The Panama Canal Treaties of 1977: Extracts from a Communique Dated April 25, 1978 from the Panamanian Foreign Ministry, on the United States Reservations to the Treaties

I. Introduction

When the Senate of the United States gave its advice and consent to President Carter regarding the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, the Foreign Ministry issued two communiques (16 and 27 March) in which it said that the government would not express its judgment on the amendments, understandings, conditions and reservations approved by the Senate until the same body also arrived at its constitutional decision regarding Panama Canal treaty.

On the 18th of this month the U.S. Senate gave its advice and consent to President Carter regarding the Panama Canal treaty which will be analyzed in this communique.

With the completion of the Senate's proceedings in the United States, the Foreign Ministry, complying with orders from His Excellency President Demetrio B. Lakas and His Excellency Chief of Government Brig. Gen. Omar Torrijos Herrera, now undertakes to fulfill its duty of explaining to the citizenry the juridical scope of the resolutions of the Senate and setting forth its stand concerning the Senate's decision.

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II. The DeConcini Reservation and the Principle of Nonintervention

The struggle against colonialism has been long and bloody. The best example of a collective effort to break the chain of oppression was given by America when Bolivar liberated the people and gave them the fruits of their own government. Despite this independence, however, new forces alien to our people established spheres of influence and colonial situations which, fortunately, have been almost eliminated. In addition to their fight for their emancipation,

the peoples of America have also struggled to eradicate all forms of interference in their domestic affairs.

A clear Latin American contribution to the development of international law has been the formalization of the principle of nonintervention, which was codified for the first time in Article 8 of the conference [as published] on the rights and duties of states approved by the Seventh Pan-American Conference held in Montevideo in 1933. This rule states:

> No state has the right to intervene in the internal or external affairs of another.

President Franklin Delano Roosevelt's position was clearly expressed by the U.S. delegate in these words:

Declaration made by the U.S. commission upon signing the Convention on the Rights and Duties of States in Montevideo in 1933:

> Any observing person must clearly understand now that under the Roosevelt administration the U.S. Government is as opposed as any other government to interference with the liberty, sovereignty or other domestic affairs or processes of the governments of other nations. . . .
>
> I feel safe in committing myself to the statement that, with our support for the general principle of nonintervention as it has been defined, no government should fear any intervention by the United States under the Roosevelt administration.

This principle or basic norm of international conduct was successfully introduced by Latin American jurists, including our Dr. Ricardo J. Alfaro, into the UN Charter, adopted in 1945, which in Article 2 (4) states:

> All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

In April 1948, 30 years ago, the American countries met in Bogotá where they clearly and categorically reiterated their support for the principle of nonintervention as follows:

Article 15 of the OAS Charter approved in Bogotá in 1948: "No state or group of states has the right to intervene, directly or indirectly, regardless of the reason, in the domestic or foreign affairs of another. The foregoing principle prohibits not only action by the armed forces, but any other form of interference or attack on the character of the state and political, cultural and economic elements which constitute it." (Note: This article is identical to Article 18 of the OAS Charter amended by the Buenos Aires protocol in 1967.)

The aforementioned article is included in Chapter 17 of the OAS Charter which is entitled "Rights and Fundamental Duties of States," and Article 11 of this same charter states:

> The fundamental duties of the states are not susceptible to impairment in any manner.

The foregoing signifies that the states have accepted a limitation to their capacity to contract internationally. The state cannot contract the destruction of its character, and there is no pact whatsoever which validly achieves that objective.

In view of the stipulation of the aforementioned Article 11, during the plebiscite period the Foreign Ministry spokesmen explained that Article V of the canal treaty, which establishes the principle of nonintervention as a duty of the United States to abstain from meddling in the domestic affairs of Panama, was unnecessary from the legal viewpoint, but that it had been included as a precautionary political measure. And in view of multilateral rules contained in treaties-laws, as are the UN and OAS Charters, conventions which regulate the conduct of Panama, the United States and other countries, there is not the slightest shadow of a doubt that no state, superpower or ministrate, can claim the "right" to intervene in areas which are of the exclusive competence of other states.

But a hardly edifying spectacle was given when some U.S. senators, during the Senate debate on the Torrijos-Carter treaty, rudely used language which without a doubt indicated that, in their opinion, the United States has the "right to intervene" in Panama to preserve the neutrality and security of the canal.

