, to warn against and to fight the actions of the United States, which represented a real threat to world peace.<sup>3</sup>

At the same meeting, the representative of the United States of America argued that the most serious obstacle to peace in the region was the attempt of the Government of Nicaragua to impose a totalitarian regime in the country. After it had crushed all forms of opposition it now portrayed the democratic armed resistance of its people that had grown from 7,000-8,000 men in mid-1984 to 20,000 men, as a reactionary mercenary force organized by the United States. He indicated that the Government of Nicaragua had introduced a frightening new dimension to warfare in Central America by acquisition of one of the world's most sophisticated attack helicopters, the MI-24, which intimidated not only Nicaraguan opposition elements, but also their neighbours—Honduras, Costa Rica and El Salvador—which were all within the reach of this 'flying tank', and none of which had a comparable weapon. He indicated that the weapon was the latest addition to the unprecedented level of troops, tanks, artillery, helicopters and other equipment, including SAM-7 surface-to-air missiles. According to the speaker, the missile used by the Nicaraguan resistance was Soviet-manufactured and acquired on the international market. He referred to the United States law prohibiting the provision of lethal equipment to the Nicaraguan resistance.

With regard to the International Court of Justice, the representative remarked that of the 15 judges on the Court, 10 of the countries to which those judges belonged rejected the compulsory authority of the Court.

For his part, he condemned Nicaragua for providing logistical, material and moral support to a number of terrorist groups in Latin America as well as for participating in combat activities. He also noted that the intelligence infor-

mation confirmed the establishment by the Sandinistas of clandestine guerrilla units, and infiltrating impostors, who, claiming to be resistance fighters, carried out attacks on Nicaraguan civilians and attempted assassinations of key resistance commanders as part of the campaign to discredit the armed resistance. He described the 10 Nicaraguan requests to convene the Security Council as aimed either at forestalling the progress of the Contadora process or at influencing the political debate about Central America in the United States and denounced Nicaragua for misusing the Council by converting it into a propaganda forum. He emphasized that the Contadora negotiating process was the best prospect for achieving peace in Central America and blamed Nicaragua for declining to attend meetings in Cartagena to discuss the future of Contadora and for unilaterally calling for suspension of the Contadora negotiations for six months at the moment when the process had moved from the basic document of 21 objectives to discussion of draft agreements. In conclusion, he laid on the Government of Nicaragua the responsibility for the consequences of their aggression and called for urgent steps to come to terms with their own people.<sup>4</sup>

In exercise of the right of reply, the representative of Nicaragua pointed out that the United States Government was the one that had been refusing to respond in practice to the request of the Contadora Group to put an end to its aggression against Nicaragua as well as to the Contadora's request for the resumption of the bilateral talks. He doubted the possibility of the Central American Governments reaching an agreement without first halting the United States war against Nicaragua. He considered that it was impossible to make progress because of the total lack of willingness by the United States Government to come to an understanding with the Government of Nicaragua and to find the way out of the Central American crisis.

Concerning the prohibition for the United States Government legally to give missiles to mercenary forces, the speaker suggested that the Department of State should send an official note to the Government of Nicaragua denying that it had supplied missiles to the counter-revolutionaries and confirming that it had given no kind of help to those forces to acquire that type of weapon.<sup>5</sup>

At the 2634th meeting, on 11 December 1985, the representative of India described the situation in Central America as marked by instability and strife owing to continued and intensified acts of interference and intervention, both direct and indirect. Speaking in his capacity as Chairman of the Movement of Non-Aligned Countries, he reaffirmed the solidarity of the Movement with the Government and people of Nicaragua. He recalled Security Council resolutions 530 (1983) and 562 (1985) reaffirming the right of Nicaragua to live in peace and security, free of outside interference, and calling on States to support the Contadora process. He also referred to the documents of the Movement of Non-Aligned Countries<sup>6</sup> expressing concern over the tension in Central America and calling for a negotiated and political solution to the region's problems.

He expressed the conviction of his Government that peace in the region must be based on the principles of the political and socio-economic pluralism of States, scrupu-

<sup>4</sup>Ibid., pp. 26-36.

<sup>5</sup>Ibid., pp. 37-39.

<sup>6</sup>S/15675, annex, and S/17610, annex I.

