

Aviation Organization had called on all States to act with vigour and resolve in the matter so that the guilty might be duly punished. He detailed a number of other terrorist activities and threats against his country promoted and organized by Cuban expatriates living in Miami, Florida, United States. He concluded by stating that he hoped that the Council could support the draft resolution, the main elements of which he summarized.²⁰

The representative of the United States acknowledged that one of the fundamental principles of the United Nations was that all countries, members or non-members of the Council, had the right to be heard. However, he regretted Cuba's misuse of the Council's valuable time to make baseless allegations against his country, attempting to portray it as a

²⁰ S/PV.3080, pp. 6-36.

supporter of international terrorism and a harbourer of terrorists. He stated that the United States supported peaceful democratic change in Cuba and had no aggressive intentions towards that country. His Government neither supported nor condoned preparations in the United States for the violent overthrow of the Government of Cuba, or efforts from the United States to foment violence in Cuba. He refuted the specific allegations made by the representative of Cuba and referred to a statement circulated to the Council that dealt with them in greater detail.²¹

The representative of Cuba made a further statement in which he stated that although the complaint before the Council had happened 15 years ago, the events continued to occur even just before the Council started its meeting.²²

²¹ *Ibid.*, pp. 36-38, referring to document S/23989.

²² *Ibid.*, pp. 39-41.

12. Items relating to Haiti

Initial proceedings

A. Letter dated 30 September 1991 from the Permanent Representative of Haiti to the United Nations addressed to the President of the Security Council

By a letter dated 30 September 1991 addressed to the President of the Security Council,¹ the representative of Haiti requested an immediate meeting of the Council to consider the situation in Haiti and its consequences for regional stability.

At its 3011th meeting, on 3 October 1991, the Council included the letter from the representative of Haiti in its agenda and considered the item at the same meeting. It invited the representatives of Canada, Haiti and Honduras, at their request, to participate in the discussion without the right to vote.

The President (India) drew the attention of the Council to two additional documents addressed to the Secretary-General: a note verbale dated 2 October

1991 from the representative of Panama;² and a letter dated 3 October 1991 from the representatives of Ecuador and the United States of America,³ transmitting the text of resolution MRE/RES.1/91, adopted on 2 October 1991 at a meeting of Ministers for Foreign Affairs of the Organization of American States (OAS). In its resolution, OAS, *inter alia*, vigorously condemned the grave events taking place in Haiti and demanded the full restoration of the rule of law and of constitutional order and the immediate reinstatement of President Aristide; called on the Secretary-General of OAS, together with a group of OAS Ministers for Foreign Affairs, to travel to Haiti immediately to inform those who held power illegally that the American States rejected the disruption of constitutional order and to advise them of the decisions adopted by the OAS meeting; recommended that States isolate diplomatically those who held power illegally in Haiti; recommended that all States suspend their economic, financial and commercial ties with Haiti and any aid and technical cooperation except that provided

¹ S/23098.

² S/23105.

³ S/23109.

for strictly humanitarian purposes; urged all States to provide no military, police or security assistance of any kind and to prevent the delivery of arms, munitions, or equipment to Haiti; and urged the United Nations and its specialized agencies to consider the spirit and aims of the resolution.

Opening the discussion, the President of Haiti, Jean-Bertrand Aristide, stated that the threat to democracy in Haiti was a threat to democracy in the whole world. The international community had vigorously condemned the coup d'état and, through OAS, was attempting to negotiate a solution. He believed that, with the Council's support, those efforts could be strengthened further and many lives could be saved. He stressed that the international community should not try to decide for the Haitian people, but, rather, with them. The Haitian people opposed dictatorship and expected the Council's support in the protection of human rights. This implied action that would strengthen institutions in Haiti and would make it possible to deal with structures of exploitation, injustice and dictatorship. He said that they would be grateful if a delegation were to be dispatched to Haiti to "do justice that must be done beyond one's frontiers", so that "those criminals" would relinquish power. He would also welcome any help in shoring up Haiti's democratic structures, in particular humanitarian assistance in building a police force that could protect lives and property, without any obligation to support the army. It was due to the help of the international community that Haiti had been able to hold free, fair and democratic elections on 16 December 1990; it would also be with such help that Haiti would be able to save its threatened democracy.⁴

The President of the Council stated that the grave events that had taken place in Haiti, which represented a violent usurpation of legitimate democratic authority and power, deserved to be strongly condemned. He called for the restoration of the legitimate Government in Haiti. He expressed support for the OAS resolution and for the efforts of OAS to bring about the restoration of legitimate authority in Haiti. In conclusion, he said that they all hoped that President Aristide would be reinstated as soon as possible.⁵

⁴ S/PV.3011, pp. 4-10.