This must be made very clear. The "right of intervention" does not exist; everything is to the contrary [todo lo contrario]. Intervention has been proscribed in international legal life. There may be interventions. These cannot be avoided, just as crime cannot be avoided, but such interventions can only be regressively engendered by colonialist and neocolonialist minds which still do not understand that the destiny of man is freedom.

During his speech in the Senate, Senator DeConcini used language which offended the dignity of the Panamanian nation and which is not consonant with the great advancements of humanity. He spoke of so-called rights of intervention which the peoples of the world, organized under the symbol of the United Nations, extinguished once and for all in a collective manner. However, Senator DeConcini also stated:

> This does not mean, nor should it be interpreted as, a right of the United States to interfere in the domestic affairs of Panama.

Any intervention violates the basic rule of self-determination.

Any intervention violates the respect which every state owes to the independence, territorial sovereignty and honor of other states. Therefore, our citizens expressed with righteous firmness their repudiation of Senator DeConcini's words used in explaining his amendment.

Fully identified with the national will, the Panamanian Government made

timely efforts before the U.S. Government to insure the Senate would reaffirm the international commitments of the United States contained in the UN and OAS charters. We were successful in that respect. To dispell any doubt, the U.S. Senate in its 18 April resolution stated:

> Pursuant to its adherence to the principle of nonintervention, any action taken by the United States of America in the exercise of its rights to assure that the Panama Canal shall remain open, neutral, secure and accessible pursuant to the provisions of the treaty and the neutrality treaty, and the resolutions of advice and consent thereto, shall be only for the purpose of assuring that the canal shall remain open, neutral, secure and accessible, and shall not have as its purpose nor be interpreted as a right of intervention in the internal affairs of the Republic of Panama or interference with its political or sovereign integrity.

This Senate resolution renders indefensible the allegation that the Torrijos-Carter treaties grant the United States any right of intervention in Panama.

According to international law, the obligation which all states have of non-intervention in the internal affairs of others is but the corollary of the principles of sovereign equality of states and respect for their political independence. If sovereignty is the right of all peoples to have their own government, to not have any other supreme state power, it is evident that any intervention conflicts with political independence and is repudiated legally by all humanity.

Panama's political independence, territorial integrity and self-determination are guaranteed by the unshakable will of the Panamanian people and the active solidarity of peoples of the world, in accordance with what was solemnly compacted in the UN Charter. On 28 November 1821 Panama declared its will to be free and independent. This decision was reaffirmed on 3 November 1903 and also on 9 January 1964 when the January Martyrs who offered their lives pointed out the path of sacrifices as the price of liberation from the colonialist yoke. Therefore, the Republic of Panama rejects, in a united and decisive fashion, any attempt by any country to intervene in its internal affairs. This is not only a matter of international law but of the steadfast will of our people.

Liberty is an inborn right of human beings and people. One is free when liberty takes hold of the soul of a people. That torch exists firmly in the heart of each and every Panamanian, and therefore any attempt to intervene in matters of the exclusive competence of Panamanians will be rejected without any hesitation.

III. Intervention is Repudiated in the U.S. Senate

The voices of great U.S. leaders were heard clearly as they repudiated any interpretation that an alleged "right" to intervene in Panama could be inferred. Senators Frank Church, Mike Gravel, George McGovern, Jacob Javits, Paul Sarbanes, Edward Kennedy and others stated that the era of inter-

vention is a thing of the past. It is relevant to quote a portion of Senator Kennedy's statements:

> And it is quite fair that the government and people of Panama should aspire to end the foreign military occupation of their own territory, that they should aspire to recover full national control of all their territory almost 100 years after becoming independent.

For his part, Senator Church said:

> The UN Charter, the OAS Charter and the Inter-American Treaty of Reciprocal Assistance—our military alliances with our neighbors in this hemisphere—all contain provisions which prohibit intervention in the internal affairs of other nations. Therefore, the interventionist policy of the United States is a thing of the past.
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> However, in Latin America memories have not faded. The main unifying force in the foreign policy of the Latin American nations over the last 40 years has been support for the principle of nonintervention. Having committed themselves 40 years ago to a new and more mature relationship with the United States, the Latin American countries are determined to keep it that away.

