The U.S. Invasion of Panama (Operation: Just Cause)

Historical Security Council

Overview

During the 1980s, a former CIA informant by the name of Manuel Noriega declared himself the dictator of Panama. At first, he acted alongside the United States in their campaign to stop the spread of communism in Latin America and to overthrow any existing communist governments in Latin America. Eventually, due to an exposé from the New York Times concerning his criminal activity concerning drugs and drug money, the relationship between Panama and the United States dissolved and the United States attempted to remove Manuel Noriega from power (LINK). However, this drove Panama to join sides with the communists, receiving aid from Libya, Nicaragua, and Cuba. Shortly after the switch and several attacks by both sides, The United States invaded Panama and held the state captive for several days while they searched for Manuel Noriega.

The legality of this situation is what is brought before the United Nations, as this invasion could be seen as a breach of Chapter 51 of the United Nations’ Charter (LINK). Additionally, this act of aggression by the United States onto the state of Panama is a potential breach of the Charter of the Organization of American States, specifically articles 18 and 20.

Historical Context/Background

Former CIA Informant, Manuel Noriega became the commander of the Panamanian Defense Forces (PDF) in 1981; then in 1983, he became the military dictator of Panama. Even
though the CIA had removed him from their payroll in 1977 due to his involvement in drug money laundering, the United States continued to support him in their quest to remove communist influence in Latin America. Noriega provided arms and monetary aid to the anti-communist rebels that the United States also supported. Additionally, due to the aid that Noriega provided to the United States, the US looked the other way when it came to the less than savory actions of Noriega’s regime. Thus, they existed in a symbiotic, if likely illicit relationship.

However, the relationship began to change in 1986 when The New York Times came out with an in-depth expose detailing the crimes of Manuel Noriega, which included drug money laundering and illegal drug trafficking. In response to this, the United States imposed a series of sanctions on Panama intending to cripple the economy so they would have no choice but to comply with the demands concerning Manuel Noriega stepping down and relinquishing his command. However, this did not happen, and the sanctions only increased tension between the two states, and after a failed coup attempt by the United States in 1988, Panama switched sides and started promoting communism and aided the socialist governments of Cuba and Nicaragua. Then in May 1989, during the Panama elections, Manuel Noriega canceled the election once it was clear that he would have lost to his primary opponent, this sparked more tension from the United States.

Shortly after this on December 15th, after a series of attacks on both sides, the National Assembly officially released a statement claiming that Panama would be at war with the United States as long as the United States continued their acts of aggression towards Panama. On the 16th of December 1989, Panamanian soldiers working for Manuel Noriega fired upon an off-duty US Marine and shot him to death. The next day the United States started to implement Operation: Just Cause, in which they would dispose of Manuel Noriega through a full-scale invasion of Panama. The invasion, however, did not officially begin until the 20th of December, and on this date, 27,684 US troops including thousands of soldiers from the famed 82nd Airborne Division have landed in Panama. Within four days the United States has defeated the forces of
Manuel Noriega, but they had not yet captured him. Manuel Noriega is in the Vatican Diplomatic Mission; however, he has not yet been captured.

For more information, look to the following links:


https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1561&context=yjil

**Current situations/ Recent Developments**

The forces of the United States are still occupying Panama, as they attempt to flush Manuel Noriega out of hiding. At the current time, it is underivable when the forces of the United States will pull out of Panama. In the meantime, the people of Panama have suffered tremendously, with addition of curfews by the United States the once exciting and colorful nightlife has been completely diminished. Stores on both sides of the road throughout Panama City have been looted by both rich and poor citizens; no one walks the streets out of fear from both the American and the Panamanians. The people of Panama have suffered under the brief rule of the United States, and even with the suffering of his people Manuel Noriega, who represents the entire Panamanian government, has not yet surrendered (https://granta.com/the-invasion-of-panama/).

**Involved Actors**

**United Nations**

The United Nations Charter states in Chapter 51 that no state may attack another state unless the said state is acting in defense. The United States has a long history of claiming attacks on foreign states derived from the prediction that these states would act aggressively toward the US. To learn more about this, click on this LINK. The United Nations formally decided to condemn the
actions of the United States in a General Assembly Meeting in 1989, with a vote of 44/240. For more information about this vote click on this LINK.

Panama

Panama wants the United States to leave, and to discontinue the sanctions placed against them. They claim that the United States breached the Charter of the Organization of American States in multiple sections, including articles 18 and 20. Additionally, they claim that the United States has breached Chapter 51 of the United Nations’ Charter. The countries listed below are those most likely to agree with Panama, as they are all members of the Organization of American States. For more information, see the Charter for the Organization of American States HERE.

