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THE SITUATION IN THE MIDDLE EAST

Letter dated 1 June 1982 from the Chargé d'Affaires a.i.
of Costa Rica to the United Nations addressed to the
Secretary-General

On express instructions from the Minister for Foreign Affairs and Public Worship, Don Fernando Volio Jiménez, I have the honour to refer to the note verbale dated 21 May 1982 from the Permanent Representative of the Republic of Iraq, current Chairman of the Islamic Conference, in which he brought to your attention the decision taken by the Government of Costa Rica on 9 May 1982 to transfer its Embassy from Tel Aviv to Jerusalem (A/37/239-S/15114).

In this connexion, I have the honour to attach to the present note the communiqué issued by Mr. Volio Jiménez on 14 May 1982 on behalf of the Government of Costa Rica.

I should be grateful if you would arrange for this note and the attached communiqué to be circulated as a document of the General Assembly under item 34 of the preliminary list.

(Signed) Ambassador Emilia C. de BARISH
Deputy Permanent Representative
Chargé d'Affaires a.i.

* A/37/50/Rev.1.

ANNEX

Communiqué of the Government of Costa Rica

On 14 May, on behalf of the Government of Costa Rica, the Foreign Minister Mr. Volio Jiménez issued the following communiqué of the Ministry of Foreign Affairs and Public Worship:

(1) The President of the Republic, Don Luis Alberto Monge, authorized the Minister for Foreign Affairs and Public Worship to make known on 9 May the Costa Rican Government's decision to establish the seat of its diplomatic representation at Jerusalem, the seat of the Israeli Government. The President's decision was communicated by the Minister's note dated 9 May to the Israeli Ambassador to Costa Rica, Mr. Hagay Dikan, and by the Chargé d'Affaires of Costa Rica in Israel, Mr. Fernando Guardia Moria, to the Minister for Foreign Affairs of that country, Mr. Yitzhak Shamir.

(2) The transfer of the Costa Rican Embassy to Jerusalem is based on the law applicable to relations between two sovereign States and on the respect accorded by the Costa Rican Government to the decision of any State to establish the seat of its own Government where it chooses. Moreover, this case concerns two countries which have maintained cordial, close diplomatic relations for many years, relations based primarily on their common commitment to the values of representative democracy as an appropriate framework for efforts to promote the fundamental dignity of the human person.

(3) The transfer of the diplomatic seat of Costa Rica from Tel Aviv to Jerusalem does not imply, nor should it be interpreted as, an unfriendly act towards the Arab States, with which Costa Rica wishes to intensify and improve existing relations; its decision has no other significance than the exercise of a right inherent in national sovereignty.

(4) The Government of Costa Rica regrets that, for the above-mentioned reasons, it cannot comply with the Security Council's request contained in paragraph 5 (b) of resolution 478 of 20 August 1980. Moreover, the Government of Costa Rica cannot interpret the said request as a limitation of its sovereignty and, consequently, of the law applicable to bilateral relations between independent States. Any such limitation would be unacceptable to the Government of Costa Rica, in accordance with its Political Constitution and with the Charter of the United Nations.

(5) Furthermore, the Government of Costa Rica wishes to point out that, in establishing its diplomatic seat in the western sector of Jerusalem, it is motivated by the truest and most authentic desire for peace. This assertion is supported by the history of Costa Rica's relations with all States in the community of nations and by its conduct in international organizations. In particular, Costa Rica, a small, democratic, peaceful and unarmed State, has scrupulously respected its obligations under the Charter as a Member of the United Nations and has made constructive contributions to the fulfilment of the purposes and principles of the

Organization. This fact is particularly well known in connexion with the struggle for human rights.

(6) Lastly, the Government of Costa Rica wishes to state that, before deciding to transfer its diplomatic seat to the western sector of Jerusalem, it requested assurances from the Israeli Government that the holy places of the Catholic and other Christian religions as well as of Islam would be duly protected at all times, that the freedom of worship of all religions would be respected, that pilgrims would have free access to the holy places of all religions and that they would enjoy due protection. The Government of Israel gave the Government of Costa Rica the assurances requested, orally and in writing, in a clear and categorical manner.
