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LETTER DATED 15 MAY 1988 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF NICARAGUA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the note dated 13 May 1988 which His Excellency Mr. Miguel d'Escoto Brockmann, Minister for Foreign Affairs of the Republic of Nicaragua, sent to His Excellency Mr. Carlos López Contreras, Minister for Foreign Affairs of the Republic of Honduras.

I should be grateful if you would have this note distributed as a document of the Security Council.

(Signed) Julio ICAZA GALLARD
Ambassador
Chargé d'affaires a.i.

Annex

Letter dated 13 May 1988 from the Minister for Foreign Affairs of Nicaragua addressed to the Minister for Foreign Affairs of Honduras

According to a report published in the Honduran newspaper La Prensa of 12 May 1988, members of your country's armed forces captured Diógenes Hernández Membreño (Fernando), a leader of the so-called Nicaraguan resistance, who was to have been deported yesterday, Thursday, to the United States.

Today, 13 May, the above report was confirmed in an article by Sam Dillon published in The Philadelphia Inquirer, which reads:

> "Honduran authorities have detained Diógenes Hernández, a dissident contra officer, neutralizing his drive to oust top commander Enrique Bermúdez, contra and other sources said. Hernández was taken by helicopter from his mountain stronghold near the Nicaraguan border to a Honduran military base. An official based in Honduras said that it was likely that Honduran authorities would deport Hernández to Miami."

Once again, I find myself forced to lodge the most vigorous protest at your Government's conduct of supporting the criminal policies of the Reagan Administration, allowing your territory to be used as a base for aggression against Nicaragua and, recently, intervening in the contras' internal disputes on the side of those elements who are opposed to the Sapoa and Esquipulas agreements and wish to pursue the war.

I must also express to you my concern at another Honduran practice: that of systematically ignoring most of our communications at this very tense time. Such a policy of ignoring our notes does nothing to help create the atmosphere of peace and co-operation which your enlightened Government claims to be interested in promoting. In this connection, I must refer to my note of 9 May 1988 in which I protested at the arrest and "deportation" of another of the signatories to the Sapoa agreement, Walter Calderón López (Toño). In that note I specifically requested precise information as to where, when and how the Nicaraguan "deportees" had arrived in the United States, in order to establish exactly what had happened to the contra leaders in question and the circumstances under which they had been "deported". Unfortunately, I have received no reply to that communication.

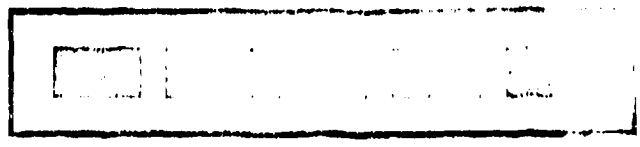
On this occasion, I hope to receive a speedy reply to our request, formulated pursuant to the Vienna Convention on Consular Relations, that consular access be granted as requested by the Nicaraguan Embassy in Honduras in a note delivered today.

I wish to reiterate that by taking these repressive measures against two members of the so-called Nicaraguan resistance who are signatories to the Sapoa agreement, while allowing Somozan Enrique Bermúdez to go free, your Government is demonstrating clearly its total involvement in President Reagan's policy against

Nicaragua and its desire to prevent an agreement from being reached on a definitive cease-fire in Nicaragua and instead to encourage continuation of the war.

Such conduct by the Honduran Government shows that Nicaragua is justified in pursuing to the bitter end the complaint brought against your country with the International Court of Justice. That complaint was reactivated unilaterally by Honduras, which rejected Nicaragua's generous offer to withdraw the complaint, forcing my Government to cancel its offer. In these circumstances, we shall settle before the International Court of Justice the issues raised in Nicaragua's complaint and we shall continue to reject any attempt by Honduras to use the Esquipulas II agreements as a means of blackmail. I might add that your country has not complied at all with those agreements.

The Government of Nicaragua appeals to Honduras to show prudence and restraint, in the hope that your Government's conduct will not force us to again apply to the International Court of Justice for provisional measures, measures which, this time, will not be withdrawn.

Copies of this communication will be sent to the President of the International Court of Justice, the President of the Security Council for distribution as a document of the Council, the Secretary-General of the United Nations, the Secretary-General of the Organization of American States and the Governments members of the Contadora Group and the Support Group.

Miguel D'ESCOTO BROCKMANN
Minister for Foreign Affairs