⁵ *Ibid.*, p. 11.

All the speakers who took part in the discussion echoed or endorsed the views of the President of the Council.⁶ Several considered that the United Nations had a particular responsibility in the circumstances, given the crucial role the Organization had played — through the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH) — in monitoring and verifying the elections which had led to President Aristide's election.⁷ Some speakers, in addition to expressing firm support for the OAS actions, drew attention to the bilateral measures which they and others had already taken along the lines of those called for in the OAS resolution; the representatives of France, the United States, Canada and Belgium stated that they had suspended assistance to Haiti, as had the European Community and its member States.⁸

The representative of Honduras, speaking in his capacity as the Chairman of the Group of Latin American and Caribbean States, recalled that the General Assembly, in its resolution 45/2 of 1990, had supported the democratic electoral process in Haiti. However, on 30 September, the world had discovered that the Haitian military had deposed the constitutionally elected President. Noting that all preferred to remedy the situation through diplomatic and peaceful means, he urged strong and unequivocal solidarity with Haiti. The Group of Latin American and Caribbean States had requested the inclusion of an item entitled "Crisis of democracy and human rights in Haiti" in the agenda of the current session of the General Assembly. It trusted that the Council would support the action taken by OAS and follow closely the results of its major diplomatic effort.⁹

⁶ *Ibid.*, pp. 11-16 (Honduras); pp. 17-18 (Côte d'Ivoire); pp. 18-22 (France); pp. 22-25 (Austria); pp. 24-26 (Yemen); pp. 27-28 (Belgium); pp. 28-31 (Union of Soviet Socialist Republics); pp. 31-34 (United States); pp. 34-36 (Zaire); pp. 36-42 (Cuba); pp. 42-45 (Romania); pp. 46-47 (Ecuador); p. 48 (United Kingdom); pp. 49-50 (Zimbabwe); and pp. 51-54 (Canada).

⁷ See *ibid.*, pp. 17-18 (Côte d'Ivoire); pp. 18-22 (France); pp. 22-25 (Austria); pp. 24-26 (Yemen); pp. 27-28 (Belgium); pp. 28-31 (Union of Soviet Socialist Republics); pp. 31-34 (United States); pp. 46-47 (Ecuador); and pp. 51-54 (Canada).

⁸ *Ibid.*, pp. 18-22 (France); pp. 31-34 (United States); pp. 51-54 (Canada); and pp. 27-28 (Belgium).

⁹ *Ibid.*, pp. 11-16.

The representative of France stated that exceptional circumstances had given rise to the Council meeting. The Head of a sovereign State, legally elected in a free and democratic ballot monitored by the United Nations, was personally addressing the international community to request its support. France was ready to respond to the appeal. It was ready out of friendship for Haiti. It was ready because the United Nations, which had lent its assistance during the Haitian elections and guaranteed the fairness of the results, could not remain passive now that the will of the Haitian voters was being flouted. Finally, it was ready because the international community could no longer, in an era when democracy and human rights were being reaffirmed throughout the world, accept the flagrant violation of such values. He stressed that the United Nations had a particular responsibility to shoulder, since the events in Haiti constituted a direct attack on its authority. His Government believed that the Organization must take a stand as soon as possible to condemn the coup d'état, to demand the re-establishment of the rule of law in Haiti and to support the efforts undertaken at the regional level by OAS.¹⁰

The representative of Austria, after echoing the views of the President of the Council, added that the reaction of the international community to the events in Haiti was of paradigmatic importance that transcended the present case. Democracy and respect for human rights were being increasingly accepted as central principles for the further evolution of the society of nations. A new universal consensus was taking shape. Austria considered that the Council, "with its new-found determination", could make "an important contribution" in that respect.¹¹

