



General Assembly Security Council

Distr.
GENERAL

A/42/521 ✓
S/19085
31 August 1987
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-second session
Item 34 of the provisional agenda*
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE
INITIATIVES

SECURITY COUNCIL
Forty-second year

Letter dated 27 August 1987 from the Permanent Representatives
of Costa Rica, El Salvador, Guatemala and Nicaragua to the
United Nations addressed to the Secretary-General

We have the honour to send you herewith the document entitled "Procedure for the establishment of a firm and lasting peace in Central America" signed by the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua on 7 August 1987.

We should be grateful if the text of this letter and its annex could be distributed as a document of the General Assembly, under item 34 of the provisional agenda, and of the Security Council.

* A/42/150.

We take this opportunity to thank you for having sent your Personal Representative, Mr. Alvaro de Soto, to the meeting of Central American Presidents. His presence was a clear demonstration of United Nations backing for the peace efforts in Central America.

(Signed) Ambassador Carlos José GUTIERREZ
Permanent Representative of Costa Rica
to the United Nations

(Signed) Ambassador Roberto MEZA
Permanent Representative of El Salvador
to the United Nations

(Signed) Ambassador Fernando ANDRADE
Permanent Representative of Guatemala
to the United Nations

(Signed) Ambassador Nora ASTORGA-GADEA
Permanent Representative of Nicaragua
to the United Nations

ANNEX

Procedure for the establishment of a firm and lasting
peace in Central America

"Voces tendidas
y grávidos vientos de esperanzas
quieren la paz alegre para todos"

Arturo Echeverría Loria

PREAMBLE

We, the Presidents of the Republics of Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica, meeting at Guatemala City on 6 and 7 August 1987, encouraged by the far-sighted and unfailing determination of the Contadora Group and the Support Group to achieve peace, strengthened by the steady support of all the Governments and peoples of the world, their main international organizations and, in particular, the European Economic Community and His Holiness John Paul II, drawing inspiration from the Esquipulas I Summit Meeting and having come together in Guatemala to discuss the peace plan presented by the Government of Costa Rica, have agreed as follows:

To take up fully the historical challenge of forging a peaceful destiny for Central America;

To commit ourselves to the struggle for peace and the elimination of war;

To make dialogue prevail over violence and reason over hatred;

To dedicate these peace efforts to the young people of Central America whose legitimate aspirations to peace and social justice, freedom and reconciliation have been frustrated for many generations;

To take the Central American Parliament as the symbol of the freedom and independence of the reconciliation to which we aspire in Central America.

We ask the international community to respect and assist our efforts. We have our own approaches to peace and development but we need help in making them a reality. We ask for an international response which will guarantee development so that the peace we are seeking can be a lasting one. We reiterate firmly that peace and development are inseparable.

We thank President Vinicio Cerezo Arévalo and the noble people of Guatemala for having hosted this meeting. The generosity of the President and people of Guatemala were decisive in creating the climate in which the peace agreements were adopted.

**PROCEDURE FOR THE ESTABLISHMENT OF A FIRM AND LASTING
PEACE IN CENTRAL AMERICA**

The Governments of the Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, determined to achieve the principles and purposes of the Charter of the United Nations, the Charter of the Organization of American States, the Document of Objectives, the Caraballeda Message for Peace, Security and Democracy in Central America, the Guatemala Declaration, the Punta del Este Communiqué, the Panama Message, the Esquipulas Declaration and the draft Contadora Act of 6 June 1986 on Peace and Co-operation in Central America, have agreed on the following procedure for the establishment of a firm and lasting peace in Central America.

1. NATIONAL RECONCILIATION

(a) Dialogue

Wherever deep divisions have taken place within society, the Governments agree to urgently undertake actions of national reconciliation which permit popular participation, with full guarantees, in genuine democratic political processes on the basis of justice, freedom and democracy and, to that end, to create mechanisms permitting a dialogue with opposition groups in accordance with the law.

To this end, the Governments in question shall initiate a dialogue with all the domestic political opposition groups which have laid down their arms and those which have availed themselves of the amnesty.

(b) Amnesty

In each Central American country, except those where the International Verification and Follow-up Commission determines this to be unnecessary, amnesty decrees shall be issued which establish all necessary provisions guaranteeing the inviolability of life, freedom in all its forms, property and security of person of those to whom such decrees are applicable. Simultaneously with the issue of amnesty decrees, the irregular forces of the countries in question shall release anyone that they are holding prisoner.

(c) National Reconciliation Commission

To verify fulfilment of the commitments with regard to amnesty, a cease-fire, democratization and free elections entered into by the five Central American Governments in signing this document, a National Reconciliation Commission shall be set up in each country, responsible for verifying genuine implementation of the process of national reconciliation and also unrestricted respect for all the civil and political rights of Central American citizens guaranteed in this document.