<sup>3</sup>S/PV.2633, pp. 6-25.

lous observance of the principles of non-interference and non-intervention, a positive appreciation of the endemic problems of the region and a constructive and cooperative approach to their resolution. He called upon the Security Council to grasp that reality and give the urgent task of bringing peace to that region a real chance.<sup>7</sup>

At the same meeting, the representative of Peru expressed solidarity with the people of Nicaragua and reiterated his country's commitment to the collective task of achieving a peaceful, negotiated, stable and democratic solution to the question of Central America. He observed that the crisis in the region had entered a stage where all the military, economic and political resources were used to pursue a pre-established geopolitical purpose and military superiority was exercised as a supreme and permanent argument. The economic crisis caused by the unjust trade and resulting debt was an explosive and volatile factor that would be decisive in future changes in the region. He considered that the attempt to impose by force a destiny different from that which they had chosen on 3 million Nicaraguans would have a great impact on 400 million Latin Americans. He called for reaching agreement and understanding without the interference of external factors, on the basis of ideological and economic pluralism and with respect for the principle of the sovereign equality of States, in tune with intra-American principles and pacts. He opposed what he called the attempts by the super-Powers to make the settlement of the regional conflicts in the third world their own exclusive preserve, which could amount to repudiating the system of multilateral relations, to liquidating the right of self-determination and to disregarding the principles of the United Nations. Consequently, he viewed the Contadora process as the sole alternative to the option of war in Central America and as a political process that can resolve the contradictions, deeply rooted in the region, that derived not so much from different ideologies, but rather from a long history of material, institutional and democratic privation, which had been recognized in the Security Council resolutions. He welcomed the inclusion of Argentina, Brazil, Peru and Uruguay as members of the Lima Support Group. He called upon the Security Council to establish measures of investigation and control and to take preventive action which might be an essential prerequisite for the peacemaking action of the Contadora Group.<sup>8</sup>

Also at the same meeting, the representative of the Union of Soviet Socialist Republics supported the complaint of Nicaragua as a fully warranted and timely step, because the tension continued to cost the lives of thousands of human beings and the existing military danger in the region could lead to tragic events familiar to the Security Council from other regional conflicts. He referred to Security Council resolution 502 (1985) as a basic political prerequisite for the solution of the conflict, as well as to a special resolution of the General Assembly condemning the embargo against Nicaragua imposed by the United States. He attributed the aggravation of the situation to the military and political pressure against the Nicaraguan people. The appearance of the surface-to-air anti-aircraft missiles was a very dangerous manifestation of the escalation of tension imposed from outside and aimed at general destabilization for the overthrow of the Government. Such a policy of the

United States towards Nicaragua was described as inconsistent with the obligations of the United States as a permanent member of the Security Council as well as undermining the Contadora process. The constructive proposals of Nicaragua concerning the establishment in the region of a zone of peace free of foreign military presence were ignored. The speaker stressed that the Soviet Union supported the solution of the problems of Central America by political means by the countries of the region without foreign interference; it had a positive view of the efforts of the Contadora Group; and called for recognition of the inalienable right of each country to independence and to autonomous choice. He expressed hope that the Security Council would play an important role in protecting the sovereignty of Nicaragua and in bringing a restraining influence to bear on the dangerous developments in Central America.<sup>9</sup>

At the same meeting, the representative of Trinidad and Tobago maintained that the use of sophisticated weaponry could lead to the deterioration of social, political and economic conditions in Central America and hinder attempts to negotiate peace and stability, which must be based on the principles of self-determination, non-interference, inviolability of national frontiers and peaceful settlement of disputes. The Contadora peace process was an appropriate forum for achieving those objectives through bilateral and multilateral constructive dialogue. Support for Contadora had been expressed in Security Council resolution 530 (1983) and General Assembly resolutions 38/10 and 39/4.<sup>10</sup>

Also at the 2634th meeting, the representative of China noted that the fundamental way to alleviate the situation and eliminate tensions in Central America was to remove all outside interference. He supported the Contadora Group and the Lima support group and called upon the United States of America and Nicaragua to settle disputes through negotiation in accordance with the basic principles of the Charter.<sup>11</sup>