Bolivia, Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Haiti, Honduras, Mexico, Nicaragua, Paraguay, (the United States Excluded but a founding member of the OAS)

United States

The United States claims that the acts of aggression began with attacks on their civilian population and the United States felt that attacks by Panama were eminent, and invading Panama was the only way to prevent these attacks. The United States feels wholly justified in its actions and claims that it has not violated the Charter of the United Nations nor the Charter of the Organization of American States. The countries listed below are formal allies of the United States under the North Atlantic Treaty Organization (NATO), and in being so, they are most likely to agree with the United States. For more information, click on this LINK.

France, Belgium, Britain, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal.

UN Resolutions and Activities

International Law and Chapter 51 of the United Nations Charter states that one state can use force against another state, only if the state is using defensive force in response to an armed attack by another state. The United States stated that they were in complete compliance with a said section of International Law, stating that their formal reasons for invading and using Force were:
“(1) that it was defending United States personnel against attacks by Panama; and (2) that Panama had interfered with the operation of the Panama Canal, giving the United States a right to intervene under treaties regulating the Canal. United States officials also identified two additional objectives of the invasion: (1) the restoration of democracy in Panama; and (2) the seizure of General Manuel Noriega, the head of Panama's government, in order to try him on drug trafficking charges.” (Digital Commons Yale Law)

Some scholars, however, have claimed that the invasion and use of force was a violation of International Law, due to that difference of verbally declaring war and acting upon it in armed and violent attacks. The claim of the United States was not that Panama had actively orchestrated armed attacks against the United States, the claim was of eventual attacks by Panama, which is not a justification for the use of force under Chapter 51 of the United Nations Charter. The attacks that the United States claim as aggressive and worthy of the return of said aggression, are not considered as acts of aggression by the General Assembly, for these attacked were on civilians and not military personal. Additionally, The United States had signed the Charter of the Organization of the American States, which states in Article 18, that no state (party to this Charter) is allowed to intervene, externally or internally, in any other state party to this charter. Article 20 of this Charter was also breached by the United States, as it pertains to the military invasion of one state into another, of which this article declares is not allowed, temporary or permanent.

(https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1561&context=yjil)

Questions to Consider

1. What is your country's relationship with the United States, and is your country's Foreign Trade with the dependant on the Panama Canal?

2. Was the invasion of Panama by the United States justified through International Law, given that the US had claimed to be attacked by Panama and their use of force was defensive, which is the only justifiable reason that one state can invade or use force against another state?
3. Was the invasion of Panama by the United States instigated purely out of self-interest, as the Panama Canal is crucial to the trade network of the United States?

4. Was declaring war on the United States justified, based off of the Charter of the Organization of the American States, which states that no state party to this treaty may interfere with the economy or trade operations of another state in order to force another state to comply with the first state? Moreover, does this count as an act of Aggression towards Panama?

Further Resources

- [https://nsarchive2.gwu.edu/NSAEBB/NSAEBB443/docs/area51_22.PDF](https://nsarchive2.gwu.edu/NSAEBB/NSAEBB443/docs/area51_22.PDF)
- [https://www.history.com/this-day-in-history/the-u-s-invades-panama](https://www.history.com/this-day-in-history/the-u-s-invades-panama)

Images In Order of Appearance


Highlighted Timeline of Events

1903 *Panama gained its Independence, and the Hay-Bunau-Varilla Treaty was formed with the United States*

1914 *The US controlled “canal zone” is completed*

1968 *Manuel Noriega becomes the Lieutenant of the Panama National Guard*
1970 Manuel Noriega is promoted to Lieutenant Colonel and chief of Military Intelligence

1970 Manuel Noriega is recruited by the CIA (United States’ Central Intelligence Agency)

1971 Manuel Noriega goes to Panama to secure the release of two American crews that had been taken hostage by Cuba

1977 Manuel Noriega becomes involved with drug trafficking and is removed from the CIA’s (United States’ Central Intelligence Agency) payroll

1979 The CIA brought back Manuel Noriega into their operations, in order to control the spread of Communism in South America.

1983 Manuel Noriega takes control of the Panamanian Army

1983 Manuel Noriega becomes the Military Dictator of Panama

1989 After an expose from the New York Times, the United States formally accuses Manuel Noriega of laundering drug money, smuggling drugs, and racketeering

1989 The United States invades Panama under Operation: Just Cause after a off-duty Marine was shot to death by Manuel Noriega’s men on the 16th of December