The National Reconciliation Commission shall be composed of: a representative of the executive branch and his alternate; a representative and an alternate proposed by the Conference of Bishops and chosen by the Government from a

list of three bishops. This list shall be submitted within 15 days following receipt of the formal invitation. Governments shall make this invitation within five working days following the signing of this document. The same procedure of proposing three candidates shall be used to choose a representative and an alternate representative of legally registered opposition political parties. The list of three candidates shall be submitted within the same period as indicated above. Each Central American Government shall also choose an eminent citizen belonging to neither the Government nor the government party, and his alternate, to serve on the Commission. The agreement or decree setting up the corresponding National Commission shall be communicated immediately to the other Central American Governments.

2. APPEAL FOR AN END TO HOSTILITIES

The Governments make an urgent appeal that, in those States of the region where irregular or insurgent groups are currently active, agreement be reached to end hostilities. The Governments of those States undertake to take all necessary steps, in accordance with the constitution, to bring about a genuine cease-fire.

3. DEMOCRATIZATION

The Governments undertake to promote an authentic democratic process that is pluralistic and participatory, which entails the promotion of social justice and respect for human rights, the sovereignty and territorial integrity of States and the right of every nation to choose, freely and without outside interference of any kind, its own economic, political and social system. They shall adopt, in a way that can be verified, measures conducive to the establishment and, where appropriate, improvement of democratic, representative and pluralistic systems that will guarantee the organization of political parties and effective popular participation in the decision-making process and ensure that the various currents of opinion have free access to fair and regular elections based on the full observance of citizens' rights. In order to ensure good faith in the implementation of this process of democratization, it shall be understood that:

(a) There must be complete freedom of television, radio and the press. This complete freedom shall include freedom for all ideological groups to launch and operate communication media and to operate them without prior censorship;

(b) Complete pluralism of political parties must be established. Political groupings shall, in this connection, have broad access to the communication media and full enjoyment of the rights of association and the power to hold public demonstrations in unrestricted exercise of the right to publicize their ideas orally, in writing and on television, and members of political parties shall enjoy freedom of movement in campaigning for political support;

(c) Likewise, those Central American Governments which are currently imposing a state of siege or emergency shall revoke it, ensuring that a state of law exists in which all constitutional guarantees are fully enforced.

4. FREE ELECTIONS

Once the conditions inherent in any democracy have been created, free, pluralistic and fair elections shall be held.

As a joint expression by the Central American States of their desire for reconciliation and lasting peace for their peoples, elections will be held for the Central American Parliament proposed in the Esquipulas Declaration of 25 May 1986.

In the above connection, the Presidents expressed their willingness to move ahead with the organization of the Parliament. To that end, the Preparatory Commission for the Central American Parliament shall complete its deliberations and submit the corresponding draft treaty to the Central American Presidents within 150 days.

Elections shall be held simultaneously in all the countries of Central America in the first six months of 1988, at a date to be agreed in due course by the Presidents of the Central American States. They shall be subject to supervision by the corresponding electoral bodies, and the Governments concerned undertake to invite the Organization of American States, the United Nations and the Governments of third States to send observers to verify that the electoral process has been governed by the strictest rules of equal access for all political parties to the communication media and by ample opportunities for organizing public demonstrations and any other type of political propaganda.

With a view to enabling the elections to the Central American Parliament to be held within the period indicated, the treaty establishing the Parliament shall be submitted for approval or ratification in the five countries.

Once the elections for the Central American Parliament have been held, equally free and democratic elections for the appointment of popular representatives to municipalities, congress, the legislative assembly and the office of the President of the Republic shall be held in each country, with international observers and the same guarantees, within the established time-limits and subject to time tables to be proposed in accordance with each country's current constitution.

5. TERMINATION OF AID FOR IRREGULAR FORCES AND INSURRECTIONIST MOVEMENTS

The Governments of the five Central American States shall request Governments of the region and Governments from outside the region which are providing either overt or covert military, logistical, financial or propaganda support, in the form of men, weapons, munitions and equipment, to irregular forces or insurrectionist movements to terminate such aid; this is vital if a stable and lasting peace is to be attained in the region.

The above does not cover aid for the repatriation or, failing that, the relocation and necessary assistance with reintegration into normal life of former members of such groups or forces. The Central American Governments shall also

request the irregular forces and insurgent groups operating in Central America to refrain from receiving such aid in order to demonstrate a genuine spirit of Latin Americanism. These requests shall be made pursuant to the provision of the Document of Objectives which calls for eliminating the traffic in arms, whether within the region or from outside it, intended for persons, organizations or groups seeking to destabilize the Governments of Central American countries.

6. NON-USE OF TERRITORY TO ATTACK OTHER STATES

The five countries signing this document reiterate their commitment to prevent the use of their own territory by persons, organizations or groups seeking to destabilize the Governments of Central American countries and to refuse to provide them with or allow them to receive military and logistical support.