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IV. General Torrijos Set the Parameters of Dignity in Order to Make a Decision

Despite the fact that the Foreign Ministry communiques expressed the government's decision to withhold judgment regarding the reservations introduced into the Canal Neutrality Treaty, it is obvious that General Torrijos' statements to the press and his notes of the chiefs of state of the whole world and to President Carter indicated the government's dissatisfaction and concern regarding the interventionist nature of the so-called DeConcini reservation. Therefore, in his note to the chiefs of state, General Torrijos said:

> Because of the support which your people and government have given to the Panamanian cause and because, according to Article 7 of the neutrality treaty, Panama and the United States will open to the support of all the states of the world the objectives of this treaty, we have believed that is our duty to inform you of this situation about which we have publicly expressed our deep concern.

And in his letter to President Carter, our chief of government said:

> However, I do wish to point out that this study will be based on the following concepts: Panama will consider unacceptable any reservation which offends the national dignity, which distorts or changes the objectives of the treaty or which is designed to prevent the effective exercise by Panama of sovereignty over all its territory, the turnover of the canal and the military withdrawal on 31 December 1999.

V. Analysis of the Amendments, Reservations and Understandings

The Foreign Ministry now proceeds, methodically, to analyze the amend-

ments, reservations and understandings by which the U.S. Senate gave its advice and consent to the Torrijos-Carter treaties.

I. *Amendments*

A. At the end of Article IV, insert the following: "A correct and authorized statement of certain rights and duties of the parties under the foregoing is contained in the statement of understanding issued by the Government of the United States of America on 14 October 1977 and by the Government of the Republic of Panama on 18 October 1977, which is hereby incorporated as an integral part of this treaty, as follows:

> Under the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal (the neutrality treaty), Panama and the United States have the responsibility to assure that the canal will remain open and secure to ships of all nations. The correct interpretation of this principle is that each of the two countries shall, in accordance with their respective constitutional processes, defend the canal against any threat to the regime of neutrality, and consequently shall have the right to act against any aggression or threat directed against the canal or against the peaceful transit of vessels through the canal. This does not mean, nor shall it be interpreted as, a right of intervention of the United States in the internal afairs of Panama. Any United States action will be directed at insuring that the canal will remain open, secure and accessible, and it shall never be directed against the territorial integrity or political independence of Panama.

B. At the end of the first paragraph of Article VI, insert the following:

> In accordance with the statement of understanding mentioned in Article IV above: The neutrality treaty provides that the vessels of war and auxiliary vessels of the United States and Panama will be entitled to transmit the canal expeditiously. This is intended, and it shall be so interpreted, to assure the transit of such vessels through the canal as quickly as possible, without any impediment, with expedited treatment, and in case of need or emergency, to go to the head of the line of vessels in order to transit the canal rapidly.

A perusal of these two amendments reveals that they correspond exactly with the statement of understanding agreed upon by General Torrijos and President Carter on 14 October 1977. This declaration contains an authentic interpretation of the treaty of neutrality agreed upon by the signatories. It was released in Panama before the plebiscite and accepted by the citizenry in approving the Torrijos-Carter treaties.

What the above transcribed amendments do is to formalize the statement of understanding because it was not signed. But this fact does not minimize its obligatory power. In international law commitments are also contracted in oral form. The interpretation of the neutrality treaty agreed upon by General Torrijos and President Carter obligates Panama as well as the United States and is part of the treaties even though the document is not signed. It was there that the authentic interpretation of the neutrality treaty was given by the person who in Panama has the constitutional responsibility for directing foreign relations.

II. *Reservations:*

A. Subject to the condition which will be included in the instrument of ratification of the treaty which will be exchanged with the Republic of Panama, notwithstanding the provisions of Article V or any other provisions of the treaty, if the canal is closed, or its operations are interfered with, the Republic of Panama and the United States of America shall each independently have the right to take such steps as it deems necessary, in accordance with its constitutional processes, including the use of military force in Panama, to reopen the canal or restore the operations of the canal, as the case may be.

This is what has commonly been called the DeConcini reservation. Obviously its scope departed from the Torrijos-Carter declaration because it eliminated the obligation of the United States not to intervene in the internal affairs of Panama and to respect the political independence and territorial integrity of Panama.

Panama has recognized the U.S. right to act unilaterally in defense of the neutrality of the canal. General Torrijos reaffirmed this to President Carter in the note he sent him on 15 March 1978:

> Subsequently, and by virtue of the confusion created regarding the two articles of the neutrality treaty we proceeded to issue a memorandum of understanding which clearly interpreted the unilateral capacity of each of our countries to preserve the regime of neutrality against threats, attack or closure of the canal, the priority passage of warships in case of emergency and noninterference in the internal affairs of Panama as well as the inviolability of territorial integrity and political independence of my country.