At the same meeting, the representative of Cuba fully supported the condemnation of the supply of aircraft, helicopters, launchers and other kinds of war *matériel* to the mercenary forces committing aggression against Nicaragua, which constituted a dangerous escalation threatening peace and a serious blow to negotiating efforts. He stressed that the international community could not ignore the gravity of the events and had repudiated the aggression, as could be seen from General Assembly and Security Council resolutions, decisions of the International Court of Justice and of the Second Committee at the current session, as well as from the Declaration of the Ministerial Conference of Non-Aligned Countries in Luanda. He stressed that the United States was violating the Charter of the United Nations and acted against the status of a permanent member of the Security Council responsible for the maintenance of international peace and security. He expressed hope that the Security Council would fulfil the mandate it was given by calmly and firmly helping to restore peace and stability in the Central American region.<sup>12</sup>

Also at the same meeting, the representative of Mexico drew the Council's attention to the aspects that were, in the

<sup>7</sup>S/PV.2634, pp. 3-11.

<sup>8</sup>Ibid., pp. 12-18.

<sup>9</sup>Ibid., pp. 18-28.

<sup>10</sup>Ibid., pp. 28-32.

<sup>11</sup>Ibid., pp. 31-33.

<sup>12</sup>Ibid., pp. 33-41.

view of his Government, at the heart of the Central American conflict. He said that the very principles of non-intervention and respect for the self-determination of peoples were in jeopardy in the region. His country was against any violation of the sovereignty, independence and territorial integrity of States. Unilateral and totally unacceptable interpretation of Latin America's political developments frequently denied the right of people to build their future without any preconditions. The situation of Nicaragua had common elements with other processes of past decades. He pointed out that the actions of irregular forces aimed at overthrowing legitimately established Governments constituted a clear obstacle to regional détente. The peacemaking process of the Contadora Group established a set of well-defined commitments to the prohibition of any type of support for such actions. Bringing peace to the region required strict respect to that commitment by States, including those outside Latin America.

At the same time, the rapid change in the quantity and quality of weapons stockpiles could not be disregarded, as it increased the risk of military confrontation. In his view, supporting Contadora meant the search for negotiation of the principles aimed at controlling and reducing the arms build-up, as well as eliminating the foreign military presence and eradicating the arms traffic. He reiterated his Government's call for the establishment of dialogue and the adoption of constructive agreements.<sup>13</sup>

At the same meeting, the representative of Viet Nam condemned the war of aggression imposed by the United States on the Nicaraguan people, in particular the authorization of the supply of aircraft, helicopters, speedboats and other types of war materials to the mercenary forces operating inside and outside Nicaragua. He considered such acts by the super-Power of North America to be a challenge and an affront to all nations: they constituted an open violation of the Charter of the United Nations and of the international law, as well as contempt for the 10 May 1985 order of the International Court of Justice. Such acts of the United States not only aggravated the tension but also undermined the Contadora process. He firmly demanded that the United States put an end to all kinds of assistance to the mercenary forces and reiterated his support for the right of Nicaraguan people to self-defence. He said that the principles of the Charter should be respected and expressed hope that the Security Council would react properly to the request by the representative of Nicaragua.<sup>14</sup>

At the same meeting, the representative of the Islamic Republic of Iran noted that the situation around the borders of Nicaragua was deteriorating and the \$27 million given by the United States Government to the Contras under the label of humanitarian assistance had been converted into SAM missiles. At the same time, the people of Nicaragua were suffering from economic blockade, the mining of harbours and other political, economic and military activities of the United States. The American comprehensive war against Nicaragua deserved the strong condemnation of the international body. He pointed out that the Contadora Group, which was the hope of the entire region, seemed to be losing its charisma. If its members did not take determined action, they might become ineffective and the United States administration might be tempted to manipu-

late or to influence the Contadora Group and the support group in order to preserve its allegedly justified interests. The speaker said that, although there was no comparison between the resources of the two adversaries and of the seriousness of the threat they could pose to peace and security in the region, Nicaragua demonstrated wisdom, patience, readiness for peaceful and constructive talks at any time, while the United States, on the contrary, was stubborn, uncompromising and rejected all proposals for negotiations. The United States showed that it was not interested in resolving its differences with Nicaragua. For the same reason it refrained from accepting the jurisdiction of the International Court of Justice and probably favoured a military solution. In that respect, the representative recalled the lessons of Viet Nam. The speaker enumerated positive steps by Nicaragua that demonstrated its good will. He requested the President of the Security Council, in the course of his private consultations, to advise the United States representative that his Government was wrong, that its actions were counter-productive and were threatening the peace and security of Central America. In conclusion he called for the members of the Security Council to mobilize their collective wisdom by persuading the United States to stop all its activities against Nicaragua.<sup>15</sup>

