

[TRANSLATION — TRADUCTION]

GENERAL PEACE TREATY¹ BETWEEN THE REPUBLICS OF EL SALVADOR AND HONDURAS

The Governments of El Salvador and Honduras,

Inspired by the lofty spirit of fraternity which, as a result of their traditions and their profound historical and cultural links, provides a natural basis for their relations at all levels;

Desirous of ensuring a firm and lasting peace, which shall never be broken and on which may be built the foundations of a productive coexistence;

Convinced that harmony and active co-operation between the two Republics are indispensable for the welfare and development of their respective peoples;

Aware that the consolidation of peace between the two peoples and Governments is a real and essential contribution to the sacred cause of the reconstruction of the Central American Fatherland;

Certain that they are faithfully interpreting desires and sentiments which are most strongly felt and most deeply rooted in the solidarity of both peoples;

Appreciating the most valuable mediation of the eminent jurist, Dr. José Luis Bustamante y Rivero, whose profound wisdom and outstanding human qualities have made a notable contribution to the achievement of the final agreement;

In pursuance of the Agreement signed in Washington, D.C. on 6 October 1976, whereby a mediation procedure was adopted,

Have appointed as their respective plenipotentiaries Dr. Fidel Chávez Mena, Minister of Foreign Affairs of El Salvador, and Colonel César Elvir Sierra, Secretary of State in the Foreign Office of Honduras,

Who, after having communicated their full powers, found in good and due form, have agreed to conclude the following:

GENERAL PEACE TREATY

TITLE I. PEACE AND TREATIES

Chapter I. PEACE

Article 1. The Governments of El Salvador and Honduras reaffirm their conviction that peace is indispensable for the harmonious coexistence and development of their peoples and agree formally and solemnly to consider as ended the differences which have temporarily drawn apart both States; and consequently they declare their firm intention of maintaining, preserving and consolidating peace between them and in their relations renounce the use of force, the threat of, and any type of pressure

¹ Came into force on 10 December 1980 by the exchange of the instruments of ratification, which took place at Tegucigalpa, in accordance with article 47.

or aggression, and any act or omission which is incompatible with the principles of international law.

Article 2. Between El Salvador and Honduras and between the nationals of the two States there shall be a firm and perpetual peace, solid fraternity and permanent and constructive co-operation.

Article 3. Both Parties agree to settle by peaceful means and in accordance with the principles and norms of international law any difference of whatever kind that may arise in the future between them.

Article 4. Similarly, they undertake to inculcate in the attitudes and thoughts of their respective inhabitants, through educational and cultural programmes, respect for the dignity of both States and of their nationals and the need for close co-operation between the two countries, with a view to mutual benefit and greater progress towards the attainment of the genuine ideal of Central Americanism.

Article 5. Each of the two Governments, respecting the principle of freedom of expression, shall seek to obtain the co-operation of the different media of social communication, for the purpose of implementing the proposal set forth in the preceding article.

Chapter II. TREATIES

Article 6. After a detailed analysis of the different treaties, both bilateral and multilateral, concluded between the two countries from their independence until the present day, they agree:

(1) That, as regards bilateral treaties, their situation shall be determined by the provisions of each one of them, having regard to their nature, object or intention, their duration or period of validity, and their possible replacement by subsequent instruments;

(2) That, as regards multilateral treaties in which both States are Parties, they undertake to implement such treaties, with the exception of:

- (a) Those which have been denounced by any one of the Parties; and
- (b) The provisions of those other treaties on which any of the Parties has expressed reservations or made unilateral declarations, without prejudice to the provisions of article 35 of this Treaty.

TITLE II. FREE TRANSIT

Article 7. As soon as this Treaty enters into force, each of the Parties shall permit the free transit through its territory, without discrimination of any kind, of persons, goods and vehicles of the other Party, in accordance with the laws and regulations of the transit State.

Article 8. For the implementation of the provisions of this Title:

(a) "Free transit of persons" shall mean the entry into the territory of one of the Parties and the free circulation within it of the nationals of the other Party, for a determined period and with no intention of remaining there;

(b) "Free transit of goods" shall mean the transport, in vehicles or by any other method, of merchandise and goods through the territory of one of the Parties, for transfer to a third country. The entry of capital goods and merchandise from one of the Parties to the other shall be regulated by the provisions to be laid down for that

purpose in the Treaty dealing with the Central American Common Market or in the Trade Treaty between the two States;

(c) The “free transit of vehicles” shall mean the entry for a determined period into the territory of one of the Parties and the free circulation within it of vehicles bearing the national registration of the other Party.

