

## Message Text

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APPROVED BY THE SECRETARY

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P 091702 Z MAR 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

INFO AMEMBASSY PANAMA PRIORITY

S E C R E T STATE 043678

E. O. 11652: XGDS-1, DECLAS 3-9-92

TAGS: PFOR, UN, PN

SUBJ.: PANAMA SC MEETING

REF: STATE 029567

FOR AMBASSADOR SCALI FROM THE SECRETARY

1. THIS MESSAGE CONTAINS YOUR OVERALL INSTRUCTIONS FOR THE PANAMA MEETING. DETAILED POSITION PAPERS ON ISSUES APT TO ARISE ( THIRTEEN RELATING TO PANAMA AND THE CANAL, TEN ON OTHER ISSUES) HAVE BEEN POUCHED TO YOU MARCH 6, AS WELL AS BACKGROUND PAPERS ON TWELVE ISSUES. THOSE PAPERS HOWEVER DO NOT DISCUSS OUR GENERAL ATTITUDE TOWARD THE MEETING, WHAT OUTCOME WE SHOULD TRY TO PROMOTE, AND WHERE WE SHOULD PLACE OUR EMPHASIS.

2. OUR GENERAL ATTITUDE, AS YOU HAVE ABLY ARTICULATED IT IN NEW YORK, IS THAT WHILE WE THINK THE MEETING UNNECESSARY  
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AND INAPPROPRIATE, WE ARE APPROACHING IT IN A POSITIVE SPIRIT AND ARE PREPARED TO DO OUR PART TO MAKE IT SUCCESSFUL

WE HAVE DOUBTS ABOUT THE VAGUE AND UNFOCUSSED AGENDA. WE DO NOT THINK IT APPROPRIATE TO DISCUSS THE PANAMA CANAL ISSUE WHICH IS PURELY BILATERAL AND UNDER ACTIVE NEGOTIATION; BUT WE WILL NOT SHRINK FROM DISCUSSING IT IF

OTHERS BRING IT UP. WE WILL BE CIVIL AND EXPECT OTHERS TO BE LIKEWISE. BUT IF OTHERS PLAY ROUGH, WE WILL NOT BE RELUCTANT TO TAKE OFF OUR GLOVES.

3. FOR US, PANAMA WILL BE ESSENTIALLY A DAMAGE-LIMITING OPERATION. NO POSSIBLE GLORY CAN COME TO US (OR TO THE UN) FROM IT. THE MEETING COULD ALSO COMPLICATE OUR RELATIONS WITH LATIN AMERICA AND AROUSE CONGRESSIONAL CRITICISM OF THE HEMISPHERE. FORTUNATELY, PANAMA SEEMS TO HAVE DECIDED ON A LOW-KEY APPROACH, BUT OTHERS MAY NOT COOPERATE IN MAINTAINING A QUIET ATMOSPHERE.

4. WE DO NOT, ON BALANCE, VIEW THE CURRENT DISORGANIZATION OF THE PANAMANIAN HOSTS AND THE DISARRAY AMONG THE LATIN AMERICAN GROUP AS NECESSARILY A FAVORABLE DEVELOPMENT. IF THE LATIN AMERICANS DO NOT KNOW OR CANNOT AGREE ON WHAT THE OUTCOME OF THE MEETING SHOULD BE, OTHERS MAY MOVE IN WITH PROPOSALS THAT COULD BE DISRUPTIVE AND DAMAGING NOT ONLY TO US BUT TO THE WORK OF THE SECURITY COUNCIL. AS TO THE CANAL, A GENERAL RESOLUTION UNDER ARTICLE 36(2), CALLING UPON PANAMA AND THE U. S. TO PURSUE THEIR NEGOTIATIONS IN A SPIRIT OF GOODWILL AND COOPERATION, MIGHT BE SATISFACTORY (ALTHOUGH WE ARE STILL LOOKING AT OTHER POSSIBILITIES); BUT WE WOULD PREFER NO RESOLUTION AT ALL.

5. IT HAS BEEN VARIOUSLY SUGGESTED THAT THE MEETING MIGHT END WITH A DECLARATION OR CONSENSUS STATEMENT IN LIEU OF A RESOLUTION, PARTICULARLY ON THE PLETHORA OF EXTRANEOUS POLITICAL, ECONOMIC AND SOCIAL SUBJECTS THAT MAY BE BROUGHT UP BY PARTICIPANTS. AS REGARDS THESE  
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EXTRANEOUS SUBJECTS WE AFFIRM VIEWS CONTAINED STATE 029567 PARAS 4, 5 AND 6 TO THE EFFECT THAT WHILE WE MAY WELL IN THE END GO ALONG WITH A CONSENSUS STATEMENT, PARTICULARLY ONE THAT JUST SUMS UP THE DISCUSSION, WE SHOULD NOT PREMATURELY REVEAL THAT A "DECLARATION" WOULD BE SATISFACTORY TO US. THE CONTENT OF A STATEMENT WOULD HAVE TO BE EXAMINED HERE BEFORE WE COULD COMMIT OURSELVES TO SUPPORT THE IDEA EVEN IN PRINCIPLE. MORE PREFERABLE WOULD BE AN INNOCUOUS, ANODYNE STATEMENT, BUT THAT IS UNLIKELY. AS BETWEEN AN UNSATISFACTORY RESOLUTION AND AN UNSATISFACTORY DECLARATION, HOWEVER, WE CERTAINLY PREFER THE LATTER.

