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Letter dated 2 October 2019 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the written statement of the delegation of Chile in exercise of the right of reply to the statement made by the President of the Plurinational State of Bolivia, Mr. Evo Morales, on 24 September 2019, at the beginning of the seventy-fourth regular session of the General Assembly (see annex). I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 8.

(Signed) Milenko **Skoknic Tapia**
Ambassador

Permanent Representative of Chile to the United Nations



Annex to the letter dated 2 October 2019 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General

Reply of Chile to the statement made by the President of the Plurinational State of Bolivia, Evo Morales, on 24 September 2019 at the seventy-fourth regular session of the United Nations General Assembly

In his statement at the seventy-fourth session of the United Nations General Assembly, the President of the Plurinational State of Bolivia referred to bilateral relations with Chile.

In exercise of the right of reply, my delegation wishes to refer to some comments and unsubstantiated legal claims made in that statement that deserve to be duly refuted.

The Republic of Chile deeply regrets that the President of the Plurinational State of Bolivia, Evo Morales, has once again used a multilateral forum to refer to issues that pertain exclusively to the bilateral relationship between Chile and Bolivia and have nothing to do with the United Nations General Assembly. This is not the first time that President Evo Morales has confused and abused multilateral platforms to air grievances that are doubly wrong: in terms of their content, and in terms of the forum in which they have been raised. Bolivia still does not understand that the United Nations is the ultimate multilateral forum, a place where countries come together to discuss and resolve issues that are of true global interest, not to deal with unsubstantiated complaints relating to bilateral interests.

In that regard, it is regrettable that Bolivia should refer to an alleged basis for demanding a sovereign exit to the sea before the United Nations General Assembly, a matter on which the International Court of Justice, the highest-level court for disputes between States, gave a clear and complete verdict on 1 October 2018. Indeed, the International Court of Justice found in its ruling that there is not and has not been any obligation for Chile to negotiate sovereign access to the sea for Bolivia and that such a claim has no legal basis.

The Republic of Chile would like to state emphatically that the aforementioned judgment of the International Court of Justice in the “Obligation to negotiate” case resolves the matter completely and definitively. In that regard, the Republic of Chile has a duty to recall that, in accordance with article 60 of the Statute of the International Court of Justice, the judgment of the Court is final and without appeal, and accordingly there is no reason to refer to pending issues or obligations.

One year after the issuance of the aforementioned ruling of the International Court of Justice, the Government of Chile calls on its Bolivian counterpart not to persist in its attempts to distort a clear ruling and to focus on a constructive future relationship that takes into account the true and shared interests of our peoples.

Chile has always expressed its interest in maintaining the best bilateral relations with Bolivia, on the basis of full respect for international law, and taking into consideration existing treaties. This intention is demonstrated by the interest that Chile has repeatedly expressed in promoting integration through specific actions and in developing an agenda around specific projects of mutual benefit.

Under the 1904 Treaty of Peace and Friendship, which is in force between Chile and Bolivia, Bolivia benefits significantly from a regime of free transit to and from authorized Chilean ports. This regime is applied on a permanent basis and has been

further supplemented for the greater benefit of the neighbouring country. Indeed, by virtue of this Treaty and subsequent agreements, Chile extends to Bolivia free transit facilities that are greater than those granted by existing international instruments on the subject, as well as other benefits that are not available to Chilean citizens themselves.