Article 9. The free circulation of persons, goods and vehicles shall be effected by any of the routes legally designated for this purpose by any one of the States and by the fulfilment of requirements identical with those which are applied in each one of the contracting States to persons, goods and vehicles of any other of the Central American countries.

TITLE III. DIPLOMATIC AND CONSULAR RELATIONS

Article 10. As soon as this Treaty enters into force, diplomatic and consular relations between the two Governments shall be as of right fully re-established without the need for any other formality.

Article 11. Each one of the Parties shall make special efforts to ensure, for the members of the Diplomatic Mission of the other, the full enjoyment of the privileges and immunities to which they are entitled in conformity with the treaties in force and with international practices, and shall also promote constant respect for the freedom of communication of the Mission in all official activities and for the inviolability of its correspondence and premises, vehicles and other possessions.

Article 12. Similarly, each one of the Parties shall ensure for the other the full enjoyment of the prerogatives to which the consular offices and officials of the other Party are entitled.

Article 13. Each one of the Parties undertakes, also, to provide continuous and effective protection to the premises of the other's Diplomatic Mission and consular offices, and to their personnel, families and residences.

Article 14. Within a period of not more than 30 days from the entry into force of this Treaty, the Parties shall proceed with the reopening of their respective embassies, the accreditation of their Heads of Mission and the notification of their diplomatic personnel.

Article 15. The consular offices, their locations and their areas of jurisdiction may be designated by means of a simple exchange of notes in accordance with consular law and the established practices of both Parties.

TITLE IV. FRONTIER QUESTIONS

Chapter I. DEFINITION OF FRONTIER

Article 16. Under this Treaty, the Contracting Parties agree to delimit the frontier between the two Republics in those sections which do not give rise to controversy and which are as follows:

First section: Point known as El Trifinio on the summit of the Cerro Montecristo, fixed by the delegates of the three States in Document No. XXX, point 5, of the Spe-

cial Commission representing El Salvador, Guatemala and Honduras, which was drawn up on 23 and 24 June 1935 in Chiquimula, Republic of Guatemala.¹

Second section: From the summit of the Cerro Zapotal to the beginning of the Gualcho stream and from here to the confluence of this stream with the Lempa river. From here, down the Lempa to the emergence in that the river of the stream known as Poy, Pacaya, de los Marines or Guardarraya. From this point, upstream of the stream in question to its starting-point. From here, a straight line to the Cayaguanca rock.

Third section: From the confluence of the Chiquita or Obscura stream with the Sumpul river, downstream of that river to its confluence with the Pacacio river. From this point, upstream of the Pacacio river to the Pacacio boundary marker, which is in the river of that name.

Fourth section: From the boundary marker known as Poza del Cajon in the river El Amatillo or Gualcuquin, downstream of this river to its confluence with the river Lempa, then downstream of this river to its confluence with the Guarajambala or river Negro.

Fifth section: From the confluence of the river Guarajambala or river Negro with the Lempa, downstream of the Lempa to the point where it joins the Torola river. From here, upstream of the Torola to the point on its north bank where the Orilla stream joins it. From here, the frontier follows this stream upstream to its beginning.

Sixth section: From the boundary marker known as Malpaso de Similton to the summit or boundary marker of the Cerro Coloradito. From here to the foot of the Cerro Coloradito where the Guaralape stream begins. From here, down this stream to the point where it joins the river San Antonio or Similton and then down this river to its confluence with the Torola river. Then up the Torola river to the point on its north bank where it is joined by the Manzupucagua stream.

Seventh section: From the Paso de Unire, in the Unire river, the frontier goes down this river to the point where it becomes known as the river Guajiniquil or Pescado, then down this river until it debouches into the Goascoran river. From here, the frontier follows this river upstream to the point on the river known as Los Amates.

Article 17. The frontier lines laid down in article 16 between the two States are definitive and shall remain unchanged in perpetuity.