6. YOU SHOULD WORK TO PERSUADE A MAJORITY THAT IN THE INTEREST OF MAINTAINING THE COUNCIL'S FOCUS ON POLITICAL

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AND SECURITY MATTERS, ANY STATEMENT ( CONSENSUS, DECLARATION OR COMMUNIQUE) SHOULD NOT PURPORT TO STATE THE COUNCIL'S VIEWS BUT SHOULD INSTEAD REFER TO THE VIEWS EXPRESSED BY VARIOUS MEMBERS OF THE COUNCIL. THE POINT SHOULD BE MADE THAT WE FIND IT EXCEEDINGLY DIFFICULT TO CONCEIVE OF ANY STATEMENT OF THE COUNCIL'S VIEWS THAT COULD RECEIVE THE NECESSARY MAJORITY. IT SHOULD BE CLEAR THAT IF THERE IS NO CONSENSUS THEN THERE HAS TO BE VOTING, AND IF THERE IS VOTING THEN ARTICLE 27, PARAGRAPH 3 OF THE CHARTER IS APPLICABLE.

7. IN REFTEL WE EXPRESSED CONCERN OVER TREND TOWARD EXTENSIVE DISCUSSION OF SOCIAL AND ECONOMIC THEMES WHICH REALLY HAVE NO BUSINESS BEING DISCUSSED IN SC RATHER THAN IN PROPER VENUE OF ECOSOC, UNCTAD AND UNGA. WE HAVE COME TO THE CONCLUSION THAT WHILE EXTENSIVE SPEECH- MAKING BY LATIN AMERICANS AND OTHERS ON SUCH SUBJECTS AS TERMS OF TRADE, RAW MATERIALS PRICES, " PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES" ETC. WILL BE UNHELPFUL TO US, IT IS BETTER THAT A GREAT DEAL OF TIME BE EXPENDED ON SPEECH- MAKING BECAUSE THIS WILL LEAVE LESS TIME FOR DISCUSSION OF RESOLUTIONS OR DECLARATIONS. WE CANNOT HOPE TO PUT A LIMIT ON LATIN AMERICAN ORATORY ON MATTERS THAT AREN' T STRICTLY SPEAKING THE BUSINESS OF THE SECURITY COUNCIL,

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NOR SHOULD WE TRY TO DO SO. BUT WE SHOULD OPPOSE THE SC GETTING INTO BUSINESS OF PASSING RESOLUTIONS ON SUBJECTS THAT ARE NOT PROPERLY ITS CONCERN. IF A FAVORABLE OPPORTUNITY ARISES, YOU COULD DISCUSS THIS ASPECT NOT ONLY WITH FRIENDLIES BUT ALSO WITH THE SOVIET DELEGATION. OTHERS MAY FIND IT IN THEIR INTEREST TO SPEAK TO SOVIETS ALONG SAME LINES.

8. AS RESPONSIBLE PERMANENT MEMBER OF SECURITY COUNCIL, WE HAVE SPECIAL INTEREST IN SEEING THAT PANAMA MEETING CONFORMS TO ORDERLY PROCEDURES AND PRECEDENTS SET BY THE COUNCIL; AND YOUR REPORTING INDICATES THAT OTHER MEMBERS, SECRETARIAT AND SOME PROMINENT LA NON- MEMBERS SHARE THIS CONCERN. WE SUGGEST YOU SEEK COOPERATION OF MOST RESPONSIBLE SC MEMBERS AND OF SECRETARIAT IN SEEING TO IT THAT THE LETTER RATHER THAN ONLY THE GENERAL SPIRIT OF THE RULES AND PRACTICES IS FOLLOWED, WHILE MAKING CLEAR WE INTEND TO SHOW ALL NORMAL COURTESIES TO SC PRESIDENT AND DO NOT INTEND TO HARRASS HIM IN THIS REGARD.