The representative of Yemen stated that the coup d'état in Haiti was a manifestation of the dangers that could threaten new democratic regimes owing to the lack of democratic traditions, the fact that democratic institutions were not deeply rooted and, above all, economic problems. The perpetrators of the coup d'état had tried to justify their actions by the lack of economic progress and the existence of a recession. Therefore, while Yemen condemned the coup d'état and called on the United Nations to support all efforts to restore legitimacy, it also appealed to the United

Nations — and to all countries that were able to help — to assist democratic or newly democratic countries in the task of building their new institutions.¹²

The representative of Belgium stated that his country, as a member of the European Community, the Council of Europe and the Conference on Security and Cooperation in Europe, was convinced that regional organizations had a role to play in the protection, re-establishment and spread of freedom and democracy. Therefore, Belgium could not but welcome the firm position taken by OAS in its resolution, which the Council must support fully.¹³

The representative of the Union of Soviet Socialist Republics noted with satisfaction the determination of members of OAS to champion the political rights and freedoms of the Haitian people. What was particularly important in this case was the proposal put forward at the twenty-first session of the General Assembly of OAS concerning the establishment of machinery to protect democracy and legal order in countries that belonged to that regional organization. He observed that, within the framework of OAS, measures were being taken with a view to restoring legitimate power in Haiti.¹⁴

The representative of the United States noted, with approval, that the President of the Council had expressed clearly to President Aristide the Council's support for him and his Government. However, he stressed that such support must consist of more than words. The United States had not and would not recognize the junta which had illegally usurped power. It had, moreover, suspended all aid to Haiti, as had others. With regard to collective action, the United States strongly supported the OAS resolution and called upon members of the Council to do the same. The speaker stressed that the hard-won democratic rights of the people of Haiti must not be allowed to slip away. The United Nations was especially qualified to speak to the crisis, since ONUVEH had played a key role in restoring democracy in that country. The United Nations and the entire world must send a clear message to those who had seized power in Haiti: the military junta was illegitimate; it had no standing in the international community; and, until democracy was

¹⁰ Ibid., pp. 18-22.

¹¹ Ibid., pp. 22-25.

¹² Ibid., pp. 24-26.

¹³ Ibid., pp. 27-28.

¹⁴ Ibid., pp. 28-31.

restored, it would be treated as a pariah in the hemisphere. Noting the hemisphere's remarkable progress towards democracy since the mid-1970s, he stated that the junta's unconstitutional and violent seizure of power, which denied the people of Haiti their right of self-determination, must not and would not succeed.¹⁵

The representative of Cuba recalled that his Government had favoured an immediate meeting of the Council on 30 September when Haiti's request was received. Cuba considered that the Council had an obligation to agree to that request and to listen to what the representative of Haiti deemed appropriate to explain to it. Cuba shared the position of the Group of Latin American and Caribbean States. As President Aristide had said, it was not a question of anyone deciding for the Haitian people; rather, what was involved was support for the Haitian people and clear and firm solidarity with them so that they could soon restore their legitimately elected authorities and pursue a process which was the culmination of a 200-year struggle.¹⁶

The representative of Romania stated that it was the political and moral duty of the Security Council, which was officially and legally seized of the situation in Haiti, to voice its support for constitutional order in that country and for its democratic, freely chosen institutions and structures. His delegation believed that the regional efforts of OAS should be strengthened by the action of the Council "in the most appropriate form, given the prevailing circumstances". What was vital now in this regard was to pass on to those who had seized power in Haiti a very clear message: the Council was in favour of the restoration of democracy and the defence of basic human rights and freedom in Haiti. Such a message should be conveyed by the unanimous voice of the Council. It would be consonant with the specific, dramatic circumstances of the case, with the dignity of the Council and with the requirements of its unity which was its valuable asset in dealing with such complex matters. Romania fully supported any further effort of the Security Council to help the restoration of freedom and democracy in Haiti.¹⁷

¹⁵ Ibid., pp. 31-34.

¹⁶ Ibid., pp. 36-42.

¹⁷ Ibid., pp. 42-45.