Chapter II. JOINT FRONTIER COMMISSION

Article 18. The El Salvador-Honduras Joint Frontier Commission, established on 1 May 1980, whose terms of reference² form part of this Treaty from the time of its entry into force, shall have the following functions:

- (1) It shall demarcate the frontier line which has been described in article 16 of this Treaty;
- (2) It shall delimit the frontier line in the areas not described in article 16 of this Treaty;
- (3) It shall demarcate the frontier line in areas subject to controversy, once the definition of such a line has been concluded;
- (4) It shall determine the legal situation of islands and maritime areas.

¹ See the text of the said point 5 of the Minutes and the Special Minutes drawn up on the occasion of the official acceptance of the El Trifinio boundary marker on p. 236 of this volume.

² See the Minutes of this term of reference on p. 235 of this volume.

Article 19. The Commission shall complete the functions laid down in the preceding article within a period of five years starting from the entry into force of this Treaty. To enable the Joint Frontier Commission to discharge the functions described, the Parties shall provide it with sufficient numbers of capable personnel.

Article 20. At its first working meeting, the Commission shall adopt its rules of procedure in conformity with the provisions of this Treaty. This meeting shall be held within a period of 15 days following the entry into force of this Treaty.

Article 21. For the more effective fulfilment of the functions laid down in article 18, the Joint Frontier Commission shall carry out the following tasks:

- (1) It shall conduct the basic geodesic and topographic surveys necessary to update the existing cartographic documents concerning the frontier line;
- (2) It shall demarcate the defined frontier and perform the tasks laid down in article 24;
- (3) It shall delimit the frontier in the areas not included in article 16, seeking agreement between the Parties in conformity with the provisions of this Treaty and, once agreement has been obtained, it shall begin immediately the tasks set forth in article 29 as regards demarcation;
- (4) It shall determine the legal situation of islands and maritime areas following the updating of the cartographic documents and the recognition of the areas, as may be necessary.

Article 22. Once the Joint Frontier Commission has begun its work in conformity with this Treaty, it may not suspend it for any reason whatsoever; and if any impediment to the continuation of its work should arise, the Governments will take the necessary steps to overcome the problem in the shortest possible time.

Article 23. The costs involved in the fulfilment of the operations of the Joint Frontier Commission shall be shared equally between the two Governments. Each State shall pay the salaries, and the subsistence and other costs, of the personnel of its own National Section. The two Governments shall be responsible for the security and safety of the members of the Joint Commission and their auxiliary personnel, in the fulfilment of the tasks prescribed for them, for which purpose they shall provide the necessary escort. The members of the Joint Frontier Commission shall enjoy the status of diplomats and shall be entitled to the immunities, prerogatives and privileges of diplomatic agents under international law.

Chapter III. DEMARCATION OF THE DEFINED FRONTIER

Article 24. For the demarcation of the line the sections of which have been described in article 16, the Joint Frontier Commission shall proceed with its task, having previously taken cognizance of this line in order to determine its geographical reality. The Commission shall construct permanent boundary markers, columns and structures, which shall make the frontier line visible and shall prepare and design the final maps of the respective sections, which, once approved by both Governments, shall become an integral part of this Treaty. The boundary markers shall be numbered consecutively and their exact geographical position, together with the position of important geographical points close to them and related to them, shall be entered on the final maps.

Article 25. Should a technical dispute arise between the two National Sections over a purely engineering matter relating to any point in the demarcation of the frontier line, the Commission shall refer it for settlement within not more than 30 days

to an engineering expert of recognized competence and impartiality, who is not a national or a resident of any one of the two Republics, and who shall be chosen by the Parties for each specific case. If the Parties do not reach agreement within 30 days from the beginning of the dispute on the designation of the third person, any one of them may request the Panamerican Institute of Geography and History of the Organization of American States to designate the third arbiter, with the same requirements as those laid down in the preceding sentence. The decision of the third person, which shall be final, shall be issued within 30 days of the date on which he communicates his acceptance of the task.

Chapter IV. DELIMITATION OF THE NON-DEFINED FRONTIER

Article 26. For the delimitation of the frontier line in areas subject to controversy, the Joint Frontier Commission shall take as a basis the documents which were issued by the Spanish Crown or by any other Spanish authority, whether secular or ecclesiastical, during the colonial period, and which indicate the jurisdictions or limits of territories or settlements. It shall also take into account other evidence and arguments of a legal, historical, human or any other kind, brought before it by the Parties and admitted under international law.