At the same meeting, the representative of Madagascar noted that whenever the Council considered the situation in Latin America and the bilateral disputes, it always referred to the Contadora spirit, not to escape responsibility, but because the purposes and principles of the Contadora Act on peace and cooperation in Central America were the same as those of the Charter of the United Nations. He recalled the Security Council's resolutions 530 (1983) and 562 (1985) and stated that its position was quite clear with respect to the right of Nicaragua and all other countries in the region to live in peace and security, free from all outside interference with respect to their right freely to determine their own form of government and to choose their own economic, political and social systems. He emphasized five elements among the Contadora political security objectives: firstly, control and reduction of armaments and troop numbers; secondly, elimination of intimidation; thirdly, elimination of all forms of foreign military presence; fourthly, an end to all support for irregular forces; and fifthly, elimination of terrorism, subversion and sabotage. He stated that since the United Nations and the Security Council had decided to support the Contadora Group, they had an obligation to ensure that the rights of the States in the region were respected. The speaker noted with regret that, in spite of the continuing negotiations and international support for the Contadora Group, the situation in the region and in particular in Nicaragua remained unchanged. Without discouraging the Contadora Group, the Security Council had to carry out its responsibilities under Chapter VI of the Charter. On the request of Nicaragua to convene a meeting of the Security Council invoking Article 35 of the Charter, the Council could act under Article 34 on the understanding that Article 36, paragraph 2, envisaged that any procedures for the settlement of the dispute that had already been adopted by the parties should be taken into consideration. The Council had another means of intervention, namely, under Article 38. The delegate felt that recourse to the provisions of Chapter VI was compatible with

<sup>13</sup>Ibid., pp. 41-46.

<sup>14</sup>Ibid., pp. 47-53

<sup>15</sup>Ibid., pp. 54-57.

Chapter VIII, in particular its Article 52, paragraph 4. However, he realized that to achieve normalization the parties should show a minimum of political will. He wished that the Security Council had taken not just a supporting role but a leading role. In conclusion he reiterated his country's full solidarity with the Nicaraguan cause in the international bodies and within the Non-Aligned Movement.<sup>16</sup>

At the 2636th meeting, on 12 December 1985, the representative of Honduras stated that the Council was aware of the fact that it was dealing with an internal Nicaraguan problem, which, however, could not be divorced from the regional context. According to the speaker the Council wished to hear all the parties, in order not to be used for the exclusive purposes of the policy of a given Government. He considered that the intentions of the Sandinista Government was to halt the Contadora negotiating process and to continue to disregard the internal Central American causes of the conflict. The achievement of a peaceful, comprehensive regional solution depended on resolving two issues: the arms race in Nicaragua and the frequent international military manoeuvres which, as a countermeasure, Honduras had to undertake. While commitments already existed on the political and democratic issues and on the subject of national reconciliation in each country, the two above-mentioned issues remained to be agreed upon. He believed that the Sandinista Government was not interested in an early end of the conflict in Central America, that it considered its ideological and party interests to be more important than the needs of other peoples. It was also trying to establish the link between a comprehensive regional solution in Central America and a bilateral agreement between Nicaragua and the United States of America. For that reason it had blocked the final fundamental part of negotiations and was trying to involve the United Nations in matters within regional jurisdiction. He denounced an attempt by Nicaragua to link the settlement of the conflict in Latin America with the support given to Nicaraguan opposition by the United States. The representative reminded that the United States was ready to abide by any agreement the Central Americans reached and called upon other countries to show the same willingness.

The speaker also referred to the Nicaraguan accusation that Honduran territory was being used by Nicaraguan insurgents. He stated that, apart from the fact there was a civil war in Nicaragua, his country's army had no access to those regions and the army of Nicaragua, which was five times bigger, could not control its own borders. As to the allegations that the groups of insurgents were being trained in Honduras, the representative said that there was no objective proof of that charge. At the same time he gave examples of Honduran actions against the insurgents.