7. NEGOTIATIONS ON SECURITY, VERIFICATION AND THE CONTROL AND LIMITATION OF WEAPONS

The Governments of the five Central American States, with the Contadora Group acting as mediator, shall continue negotiating on the points outstanding in the draft Contadora Act on Peace and Co-operation in Central America with regard to security, verification and control.

These negotiations shall also cover measures for disarming irregular forces prepared to avail themselves of amnesty decrees.

8. REFUGEES AND DISPLACED PERSONS

The Central American Governments undertake to attend, as a matter of urgency, to the flows of refugees and displaced persons caused by the crisis in the region, providing them with protection and assistance, particularly in the areas of health, education, work and safety, and to facilitate their repatriation, resettlement or relocation provided that this is voluntary and carried out on an individual basis.

They also undertake to seek assistance from the international community for Central American refugees and displaced persons, to be provided either directly, through bilateral or multilateral agreements, or indirectly, through the Office of the United Nations High Commissioner for Refugees (UNHCR) and other organizations and agencies.

9. CO-OPERATION, DEMOCRACY AND FREEDOM FOR PEACE AND DEVELOPMENT

In the climate of freedom guaranteed by democracy, the Central American countries shall adopt such agreements as will help to speed up development, in order to make their societies more egalitarian and free from misery.

The strengthening of democracy entails creating a system of economic and social well-being and justice. To achieve these goals, the Governments shall jointly seek special economic assistance from the international community.

10. INTERNATIONAL VERIFICATION AND FOLLOW-UP

(a) International Verification and Follow-up Commission

An International Verification and Follow-up Commission shall be established consisting of the Secretary-General of the Organization of American States, or his representative, the Secretary-General of the United Nations, or his representative, and the Ministers for Foreign Affairs of Central America, the Contadora Group and the Support Group. This Commission shall be responsible for verifying and monitoring fulfilment of the commitments set forth in this document.

(b) Support and facilities for reconciliation and verification and follow-up bodies

In order to reinforce the efforts of the International Verification and Follow-up Commission, the Governments of the five Central American States shall issue statements of support for its work. All nations interested in promoting the cause of freedom, democracy and peace in Central America may adhere to these statements.

The five Governments shall provide all necessary facilities for the proper conduct of the verification and follow-up functions of the National Reconciliation Commission in each country and the International Verification and Follow-up Commission.

11. TIMETABLE FOR FULFILMENT OF COMMITMENTS

Within a period of 15 days from the signing of this document, the Central American Ministers for Foreign Affairs shall meet as an Executive Commission to regulate, encourage and facilitate compliance with the agreements contained in this document and to organize working commissions so that, as of that date, the processes leading to fulfilment of the agreed commitments within the stipulated periods can be set in motion by means of consultations, negotiations and any other mechanisms which are deemed necessary.

Ninety days after the signing of this document, the commitments with regard to amnesty, a cease-fire, democratization, termination of aid to irregular forces or insurrectionist movements, and the non-use of territory to attack other States, as defined in this document, shall enter into force simultaneously and be made public.

One hundred and twenty days after the signing of this document, the International Verification and Follow-up Commission shall review the progress made in complying with the agreements set forth in this document.

One hundred and fifty days after the signing of this document, the five Central American Presidents shall meet to receive a report from the International Verification and Follow-up Commission and shall take the relevant decisions.

FINAL PROVISIONS

The elements set forth in this document form a harmonious and indivisible whole. By signing it, the Central American States accept in good faith the obligation to comply simultaneously with what has been agreed within the established time-limits.

We, the Presidents of the five Central American States, having the political will to respond to our peoples' desire for peace, sign this document at Guatemala City on 7 August 1987.

(Signed) Oscar Arias Sánchez
President
Republic of Costa Rica

(Signed) José Napoleón Duarte
President
Republic of El Salvador

(Signed) Vinicio Cerezo Arévalo
President
Republic of Guatemala

(Signed) José Azcona Hoyo
President
Republic of Honduras

(Signed) Daniel Ortega Saavedra
President
Republic of Nicaragua

The Presidents of the Republics of Honduras and Nicaragua, convinced of the need to strengthen this regional peace plan by taking measures to restore mutual trust, have agreed to instruct their respective Ministers for Foreign Affairs to request the International Court of Justice to agree to the postponement, for a period of three months, of the oral phase of the ruling on competence which, inter alia, is being heard by that high tribunal, on the understanding that they will review the aforementioned judicial situation on the occasion of the meeting of Central American Presidents which is to take place within 150 days, in accordance with the commitment established in this plan, with a view to agreeing to waive recourse to international judicial action on the situation in Central America.

Signed at the Esquipulas II Summit Meeting, at Guatemala City, on 7 August 1987.

(Signed) José Azcona HOYO
President of
the Republic of Honduras

(Signed) Daniel ORTEGA SAAVEDRA
President of
the Republic of Nicaragua