Article 27. In a document prepared in triplicate and duly signed by the members of the respective National Sections, of which a copy shall be sent to each Government within three days of its signature, the Joint Frontier Commission shall propose to each of the two Governments the frontier line to be drawn according to the case in one or more of the areas subject to controversy. Within 60 days from the signature of this document, the two Governments, should they approve the proposal of the Commission, shall proceed to sign the appropriate protocol which shall embody the contents of the document and which shall be considered an integral part of this Treaty.

Article 28. Should a dispute arise between the National Sections of the Joint Frontier Commission on the delimitation of the frontier line, an account of the dispute shall be given in a document in which the various points of view and differences are described and which shall be referred to each Government for possible settlement through diplomatic negotiations. Within 60 days from the date of receiving this document the Governments shall reach a decision on the dispute and shall inform the Commission of the result achieved, for all appropriate purposes.

Article 29. In those cases in which there is agreement between both Governments on the drawing of the frontier line in areas subject to controversy, the Commission shall proceed with the demarcation of the frontier line on the ground, shall carry out the work of constructing boundary markers and structures to make the line visible and permanent, shall make the final calculation of the geographical positions and shall prepare and design the final maps, which, once approved by both Governments, shall become an integral part of this Treaty.

Article 30. Should a technical dispute arise between the National Sections of the Joint Frontier Commission regarding any point in the demarcation of the frontier line in the areas subject to controversy, a final settlement shall be reached by the application of the provisions of article 25 of this Treaty.

Chapter V. SETTLEMENT OF DISPUTES BY THE INTERNATIONAL COURT OF JUSTICE

Article 31. If, upon the expiry of the period of five years laid down in article 19 of this Treaty, total agreement has not been reached on frontier disputes concern-

ing the areas subject to controversy or concerning the legal situation in the islands or maritime areas, or if the agreements provided for in articles 27 and 28 of this Treaty have not been achieved, the Parties agree that, within the following six months, they shall proceed to negotiate and sign a special agreement to submit jointly any existing controversy or controversies to the decision of the International Court of Justice.

Article 32. The special agreement referred to in the preceding article shall include:

- (a) The submission of the Parties to the jurisdiction of the International Court of Justice so that it may settle the controversy or controversies referred to in the preceding article;
- (b) The time-limits for the presentation of documents and the number of such documents;
- (c) The determination of any other question of a procedural nature that may be pertinent.

Both Governments shall agree upon the date for the joint notification of the special agreement to the International Court of Justice but, in the absence of such an agreement, any one of them may proceed with the notification, after having previously informed the other Party by the diplomatic channel.

Article 33. If, within the period of six months laid down in article 31, the Parties have not been able to reach agreement on the terms of the special agreement, any one of them may submit, in the form of a unilateral application, the existing controversy or controversies to the decision of the International Court of Justice, after having previously informed the other Party by the diplomatic channel.

Article 34. Notwithstanding the provisions of articles 31 and 33 of this Treaty, the Parties, if they consider it appropriate, and by mutual agreement, may decide that the controversy may be heard and judged by a chamber of the International Court of Justice, making use of the procedures laid down in the Statute and Rules of the Court.

Article 35. The express submission made here with respect to the acceptance of the jurisdiction of the International Court of Justice deprives of any effect, as far as the relations between the Parties are concerned, any reservation which either of the Contracting States has made in having recourse to the optional clause contained in Article 36, paragraph 2, of the Statute of the International Court of Justice. The Parties, jointly or separately, shall notify the text of this article to the Secretary-General of the United Nations, for the purposes of the withdrawal of the reservation in question. This notification shall be made within the period of five years laid down in article 19 of this General Treaty, or, if the case arises before having recourse to the International Court of Justice in accordance with article 39 of this Treaty. If the notification has not been made within the time-limits laid down, it shall be understood for all purposes that the reservations included in the declaration of acceptance of the compulsory jurisdiction of the Court are not applicable in the relations between the two Republics. Both Parties similarly undertake not to introduce any reservation which may impede their desire to reach a final settlement of controversies. All the foregoing is understood to be without prejudice to the provisions of article 38 of this Treaty.

Article 36. The Parties agree to execute in its entirety and in complete good faith the decision of the International Court of Justice, empowering the Joint Frontier Commission to initiate, within six months from the date of the Court's decision, the

demarcation of the frontier line laid down in that decision. For the demarcation in question the norms laid down in this respect in this Treaty shall be applied.

