

ANNEX I

Joint Plan for the voluntary demobilization, repatriation or relocation of the members of the Nicaraguan resistance and their families, as well as assistance in the demobilization of all those involved in armed actions in the countries of the region when they voluntarily seek it

The Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua,

Honouring their historic commitment to achieve a firm and lasting peace in Central America,

Remembering the Guatemala Procedure, adopted on 7 August 1987, and the Alajuela and Costa del Sol Declarations,

In accordance with resolution 637 (1989) adopted unanimously by the United Nations Security Council on 27 June 1989,

With the purpose of advancing toward achievement of the objectives of the Central American peace process and as a firm example of their decisive commitment to the full strength of the principles of international law, have agreed to this Joint Plan for the voluntary demobilization, repatriation or relocation of the members of the Nicaraguan resistance and their families, as well as assistance in the demobilization of all those involved in armed actions in the countries of the region when such persons voluntarily request it,

Chapter I

Voluntary demobilization, repatriation or relocation in Nicaragua or third countries of the members of the Nicaraguan resistance and their families.

Introduction

The purpose of this chapter is to develop what was agreed on by the Presidents in this matter, taking into consideration also:

- (1) The report of the Secretary-General of the Organization of American States;
- (2) The national Political Agreement between the Government of Nicaragua and the 21 political parties existing in the country, in which, after arrival at important political agreements on the democratic process, an appeal is made to the Central American Presidents for approval of the Plan for voluntary demobilization, relocation or repatriation.

This chapter defines the machinery and methodology for the voluntary demobilization, repatriation or relocation of the members of the Nicaraguan resistance, as well as the material and security conditions to be encountered by the persons covered by this Plan, which will be implemented with the co-operation of international organizations. This Plan will also apply to the voluntary repatriation or relocation of the families of the members of the Nicaraguan resistance and of Nicaraguan refugees, without prejudice to the agreements signed on this subject.

The Government of Nicaragua has made clear, in conformity with the Esquipulas Procedure and the Costa del Sol Declaration, its disposition to strengthen its process of national reconciliation and democratization, in order to encourage the voluntary repatriation of the Nicaraguan resistance and has accordingly determined to sign this Plan, which will try to achieve the repatriation of the majority, relocation in third countries being the exception.

The five Central American Governments reaffirm their commitment to halt the use of their own territory by persons, organizations or groups to destabilize other States and to cease all types of aid to armed groups, with the exception of humanitarian aid that serves the purposes that the Presidents have defined for this Plan.

Machinery

1. For the purposes of the execution and implementation of this Plan, an International Support and Verification Commission will be created, hereinafter called "CIAV", which the Secretary-General of the United Nations and the Secretary-General of the Organization of American States, who may act through their representatives, will be asked to form.
2. The International Support and Verification Commission (CIAV) should be established within 30 days of the signing of this agreement. The five Central American Presidents urge the Nicaraguan resistance to accept the execution of this Plan within 90 days of the date of the Constitution of CIAV. During these 90 days, the Nicaraguan Government and CIAV will maintain direct contacts with the Nicaraguan resistance in order to promote its return to the nation and its integration in the political process. At the end of this period, CIAV will submit a report on the implementation of this Plan, which will be submitted to the Central American Presidents.
3. CIAV will be responsible for all activities that make possible the voluntary demobilization, repatriation or relocation, including the reception and installation of repatriated persons at their destinations. In addition, it will ensure that necessary conditions exist or are maintained to permit the full incorporation of repatriated persons into civilian life and will carry out the follow-up and control that those processes require.
4. CIAV will carry out its activities with the collaboration of the Central American Governments and will seek the support of specialized organs or

organizations with experience in the region and others that may be considered necessary and are officially invited by the Governments.

One of the objectives of that support will be to facilitate the execution of the Plan, and to that end it will collaborate in monitoring the full exercise of the fundamental rights and freedoms of those repatriated, as well as in efforts to ensure economic security.

5. Once established, CIAV will immediately proceed to

(a) Carry out necessary consultations with the authorities of the Government of Nicaragua, the other Central American Governments and the Nicaraguan resistance and officials of humanitarian organizations, as required for the purpose of expediting the execution of this Plan;

(b) Visit the camps of the Nicaraguan resistance and the refugees for the purpose of:

(i) Making known the achievements and benefits of this Plan;

(ii) Ascertaining existing human and material resources;

(iii) Organizing the distribution of humanitarian aid;

(c) Taking responsibility, as much as possible, for the distribution of food, medical attention, clothing and other basic necessities in the resistance camps through the support organs and organizations;

(d) Carry out negotiations for the reception by third countries of those who do not desire to be repatriated and give them the necessary assistance.

6. CIAV will issue a certificate to each Nicaraguan who takes advantage of this Plan and will put into effect a voluntary repatriation programme for those who desire to return to Nicaragua.