The representative of Honduras referred to the provisions of the latest version of the Contadora Act proposing to set up a verification and control commission for security matters. He said that the Government of Nicaragua did not accept that mechanism because an impartial commission would examine not only Nicaragua's claims against neighbouring countries, but also the claims that any Central American State might bring against Nicaragua. Furthermore, Nicaragua attempted to disregard the political commitments contained in the Contadora Act and consequently

did not want any follow-up in the areas of national reconciliation, human rights and electoral processes. He also quoted the representative of Nicaragua's statement concerning the possible uprising inside Honduras and recalled the provisions of the Charter prohibiting not only the use of force but also the threat of use of force. He considered such threats a flagrant violation of the provisions of the Charter and the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. He said that all the facts presented by his delegation were easily verifiable. The General Assembly and the Security Council could not overlook the implications of their decisions or ignore the ways in which they might contribute to the Contadora process, nor could they disregard the harm to the morale of the Central American region if their approach favoured only one party to the conflict.

He concluded by recalling the collective responsibility of the Member States to act without losing sight of the broad framework of the fundamental unity for peace.<sup>17</sup>

At the same meeting, the representative of the Libyan Arab Jamahiriya said that the provision of sophisticated weapons to mercenary bands constituted an act of aggression and a threat to peace and security in the region. It put civilian airliners in danger at a time when the General Assembly had condemned all forms of terrorism. He supported the position of Nicaragua and condemned the attempts to impose hegemony and domination on a small nation. He emphasized the need to respect the sovereignty of States and the right of peoples to choose their own regime. Referring to the Cuban presence in Nicaragua, he found it legitimate in accordance with an agreement between the two sovereign States. He believed that foreign involvement, in total disregard of the international law, was aimed at undermining the revolutionary system in Nicaragua and gave an example from a publication.<sup>18</sup>

Also at the same meeting, the representative of Costa Rica said that his country was a factor of peace in the context of the crisis in Central America: it made dialogue and tolerance the basic principles of its national conduct. He felt compelled to appear before the Council to set forth with clarity that Costa Rica was in favour of peace in Central America. He denied that "counter-revolutionary bands" were operating on the territory of his country. He regretted that the Sandinist authorities were so obsessive about discovering their enemies. He said that the distortion of facts had been used in the past to develop a crude campaign against his country's international prestige, but he hoped that Nicaragua would finally accept the strict neutrality of his country over the civil war in Nicaragua. The latest accusations, however, indicated a qualitative change in the relations between Nicaragua and Costa Rica. The delegate stated that his country would not take the initiative in a political attack against Nicaragua and wanted to establish a peaceful and stable standard of coexistence with all countries of Central America regardless of their ideology, of their political or economic systems. He said that the fundamental rule of his country's international policy was active and unarmed neutrality. Costa Rica was open for verification that there were no counter-revolutionary camps on its territory. It had never prevented missions

<sup>16</sup>*Ibid.*, pp. 57-68.

<sup>17</sup>S/PV.2636, pp. 3-7.

<sup>18</sup>*Ibid.*, pp. 21-27.

from the countries of the Contadora Group from visiting any part of its national territory; it had no army and no armed forces. Therefore, it was impossible for his country to hold joint or bilateral military manoeuvres with any other country. For the past 37 years the country had devoted its resources to education, public health, social security and public welfare. He described his country's well-being.

In the same spirit, the representative of Costa Rica expressed support for the negotiations of the Contadora Group and reiterated his country's readiness to sign the final act. He noted, however, that Costa Rica's neutrality should not be understood as unwillingness to stand up for themselves. The country was fully aware of the grave responsibilities assumed by it with the policy of peace and disarmament in the context of ideological and military polarization in the region. He considered that the disproportionate military build-up in Nicaragua constituted a potential danger to his country's national security.