Chapter VI. GENERAL PROVISIONS

Article 37. Pending the total delimitation of the frontier in conformity with the provisions of this Treaty, the two States undertake not to upset or alter by any action or new situation the state of affairs existing in the areas subject to controversy before 14 July 1969. They undertake to re-establish this state of affairs, to the extent that it has been modified, and to adopt, by mutual agreement, the appropriate measures to ensure that it is respected, with a view to guaranteeing at all times the tranquility of these areas. The political or military agreements that have been worked out after 1969 and resulted in transitory situations on the frontier shall not prejudice or diminish the rights which each State may have with respect to the areas subject to controversy.

Article 38. Pending the completion of the five-year period laid down in article 19 of this Treaty as regards the delimitation of the areas subject to controversy, none of the Parties may have recourse unilaterally to any other method for the peaceful settlement of disputes nor bring the matter before international bodies.

Article 39. Without prejudice to the provisions of the preceding article and of article 19 of this Treaty, the Parties, by mutual agreement, may have recourse to the International Court of Justice before the expiry of the five years stipulated in those provisions.

TITLE V. CENTRAL AMERICAN COMMON MARKET

Article 40. El Salvador and Honduras declare their firm intention to contribute to the re-structuring and strengthening of the Central American Common Market and their support for the acceptance of the corresponding Treaty of Central American Economic Integration,¹ on a juster and fairer basis, in order to bring about the establishment of a true economic and social community with the other countries of Central America.

Article 41. Pending the achievement of the aims set forth in the preceding article, both Governments shall regulate their commercial relations on the basis of a Bilateral Trade Treaty, for which both Contracting Parties undertake to designate within three months of the entry into force of this General Treaty the respective delegates who shall constitute the Commission which shall prepare the draft of the said Bilateral Trade Treaty.

TITLE VI. CLAIMS AND DISPUTES

Article 42. Each one of the Parties hereby pledges that it will not claim from the other any compensation or reparation for the damage and prejudice that may have arisen as a result of the events which occurred in the month of July 1969, or in the period immediately preceding those events, or as a consequence of acts which have a direct or indirect connection with these events.

¹ United Nations, *Treaty Series*, vol. 455, p. 3.

TITLE VII. HUMAN RIGHTS AND THE FAMILY

Article 43. Each Party undertakes, as regards the nationals of the other Party, to respect and protect the basic rights and freedoms of the human person, to guarantee that they may be exercised freely and fully, and to ensure that they are not violated or abused by any authorities, officials or individuals.

Article 44. Similarly, each of the Parties:

- (1) Shall base its conduct on the principles enshrined in the Charter of the Organization of American States, in the American Declaration of Human Rights, in the Universal Declaration of Human Rights and in the American Convention on Human Rights (Pact of San José);
- (2) Shall allow the nationals of the other Party to reside and settle in its territory and to engage in any legal activity, subject only to the same migratory conditions and regulations applied to the nationals of any other of the Central American countries.

Article 45. Having regard to their common goals with respect to Central America, the Parties undertake to ensure that their respective domestic legislation promotes the maximum respect for the human rights of the nationals of both States, especially their right to life, personal safety, freedom, property and family integrity.

TITLE VIII. UNDERTAKING OF FAITHFUL COMPLIANCE

Article 46. Both Contracting Parties undertake to carry out faithfully the provisions of this Treaty and, if in the future there should arise any dispute or disagreement between El Salvador and Honduras on the interpretation of this Treaty and its protocols and annexes, or in their political, economic or any other relations, both Governments shall strive to find the best possible solution by means of direct negotiations, thus preserving unchanged the spirit of peace and fraternity which has made the signature of this Treaty possible.

TITLE IX. RATIFICATION AND VALIDITY

Article 47. This Treaty shall be approved and ratified by the Parties in conformity with their own domestic regulations and shall enter into force on the date of the exchange of the respective instruments of ratification, which shall take place in Tegucigalpa, D.C., Honduras, Central America.

Article 48. A copy of this Treaty shall be deposited with the Secretary-General of the United Nations in accordance with the provisions of Article 102 of the Charter of that Organization and another copy shall be sent to the Secretary General of the Organization of American States.

IN FAITH WHEREOF, the plenipotentiaries mentioned above sign this Treaty in two equally authentic copies and affix thereto their respective seals, in the city of Lima, Peru, the thirtieth day of October, nineteen hundred and eighty.