The representative of Ecuador stated that, given the hemispheric duty to act, the Council had done what it could and must do. It had unanimously condemned the coup d'état and hoped that the rule of law would be restored and President Aristide reinstated. It had also expressed solidarity with the measures adopted by OAS. He thought that the Council would be ready to shoulder new responsibilities if necessary but hoped, in any case, that the action of the regional organization would be effective.¹⁸

The representative of Canada recalled the part played by his country in the establishment and conduct of ONUVEH. He stressed that all countries should act together to send a clear signal to those who sought to undermine democracy in Haiti. The United Nations, having played a crucial role in the process that had brought President Aristide to power, could not remain silent on the matter. That was why Canada had supported the convening of the Council meeting and the inclusion of an additional item on Haiti in the agenda of the General Assembly. Canada sincerely hoped that the United Nations would, both in word and deed, join in the efforts being made to reverse the unacceptable situation.¹⁹

B. Exchange of letters between the Secretary-General and the President of the Security Council concerning Haiti

Decision of 29 July 1992: letter from the President of the Security Council to the Secretary-General

By a letter dated 15 July 1992 addressed to the President of the Security Council,²⁰ the Secretary-General brought to his notice an exchange of correspondence regarding the situation in Haiti. He stated that on 18 June he had received a letter from President Aristide dated 3 June 1992, which he had brought to the attention of the Secretary-General of OAS, since that organization had, at the request of the Ministers for Foreign Affairs of its member States, taken a leading role in efforts to restore democracy to Haiti. The Secretary-General observed that his own mandate under General Assembly resolution 46/7 of 11 October 1991 was more limited and had as its

¹⁸ Ibid., pp. 46-47.

¹⁹ Ibid., pp. 51-54.

²⁰ S/24340.

general purpose to support the action of OAS. The Secretary-General of OAS had responded by letter dated 10 July 1992 to the Secretary-General's letter. He therefore enclosed copies of the relevant correspondence.

The Secretary-General also wished to inform the members of the Council that he had decided to accept the offer of the Secretary-General of OAS to include participation from the United Nations in his proposed mission to Haiti.

By a letter dated 29 July 1992,²¹ the President of the Council informed the Secretary-General:

I wish to acknowledge receipt of your letter dated 15 July 1992 regarding the situation in Haiti.

I have brought the letter to the attention of the members of the Council, who took note of it at the informal consultations held on 20 July 1992.

²¹ S/24361.

13. Items relating to the situation in Panama

Initial proceedings

A. Letter dated 25 April 1989 from the Permanent Representative of Panama to the United Nations addressed to the President of the Security Council

By a letter dated 25 April 1989 addressed to the President of the Security Council,¹ the representative of Panama requested the convening of a meeting of the Council as a matter of urgency to consider the grave situation faced by his country as a result of the flagrant intervention in its internal affairs by the United States; the policy of destabilization and coercion pursued by the United States against Panama; and the permanent threat of the use of force against his country. He stated that there had been a serious worsening of the situation created by United States activities against Panama's sovereignty, political independence, economic security and territorial integrity, in violation of the Charter of the United Nations and of the principles of international law, as a result of a further escalation of acts of aggression and subversion, constituting a threat to international peace and security.

At its 2861st meeting, on 28 April 1989, the Council included the letter from the representative of Panama in its agenda. Following the adoption of the agenda, the Council invited the representative of Panama, at his request, to participate in the discussion without the right to vote. The President (Union of Soviet Socialist Republics) then drew the attention of the Council members to a letter dated 26 April 1989 from the representative of Panama addressed to the

Secretary-General,² transmitting the text of a statement made on 24 April 1989 by the President of Panama concerning United States "meddling" in the electoral process in Panama.

At the same meeting, the representative of Panama thanked the Council for its promptness in convening the meeting, on the basis of Articles 34 and 35 of the Charter, to consider the grave situation brought about by the chain of actions in violation of international law committed by the United States against his country, which endangered international peace and security. He said that Panama had sought to resolve, through negotiation, the causes of conflict in United States-Panamanian relations stemming from the existence of the Panama Canal. However, when his Government had denounced the unilateral interpretation by the United States of the Panama Canal Treaties of 1977, aimed at extending its military presence in the country beyond the year 2000, Panama had been subjected to a series of acts of economic, political and financial aggression and an escalation of threats of military force. Moreover, the United States had abused the diplomatic privileges of its embassy in Panama to plan, organize, finance and carry out acts of interference in Panama's internal affairs and to participate in seditious activities. According to reports in the United States press, the United States had approved a covert plan which included the possibility of assassinating the Commander-in-Chief of the Panamanian defence forces and was providing financial assistance to an opposition candidate. The

¹ S/20606.

² S/20607.