The representative considered that the necessary commitments in matters of security, armaments and military strength, as contained in the Contadora Act, were equally important as those concerning political matters. There could be no peace without national reconciliation in the region. He advocated disarmament, cessation of military manoeuvres, regular electoral processes, full observance of civil rights, freedom of the press, trade unions and respect for human rights. He also attached great importance to the economic and social aspects of the Contadora Act and pointed out the value of asking the Secretary-General to formulate and carry out a plan for economic and social cooperation in Central America. In that respect he mentioned the need for cooperation between the United Nations bodies, and in particular the Economic Commission for Latin America and the Caribbean (ECLAC) and the United Nations Development Programme (UNDP).<sup>19</sup>

At the same meeting, the representative of Zimbabwe stated that supplying the SAM-7 surface-to-air missiles to the irregular forces was the quantitative escalation of the conflict in Central America. As evidence of aggression against the small country of Nicaragua, it showed to what lengths the United States was prepared to go. Nicaragua endeavoured to pursue democracy at home and friendly relations abroad. It had held free and fair elections supervised by international observers. The United States, however, had poured money and *matériel* to the Contras, trained and directed them, with the objective of overthrowing the Government of Nicaragua. The United States had unleashed a propaganda campaign, mined the harbours and, ultimately, imposed an economic embargo.

The speaker compared the attitude of the United States towards imposition of sanctions on South Africa, where it opposed the lawful measures taken by the international community provided for in Chapter VII of the Charter of the United Nations on the pretext that sanctions "did not work", while, at the same time, it unilaterally imposed sanctions against Nicaragua, regardless of condemnation by the international community, including its own allies.

The delegate pointed out that, in accordance with the Charter, which proscribes the use of force in international relations, the Government of Nicaragua had endeavoured

to settle disputes by peaceful means. When the United States realized how far Nicaragua was willing to go, it had walked out of the Manzanillo talks and suggested that the talks should be conducted with the Contras. The speaker considered that the United States was the creator and the director of the Contras, while Nicaragua, as another small nation, was victim of great-Power aggression. Nicaragua could not feel safe when joint military manoeuvres were planned on the Nicaragua-Honduras border.

In conclusion, the speaker reiterated the position of his Government, which supported a negotiated settlement to the crisis, urged the parties to resume the bilateral talks, and commended the Contadora Group for its efforts.<sup>20</sup>

At the same meeting, the President of the Security Council, speaking in his capacity as representative of Burkina Faso, said that the use of SAM-7 missiles against a Nicaraguan helicopter constituted a new turn of events and a real threat to security in the subregion. The serious situation called for an appropriate action by the Security Council and therefore had to be considered in the global context. His country maintained the position that the peoples of Latin America, who had always fought resolutely for their national independence and for full exercise of their sovereignty, should remain free to choose their own political, economic and social systems. The fact that they were denied that inalienable right obviously contributed to the prevalence of tension in Central America. The endeavours of the international community to work out a negotiated political solution would have borne fruit had it not been for external interference in the internal affairs of the countries of the region. His country always condemned the use or threat of force in relations among States. The economic and political pressure on Nicaragua was unacceptable. It had contributed to the risk of regional war, undermined the dialogue established by the Contadora Group and was aimed at destabilizing Nicaragua and overthrowing the revolutionary regime democratically chosen by that small State, a member of the United Nations and the Movement of Non-Aligned Countries.

He called for halting the hostile acts and the financing of groups of mercenaries and for reaffirmation of the sovereignty of Nicaragua and other States of the region. He referred to the legitimate hopes that were placed in the Security Council.<sup>21</sup>

At the same meeting, the representative of the United States, speaking in exercise of his right of reply, noted that several countries who supported Nicaragua were "refugee-exporting countries", those who sought to crush all forms of domestic opposition and to deny their people the basic democratic freedoms. He also recalled the original issue that had brought the Member States to that meeting of the Security Council. He considered that Nicaragua had tried to divert attention from its obligation to negotiate seriously in the Contadora process, of which national reconciliation through dialogue was the fundamental principle.

With regard to the false allegations that the United States had provided SAM-7 missiles to the resistance forces, the representative repeated that that was not true. He emphasized that the Government of Nicaragua had conducted a

<sup>19</sup>*Ibid.*, pp. 27-40.

<sup>20</sup>*Ibid.*, pp. 41-50.