[Signed]
FIDEL CHÁVEZ MENA
Minister of Foreign Affairs
of El Salvador

[Signed]
CÉSAR A. ELVIR SIERRA
Secretary of State
in the Foreign Office of Honduras

MINUTES

The undersigned, the Minister of Foreign Affairs of El Salvador, Dr. Fidel Chávez Mena, and the Under-Secretary of Foreign Affairs of Honduras, Lawyer Carlos López Contreras, accompanied by their respective delegations, meeting in the Intercontinental Hotel of the city of Miami, United States of America, on 16 and 17 April 1980, as agreed in the city of Lima, Peru, at the meeting held in the presence of the mediator, Dr. José Luis Bustamante y Rivero, on 20 March 1980, with a view to continuing the direct negotiations, specifically on item IV, the subject of the Thirteenth Meeting of Consultation of the American Ministers of Foreign Affairs, which refers to "Frontier questions", reached the following agreement:

(1) In the preliminary meeting held between the undersigned, it was agreed to appoint a Sub-Commission, made up of representatives of both States, to consider in what period of time a Joint Frontier Commission (El Salvador-Honduras) could delimit the frontier line between the two countries in those areas not subject to controversy. The object of the Sub-Commission's study was to ensure that, once the General Treaty envisaged in the Mediation Agreement was signed, the agreement to be reached by the Joint Frontier Commission would be included in the Treaty;

(2) The Sub-Commission referred to in the preceding paragraph met and reached the following conclusions:

(a) That, in an effort to obtain agreement between the Parties, before the signature of the General Treaty, the Joint Frontier Commission, on the basis of the documentation possessed by each Party, should delimit the frontier line between El Salvador and Honduras in the areas not subject to controversy;

(b) That once the General Treaty had been signed, the Joint Frontier Commission would proceed with the delimitation of the controversial areas brought forward by each Party;

(c) That the maximum period for the delimitation of the non-controversial areas would be four months from 1 May 1980;

(d) That, as regards the Joint Frontier Commission already mentioned, the delegations of El Salvador and Honduras would meet again in this city of Miami, on 29 April 1980, bringing with them the names of the persons who would constitute the Joint Frontier Commission, whose work would be based on the following guidelines:

(1) The Commission would be made up of three members and their corresponding advisers, appointed by their respective Governments and would begin its work in this city of Miami on 1 May 1980.

(2) The Commission's task would be as follows:

(a) It would first delimit the frontier line between El Salvador and Honduras in those areas where no controversy had arisen.

(b) In order to complete the task referred to in the preceding subparagraph, the Commission would base its work on the cartographic documents submitted by both Parties. It should conclude its work of delimiting the frontier line in areas not subject to controversy in a period not longer than four months from 1 May 1980.

(c) The Commission should not suspend its work for any reason whatsoever.

(d) The joint expenditure involved in the performance of the Commission's task would be shared equally between the two Governments. Each Party would pay for the salaries, subsistence and other costs of its respective National Section.

(e) The Joint Frontier Commission should issue its own rules of procedure within eight days, for which, at the meeting scheduled for 29 April 1980, each Party should present a draft of the rules of procedure.

Miami, 17 April 1980

[Signed]
FIDEL CHÁVEZ MENA
Minister of Foreign Affairs
of El Salvador

[Signed]
CARLOS LÓPEZ CONTRERAS
Under-Secretary of Foreign Affairs
of Honduras

EXTRACT FROM MINUTES No. XXX OF THE SPECIAL COMMISSION REPRESENTING EL SALVADOR, GUATEMALA AND HONDURAS, WHICH WAS DRAWN UP ON 23 AND 24 JUNE 1935 IN CHIQUIMULA, REPUBLIC OF GUATEMALA

“5. The Special Commission accepts definitively as the three-country boundary marker between El Salvador, Guatemala and Honduras the summit of the Cerro Montecristo, known also by the names Cerro de Chino or del Norte, which is located at the confluence of the watersheds of the rivers Negro, Frió or Sesecapa and Rosario, and which is the recognized frontier point between Honduras and Guatemala, in conformity with the findings of the Washington Decision of 1933 and is recognized as such to this day by El Salvador, and which description of the frontier point is embodied in Point 2 of Document No. XX of the Technical Commission and transcribed as subparagraph 3 of the Reply of the Delegation of Honduras, itself included in Document No. XXIII relating to the meeting held by the Special Commission in Sal Salvador on 30 August 1934.”