As abominable as the DeConcini reservation were the baseless explanations of the same senator, who seeks to revive U.S. intervention in the internal affairs of Panama. Fortunately, the Senate approved the 18 April resolution, known as the Church amendment, which reaffirms respect for the principle of nonintervention in the internal affairs of the countries of America, which was reproduced above.

With this last Senate resolution, it is evident that the United States has reaffirmed its international commitments in light of the UN and OAS Charters. With it the DeConcini reservation has been rid of its imperialistic and interventionist claws, and the enforcement of the principle of nonintervention has been reestablished. The specter of new interventions at the end of the 20th century, which rightly caused concern to all Panamanians, has been eliminated.

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B. The agreement "to maintain the regime of neutrality established in this treaty" in Article IV of the treaty means that either of the two parties to the treaty may, in accordance with its constitutional procedures, take unilateral action to defend the Panama Canal against any threat, as determined by the party taking such action.

C. The determination of "need or emergency" for the purpose of any vessels of war or auxiliary vessel of the United States or Panama going to the head of the line of vessels in order to transit the Panama Canal rapidly shall be made by the nation operating such vessel.

These agreements are consistent with the Torrijos-Carter statement of 14 October 1977.

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Reservations and Understandings Introduced by the U.S. Senate into the Panama Canal Treaty

A. Reservations. 1. Pursuant to its adherence to the principle of nonintervention, any action taken by the United States of America in the exercise of its rights to assure that the Panama Canal shall remain open, neutral, secure and accessible, pursuant to the provisions of this treaty and the neutrality treaty and the resolutions of advice and consent thereto, shall be only for the purpose of assuring that the canal shall remain open, neutral, secure and accessible, and shall not have as its purpose nor be interpreted as a right of intervention in the internal affairs of the Republic of Panama or interference with its political independence or sovereign integrity.

This reservation is extremely important politically. With it the Senate dissipated the fears which had emerged throughout Latin America that the DeConcini amendment had revived "gunboat" and "big stick" diplomacy in this hemisphere. The Senate has reaffirmed the U.S. commitment in multilateral pacts that are treaties—laws regulating not only life on the American continent but throughout the world. Intervention is not a right; it is an international crime.

By virtue of the 1928 Kellogg-Briand Treaty the big powers renounced the use of force as a means to settle conflicts. Based on this pact, the United States, the Soviet Union, the United Kingdom and France took the Nazi war criminals to the scaffold.

The people of the world consecrated their rejection of the use of force in Article 2.3 of the UN Charter; the peoples of America did likewise in Article 20 of the OAS Charter. Additionally, Article 2.4 of the UN Charter and Article 18 of the OAS Charter consecrate the respect for the sovereign decisions of each state in matters which, as stipulated by international law, are of their sole domestic purview. These are norms that perfect the principle of nonintervention in the legal sense.

Panama experienced moments of patriotic indignation following the introduction of the so-called DeConcini reservation. Via diplomatic channels the national government firmly expressed its rejection of that amendment as something harmful not only to U.S. relations with Panama but its relations

with the entire continent. President Carter and the Senate leaders quickly understood this. The Senate then pointed out that a major tenet of U.S. policy is its adherence to the principle of nonintervention. And this adherence also pertains to the neutrality treaty which is of an indefinite duration. It is necessary to stress that the Senate's definition of U.S. policy in this reservation covers both treaties, which are mentioned specifically in the reservation, so that there would not be the slightest doubt that the DeConcini amendment added to the neutrality treaty would not continue in force. [Es necesario remarcar que la expresion de politica que hace el Senado en esta reserva incluye a ambos tratados, los cuales se mencionan especificamente en esta reserva, para no haya la menor sospecha de que la enmienda DeConcini anadida al tratado de neutralidad sigue viva.] What continues in force are the legal commitments of the United States to the UN and OAS Charters that forbid intervention.

And further, as the instruments drawn up by one or more parties regarding a treaty (Article 31 of the Vienna convention on treaty laws) are very important for the interpretation of treaties in international law, it is deemed pertinent to transcribe the letter that President Carter sent General Torrijos on 18 April:

GEN. OMAR TORRIJOS HERRERA
Chief of Government of Panama

DEAR GENERAL TORRIJOS: A few moments ago the U.S. Senate granted its consent to the second of the Panama Canal treaties that you and I signed in Washington in September of last year.