<sup>21</sup>*Ibid.*, pp. 50-52.

war against its own people that was unlikely to end until it stopped blaming outside forces for the domestic opposition to their rule. He called for accepting the proposal of the Nicaraguan democratic resistance for a church-mediated dialogue, a ceasefire and a suspension of the state of emergency.<sup>22</sup>

The representative of the Islamic Republic of Iran, exercising his right to reply, strongly condemned the United States reference to his country's internal affairs. He reminded the Council of the facts he addressed in his statement, namely, the refusal of the United States to recognize the jurisdiction of the International Court of Justice. As to the refugee problems, he stated that Iran was hosting 2 million Afghan refugees, half a million Iraqi refugees and 2.5 million war-stricken people of his own country. He also mentioned certain individuals hosted by the United States, most of whom had stolen a great amount of Iranian property. As for Nicaragua, he held the United States responsible for many problems and the suffering of the people.<sup>23</sup>

The representative of Nicaragua, exercising his right to reply, said that his delegation felt compelled to come to the Security Council to denounce United States aggression

and noted that it had become the practice for the United States delegation to distort the genuine motives of Nicaragua's approach to the Council. He stated that the United States constantly repeated in that important body, which should be respected because of the functions entrusted to it, that it had no intention to undermine the Government of Nicaragua. He considered those assertions to be either products of ignorance or rather terroristic attempts to overthrow the legitimately constituted Government.

He believed that it was of the highest importance for the Council to have discussed the complaint of Nicaragua to ensure the maintenance of international peace and security, in a preventive fashion and to consider the situation that might arise in the future. He thanked the delegations that had expressed their firm defence of the rule of law. He reiterated the peace-loving nature of his country's policy and its readiness to transform Central America into a zone free of any military presence. At the same time, he repeated that Nicaragua would not agree to disarm itself until the cessation of United States aggression.<sup>24</sup>

The President declared that the Security Council had thus reached the end of the current state of consideration of the item on the agenda.

<sup>22</sup>Ibid., pp. 52-55.

<sup>23</sup>Ibid., pp. 56-58.

<sup>24</sup>Ibid., pp. 58-64.

## 16. LETTER DATED 16 DECEMBER 1985 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

[HOSTAGE-TAKING AND ABDUCTION]

**Decision of 18 December 1985 (2637th meeting): resolution 579 (1985)**

By a letter dated 16 December 1985 addressed to the President of the Security Council,<sup>1</sup> the representative of the United States of America requested an urgent meeting of the Council to consider the serious situation created by acts of hostage-taking and abduction.

At the 2637th meeting, on 18 December 1985, the Council included the item in its agenda without objection.

The President of the Security Council drew attention to a draft resolution submitted by Australia, Denmark, Egypt, France, Peru, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland and the United States of America,<sup>2</sup> which he proposed to put to the vote; it was adopted unanimously as resolution 579 (1985). It reads as follows:

*The Security Council,*

*Deeply disturbed at the prevalence of incidents of hostage-taking and abduction, several of which are of protracted duration and have included loss of life,*

*Considering that the taking of hostages and abductions are offences of grave concern to the international community, having severe adverse consequences for the rights of the victims and for the promotion of friendly relations and cooperation among States,*

*Recalling the statement of 9 October 1985 by the President of the Security Council, resolutely condemning all acts of terrorism, including hostage-taking,<sup>3</sup>*

*Recalling also resolution 40/61 of 9 December 1985 of the General Assembly,*

*Bearing in mind the International Convention against the Taking of Hostages, adopted on 17 December 1979, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted on 14 December 1973, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed on 23 September 1971, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed on 16 December 1970, and other relevant conventions,*

1. *Condemns unequivocally all acts of hostage-taking and abduction;*
2. *Calls for the immediate safe release of all hostages and abducted persons wherever and by whomever they are being held;*
3. *Affirms the obligation of all States in whose territory hostages or abducted persons are held urgently to take all appropriate measures to secure their safe release and to prevent the commission of acts of hostage-taking and abduction in the future;*
4. *Appeals to all States that have not yet done so to consider the possibility of becoming parties to the International Convention against the Taking of Hostages, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, the Convention for the Suppression of Unlawful Seizure of Aircraft and other relevant conventions;*

<sup>1</sup>S/17685.

<sup>2</sup>S/17686.

<sup>3</sup>S/17554.