SPECIAL MINUTES

In Guatemala City, on 26 March 1936, the delegates, whose names are given below, of the Government of El Salvador, Guatemala and Honduras, met for the purpose of noting the official acceptance of the three-country boundary marker of their respective Republics, built on the summit of the Cerro Montecristo, in conformity with point 5 of the document drawn up at a meeting in Chiquimula of the Special Commission of Engineers of the three countries on 23 and 24 June 1935.

The following engineers acted as delegates:

For El Salvador: Mr. Jacinto Castellanos Palomo;

For Guatemala: Mr. Florencio Santiso and Mr. Lisandro Sandoval;

For Honduras: Mr. José Augusto Padilla and Mr. Ramón López Recinos.

This meeting was also attended by Engineer Sidney H. Birdseye, Head of the Technical Commission for the Demarcation of the Guatemala-Honduras Frontier; Dr. Raúl Gamero, Legal Adviser to the delegation of El Salvador; and the Guatemalan engineer, Angel H. Balcárcel, who acted as Secretary.

The delegates presented their respective credentials testifying to their full powers and these having been found in good and due form, they decided to record in these Minutes the official acceptance of the three-country boundary marker which had been effected on the spot on 20 February 1936 after a ground inspection carried out the same day. This inspection was carried out by the delegates Castellanos Palomo, Padilla, Santiso and López Recinos, accompanied by the following engineers: Birdseye of the United States; Alirio Cornejo of El Salvador; Arturo Castro Meza of Guatemala; Dr. Raúl Gamero of El Salvador; and Dr. J. Augusto González of Guatemala.

All these persons left Metapán for this purpose on 19 February 1936. On 20 February, assembled on the summit of the Cerro Montecristo, Chino or del Norte — by which names it is also called — the delegates, having before them the official aerial map of the area around the three-country boundary marker, which had been approved on 18 June 1935 by the Special Commission of Engineers of the three countries, already mentioned, declared their full acceptance of the boundary marker built on the summit of Cerro Montecristo by the Honduran engineer, Humberto Z. Banegas, previous authorized for this purpose; and consequently they accepted this boundary marker on behalf of their respective Governments.

For information it may be noted that the marker signifying the meeting point of the frontier between the three countries is made of reinforced concrete and conforms to the following layout and dimensions. It has a square base whose sides measure 1.5 metres and which is raised 1.20 metres above ground level. On this base there is a truncated pyramid, 30 centimetres high, bearing an obelisk the upper part of which stands 3.6 metres above ground level. Between the base of the marker and the bottom of the obelisk, the four lateral surfaces of the truncated pyramid bear the following inscriptions in the concrete: EL SALVADOR, GUATEMALA, HONDURAS, on the sides corresponding to the territory of each of the Republics; and 1936 DECISION OF 1933, on the lateral surface which intersects the Guatemala-Honduras frontier line, 1936 being the year in which the marker was built. At the top of the obelisk there is a bronze plaque embedded in the concrete

and measuring four by four centimetres. It bears the inscription "Cerro Montecristo". "Est. 689 Sec. 1" and a cross which marks the exact frontier point. The inscription and the cross are stamped on the bronze plaque. According to information provided by Engineer Banegas, who built the marker, the cement base extends for a depth of 1.5 metres underground. It may be noted that the average of the observations taken from two aneroid barometers carried on the inspection visit gave a height of 2,260 metres above sea-level for the Montecristo summit. *

It should also be noted that, for reasons of health, the Guatemalan engineer, Mr. Lisandro Sandoval, did not take part in the inspection of the marker but attended this meeting and expressed his agreement with the findings of the other delegates.

IN FAITH WHEREOF and on the understanding that each Government receives a copy of this Memorandum, we sign this document in triplicate in the place and on the date already mentioned.

[Signed]

J. CASTELLANOS

[Signed]

FLORENCIO SANTISO

[Signed]

LISANDRO SANDOVAL

[Signed]

JOSÉ AUGUSTO PADILLA

[Signed]

RAMÓN LÓPEZ R.

[Signed]

SIDNEY H. BIRDSEYE

[Signed]

RAÚL GAMERO

[Signed]

A. H. BALCÁRCEL

* It was established precisely by triangulation that the bronze plaque on the three-country boundary marker is 2,418.03 metres above sea-level.