The ratification [*sic*] of the new treaties opens a new era in U.S. relations not only with Panama but with all the nations of the hemisphere. Working jointly our two nations can set an example and encourage others in the Americas and elsewhere to work toward just and constructive international cooperation in the pursuit of common goals.

* * *

With its actions today the Senate has reaffirmed what was important in the treaties from the beginning: that the United States, while safeguarding its interest in a secure, open and accessible canal, does not intend to interfere in the domestic affairs of Panama, its government, its policies or its cultural integrity, nor in any way undermine its sovereignty or its political independence.

These are the principles that we have always cherished as a nation. We have lived up to them in our relations with other American republics since President Roosevelt proclaimed his adherence to the principle of nonintervention in 1933. Those principles are consecrated as international rights in the UN and OAS Charters. Therefore, it is appropriate that those principles, particularly the principle that no nation has the right to interfere in the domestic affairs of

another, should be incorporated into the treaties and its related documents, including the Senate resolutions. When we meet to exchange the ratification documents we will be able to reiterate that this principle of nonintervention is clearly accepted by our two countries.

* * *

Sincerely,
JIMMY CARTER

In this letter, President Carter reaffirmed the U.S. commitment to refrain from intervention in Panama's internal affairs.

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The instruments of ratification to be exchanged by the United States and the Republic of Panama shall each include provisions whereby each party agrees to waive its rights and release the other party from its obligations under Paragraph 2 of Article XII.

Article XII of the Panama Canal treaty refers to the possibility of building a sea-level canal in Panama or adding a third set of locks to the present canal. There is no question that the subject of a sea-level canal was not introduced into the negotiation at Panama's initiative. This subject was given great importance during the stage of the negotiation which led to the draft treaties of 1967. In the negotiations that began in 1971, the subject remained latent for several years and then it suddenly regained prominence in July 1977. The United States made proposals which Panama vigorously rejected. The United States wanted an option in perpetuity to build a sea-level canal in Panama. This was the main issue discussed at the meeting in Bogotá of the presidents of Colombia, Venezuela, Costa Rica and Mexico, the prime minister of Jamaica and the chief of government of Panama. It was there that a formula, basically the one established in Paragraphs 1 and 2 of Article XII, was developed.

According to Paragraph 1 of Article XII, for the duration of the treaty, Panama and the United States ". . . commit themselves to study jointly the feasibility . . ." of a sea-level canal in Panama. If after this study the two parties agree that this canal is necessary, they may negotiate the terms of a new treaty for its construction. Therefore, there is no obligation here restricting Panama or placing an obligation on its territory.

Paragraph 2 A. Article XII represents a great concession made by Panama to the United States, Panama pledged not to build a canal or to permit a canal to be built in Panama for the duration of the treaty, that is until the year 2000, without the consent of the United States. Here there is a clear obligation on the territory of Panama which the United States cannot negotiate for 22 years.

Paragraph 2 B. of Article XII places a limitation on the United States in its negotiating capacity. According to this article, the United States cannot nego-

tiate for 22 years with third countries of America on the construction of a canal outside Panama, unless Panama frees it from that limitation.

Paragraphs A. and B. referred to the establishment of a legal equilibrium in the counter-claims [contraprestaciones] of the parties. But in the material aspect, it is obvious that Paragraph 2 is balanced against Panama because it is known that the most adequate routes for building a sea-level canal are in Panama. The disproportion of the distance in the routes of Nicaragua, Costa Rica, and Colombia compared to Panama is immense. And it is not only the problem of construction costs but also the length of the routes which delays the transit of ships, which practically excludes the possibility of building a new canal outside Panama. The Senate considered that it was too much for a nation as small as Panama to have a veto over its negotiating capacity. It attributed more value to this than to the concessiontwhich Panama accepted in Bogotá for the sake of reaching an agreement [transaccion].

Now Panama can, if it so desires and finds adequate financing, build a new canal whenever it deems it appropriate without having to consult the United States. At the same time, the United States is free to negotiate with third countries without Panama's veto.

The formula contained in the reservation, previously agreed upon with Panama, does not alter the treaty. What the two parties will do is that, upon exchanging the ratification instruments, each will waive its right and release one another. The treaty is not modified. If there is a waiving and mutual release of the reciprocal duties and rights agreed to in Paragraph 2, it is because this clause remained unchanged. But the presidents of the two countries will expressly waive the right given their countries by the treaty and will release each other from their obligations regarding the sea-level canal.