9. AS FOR THE PANAMA ISSUE ITSELF, YOU HAVE A GOOD BRIEF BUT SHOULD NOT VOLUNTEER IT SINCE WE HAVE NO INTEREST IN STIMULATING OR PROLONGING DEBATE ON THAT SUBJECT. STATE 72015 CONTAINS UNCLASSIFIED EXPOSITION OF OUR CASE; THE PAPERS ARE SUPPLEMENTARY TO IT. IF IT BECOMES NECESSARY TO GO BEYOND THE GENERAL PARAGRAPHS OF YOUR DRAFT SPEECH BECAUSE STATEMENTS BY PANAMA AND OTHERS REQUIRE REBUTTAL, WE BELIEVE YOU ARE WELL ARMED. HOWEVER, YOU SHOULD AVOID BEING DRAWN INTO PUBLIC AND PRIVATE DISCUSSION OF THE DETAILS OF THE ACTUAL NEGOTIATION, ON THE GROUNDS THAT THEY ARE PRIVILEGED AND ARE THE PROPER PROVINCE OF THE NEGOTIATION TEAMS.

10. AS YOU WILL NOTE FROM THE POSITION PAPERS THERE ARE CERTAIN ASPECTS OF THE PANAMA CANAL ISSUE ON WHICH WE WOULD RATHER NOT COMMENT UNLESS IT IS ABSOLUTELY NECESSARY: ONE SUCH IS WHETHER THE PRESENCE OF SOUTHCOM IN PANAMA IS NECESSARY FOR DEFENSE OF THE CANAL. ANOTHER IS INTERNATIONALIZATION OF THE CANAL WHICH NEITHER PANAMA NOR THE US DESIRES BUT WHICH MAY BE THROWN INTO THE DEBATE BY OTHERS. THERE ARE ALSO OTHER SUBJECTS WHERE LENGTHY REJOINER WOULD SEEM UNPROFITABLE; BUT WE ENDORSE  
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YOUR VIEW THAT UNFOUNDED BUT ATTENTION-GETTING AND DAMAGING CHARGES SHOULD BE REBUTTED PROMPTLY EITHER INSIDE OR OUTSIDE THE COUNCIL CHAMBER, SO THAT IF POSSIBLE BOTH THE CHARGE AND OUR RESPONSE WILL BE REPORTED SIMULTANEOUSLY TO THE WORLD PUBLIC.

11. ONE OF THE MORE ENCOURAGING RECENT DEVELOPMENTS IS GROWING (IF BELATED) CONCERN OF LATIN AMERICANS THAT A FAR-RANGING DEBATE ON LA ISSUES AT PANAMA WOULD AFFORD AN UNDESIRABLE OPPORTUNITY FOR EXTRA-CONTINENTAL POWERS TO INVOLVE THEMSELVES IN THE AFFAIRS OF THE HEMISPHERE. YOU HAVE POSITION PAPER ON RELATIONSHIP BETWEEN UN AND OAS. WE SHOULD SUPPORT THE PRINCIPLE THAT THE OAS IS THE PROPER FORUM FOR COMPOSING DIFFERENCES WITHIN THE REGION WHEN BILATERAL MEANS HAVE BEEN EXHAUSTED, BUT YOU SHOULD AVOID ANY SUGGESTION THAT THE PANAMA ISSUE SHOULD BE TRANSFERRED TO THE OAS UNDER PRESENT CIRCUMSTANCES. THEREFORE EMPHASIS SHOULD BE ON THE ORDERLY PROCEDURE CONTEMPLATED IN THE CHARTER, WHEREBY ISSUES ARE IN THE FIRST INSTANCE NEGOTIATED BILATERALLY. WE BELIEVE THAT THE BILATERAL NEGOTIATION ROUTE WILL YIELD THE BEST RESULTS, GIVEN GOOD WILL AND FLEXIBILITY ON BOTH SIDES-

12. THERE ARE THREE COMPLICATED TECHNICAL ASPECTS WHICH MAY ARISE AND WHICH ARE IN BACKGROUND PAPERS ENTITLED

"ABSTENTION FROM VOTING BY PARTIES TO A DISPUTE", "SECURITY

COUNCIL RULE ON ROLE OF THE SC PRESIDENT" AND " THE DOUBLE VETO." WE ARE PREPARED TO GIVE YOU DETAILED BRIEFING ON THESE EITHER IN THE DEPT OR IN NY PRIOR TO YOUR DEPARTURE. YOU MAY WISH TO CONSIDER WHETHER PRIOR TO THE PANAMA MEETING IT MAY BE USEFUL TO RAISE SOME OF THESE MATTERS WITH RANKING SECRETARIAT AND/ OR LEGAL COUNSEL OFFICIALS WHO WILL BE FURNISHING BACKGROUND AND TECHNICAL ADVICE TO THE COUNCIL PRESIDENT. YOU MAY ALSO WISH TO RAISE SOME OF THESE MATTERS WITH UK AND ONE OR TWO OTHER RELIABLE COLLEAGUES TO BESPEAK THEIR HELP IN AVOIDING DEGENERATION OF THE SC MEETING INTO ANGRY DEBATE OVER THESE TANGLED PROCEDURAL ISSUES.

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