Exit and entry routes will be through the frontier posts set up by the Governments by mutual agreement. At these posts, the Government of Nicaragua, in the presence of representatives of CIAV will issue the necessary documentation to guarantee the full exercise of civil rights.

At the same time, the relocation in third countries of those who do not choose repatriation during the period of the execution of this Plan will be initiated. For that purpose, the Government of Nicaragua, with the co-operation of CIAV, will facilitate the issue of passports to those who apply for them.

The five Presidents exhort the international community to offer financial support to the present demobilization Plan.

Procedures

7. Upon its establishment, CIAV will determine the procedures by which it will, in compliance with the Plan for voluntary demobilization, repatriation or relocation in Nicaragua or third countries proceed to receive arms equipment and military supplies from the members of the Nicaraguan resistance, which will remain in its custody until the five Presidents decide their destination.

8. CIAV will verify the dismantling of the camps left behind by the resistance and Nicaraguan refugees.

9. Those repatriated will, if circumstances permit, be taken directly by CIAV to their places of final settlement, which will be chosen by mutual agreement between the Government of Nicaragua and CIAV. To that end, temporary residence areas may be established in Nicaragua, under the control and supervision of CIAV, while the final location is being determined.

Land, economic assistance and technical assistance will be provided to repatriated persons who wish to devote themselves to agricultural production, in accordance with the possibilities of the Nicaraguan Government, according to the experience of specialized international organizations and in accordance with the amount of funds obtained for such purposes.

10. In collaboration with the Government of Nicaragua, CIAV will establish reception centres capable of providing basic services, first aid, family counselling, economic assistance, transport to settlement areas and other social services.

11. In order to guarantee the necessary security for repatriated persons, CIAV will establish, from the beginning of the programme, follow-up offices so that people can, where necessary, expose any non-compliance with the guarantees originally offered for their repatriation. These offices will function as long as CIAV, in consultation with the Central American Governments deems them necessary.

Personnel from these offices will periodically visit the repatriates to verify compliance with this Plan and report thereon. The report shall be sent by CIAV to the five Central American Presidents.

12. Situations not envisaged in this chapter will be resolved by CIAV, in consultation with the Central American Governments and the institutions or persons involved.

Chapter II

Assistance in the demobilization of all persons involved in armed actions in the countries of the region when they voluntarily request it.

The objective of this chapter is assistance in the demobilization of all persons involved in armed actions in the countries of the region when they

voluntarily request it. The demobilization of these persons should be carried out in conformity with the procedures of Esquipulas II and the laws and internal procedures of the country concerned.

CIAV may be officially invited by the Central American Governments to guarantee this assistance.

Chapter III

Assistance in the voluntary demobilization of the members of FMLN.

In conformity with what was established in the Guatemala Procedure and the Alajuela and Costa del Sol Declarations and with the purpose of assisting in the cessation of the armed actions now being suffered by the Republic of El Salvador, the Governments of Costa Rica, Guatemala, Honduras and Nicaragua reiterate their firm belief in the necessity of an immediate and effective end to hostilities in this fraternal country. They therefore strongly urge the Frente Farabundo Martí para la Liberación Nacional (FMLN) to carry out a constructive dialogue for the purpose of achieving a just and lasting peace. Similarly, the aforementioned Governments urge the Government of El Salvador to arrange, with full guarantees and in the spirit of point II of the Guatemala Procedure, the integration of the members of FMLN into peaceful life.

The Government of El Salvador expresses its unequivocal respect for its commitments to national reconciliation and to continuing strengthening the existing process of pluralistic, participatory and representative democratization by means of which social justice and full respect for all human rights and fundamental freedoms of Salvadorians is promoted.

Once FMLN agrees to abandon struggle and to incorporate itself into the democratic and institutional life by means of dialogue, the mobilization of the members of FMLN will proceed with the use of the procedure laid down in chapter I of this Plan, where applicable, with the modifications required by the situation and for the purpose of facilitating their demobilization.

The above notwithstanding, members of FMLN who at any moment voluntarily decide to abandon their arms in order to incorporate themselves into the civilian political life in El Salvador will also enjoy the benefits of this Plan. To that end, the Government of El Salvador, by means of CIAV and adequate national and international procedures, exhorts such persons to accept and receive the benefits established here, using all the appropriate available means.

Agreed and signed in the city of Purrrta de Tela, Honduras, on 7 August 1989.

Oscar ARIAS SANCHEZ
President of the Republic of Costa Rica

Alfredo CRISTIANI
President of the Republic of El Salvador

Vinicio CEREZO AREVALO
President of the Republic of Guatemala

José AZCONA HOYO
President of the Republic of Honduras

Daniel ORTEGA SAAVEDRA
President of the Republic of Nicaragua