By order of Article 277 of the constitution, General Torrijos has the power to direct Panama's foreign relations. In the exercise of this power, he will waive any right which does not have practical significance and will accept the U.S. waiver which is of practical significance to Panama. Now we will have the free disposition of the territory which God placed in the hands of Panamanians and which for well-known historical reasons has been in foreign lands. The monopoly of routes granted to the United States is eliminated forever. An appropriate formula was found so as to avoid commitments with the United States regarding the sea-level canal in Panama.

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Other fundamental achievements of the negotiations are the abrogation of the 1903 treaty and its amendments (Article I) and the resumption by Panama of its exclusive jurisdiction throughout all national territory (Article XI). The amendments contained in the Senate resolutions have not tarnished these definitive achievements of our people.

Nothing will prevent Panama from effective exercise of its sovereignty throughout all its territory. The position of the U.S. Government during the Senate debates was that the United States has no sovereignty in the Canal Zone. Carter has spoken firmly in defense of Panama's traditional thesis. This position has cleared this legal problem in the minds of the American people. In keeping with this position, Article XI establishes that Panama will resume total jurisdiction in the Canal Zone when the treaty enters into force. U.S. jurisdictional rights, the only thing it possessed in Panama, will end on that date. The Senate debate and the firm position of the Senate majority have reaffirmed Panamanian sovereignty, which will be exercised effectively by Panama when the treaty goes into effect, because this treaty eliminates the so-called Canal Zone government. The anachronism of two governments in a single territory, as was stressed with patriotic zeal by President Demetrio Basilio Lakas in a meeting with President Nixon in 1971, has been brought to an end.

Great national objectives have been achieved. By virtue of the generational alpinism spoken of very properly so by the chief of government, all generations of Isthmians have contributed their ideas, efforts and sacrifices. Each Panamanian has been a volunteer soldier in the common task of liberation. Beginning with the note by Jose Domingo de Obaloia and Eusebio A. Morales in 1904, which best expresses our legal arguments, up to the tragic event of the January Martyrs—22 Panamanian heroes offered their lives and gave an everlasting cry of Panama's wish to be sovereign and free—it can be said that Panama has sought to:

A. Abrogate the 1903 treaty;

B. Recover the patrimony constituted by Panama's geographic position and its Isthmian configuration to exploit the most important natural resource given to it by God—that is, to exploit to its maximum transit operations of the canal, the railroad and ports under its exclusive control and administration;

C. Reincorporate the Canal Zone into the rest of the fatherland's territory;

D. End the U.S. civilian and military presence;

E. Place the canal under a system which will guarantee the transit of ships of all flags on equal conditions and isolate the canal from any public controversy; and

F. Train qualified personnel in technical matters to assume responsibility for the canal's administration to the fullest extent possible.

The Foreign Ministry can state with satisfaction that the fundamental objectives which were imbedded in the national soul have basically been achieved. Unfortunately, all of these objectives will not be achieved immediately. It involves a liberation program that will be completed in 22 years, because the treaty is the product of negotiations in which reciprocal concessions were

made. All Panamanians would like this term to be shorter, but we were able to achieve only that which is established in the treaties, despite the titanic and persistent efforts of our negotiator.

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The national government has reached the conclusion that the treaties unquestionably achieve, within a reasonable period of time, the fundamental objectives of the Panamanian nation. Because of this, the national government will consent to the exchange of the instruments of ratification of the Torrijos-Carter treaties. With the entry into force of the treaties, better instruments of struggle will be placed in the hands of the republic. With them, Panama will continue its efforts so that the national objectives will be realized in a shorter period of time by virtue of opportune and patriotic negotiations that the governments of the future will undertake.

The Foreign Ministry has faith in the capacity for struggle of the Panamanian. It also has faith that with time the U.S. public will better understand Panama's reasons for insisting on an improvement in the terms of its contractual relationship with the United States. This will facilitate the future decisions of the U.S. Government in its relations with Panama. The North American people are a just people. Some of their leaders have shown courage, patriotism and a clear sense of history. The Torrijos-Carter treaties are evident achievements in our liberation struggle, but they are not the final phase.

Upon agreeing to the terms of the protocol of the instruments of ratification of each treaty, Panama will reaffirm its right to self-determination, respect for its territorial integrity and political independence and its rejection of all forms of intervention in its internal affairs and will ask the United States to reaffirm its commitments in accordance with the UN and OAS Charters.

Panama, 25 April 1978, Foreign Ministry.

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