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RIGHT OF PEOPLES TO PEACE

Letter dated 23 August 1988 from the Chargé d'affaires a.i.  
of the Permanent Mission of Nicaragua to the United Nations  
addressed to the Secretary-General

I have the honour to transmit herewith the reply of the Government of Nicaragua in connection with General Assembly resolution 41/10 on the implementation of the Declaration on the Right of Peoples to Peace.

I request you to arrange for this letter and its annex to be circulated as a document of the General Assembly under item 21 of the provisional agenda.

(Signed) Rolando SEVILLA  
Chargé d'affaires a.i.

\* A/43/150.

ANNEX

Reply of the Government of Nicaragua to the Secretary-General's request for information on measures taken or being taken for the implementation of the Declaration on the Right of Peoples to Peace

1. The people and Government of Nicaragua welcome with deep satisfaction and fully support the adoption by the General Assembly, at its thirty-ninth session, of the Declaration on the Right of Peoples to Peace. In addition, they fully concur in the view expressed in the Declaration to the effect that "the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of each State". Article 3 of the Nicaraguan Constitution states that "the Nicaraguan nation is irrevocably committed to the struggle for peace and the establishment of a just international order". Accordingly, Nicaragua opposes all forms of domination and colonialist and imperialist exploitation and takes the side of all peoples struggling against oppression and discrimination".
2. The triumph of the Sandinist people's revolution gave the Nicaraguan people the chance to enjoy its legitimate right to peace - the total and complete peace which ensures the dignity of the human person and eliminates the exploitation of man by man.
3. The full exercise of the inalienable right of peoples to peace is also dependent on the foreign policies of States. In Nicaragua's view, peace is achieved not through the elimination of the arrogant resort to war alone but also through the establishment of a just and egalitarian society in which all human rights, including economic, political and social rights, are effectively guaranteed. Nicaragua holds that peace is inextricably linked to the promotion of human dignity, development, respect for international law and disarmament. Hence, in order to promote the achievement of peace, progress must be made in all these spheres, given the interrelationships between them. The building of a new international economic order is a most urgent task and the corner-stone of peace. Universal acceptance of the compulsory jurisdiction of the International Court of Justice is a prime factor in the achievement of peace.
4. Mindful of the historic responsibility it has towards its people, the Government of Nicaragua has taken and continues to take measures which demonstrate clearly and in practical terms its sincere desire for peace. Regrettably, contrary to the Nicaraguan people's aspirations for peace a Power from outside the region has imposed a cruel and bloody war upon us, in open violation of the most fundamental principles of international law and the Charter of the United Nations, which are the main guarantees of peaceful coexistence among nations.
5. Nicaragua has supported the efforts of other States or groups of States in defence of the legitimate right of peoples to peace. Immediately after the triumph of the revolution, Nicaragua applied for membership in the Movement of Non-aligned Countries, because it saw that movement as the most broadly based grouping of States of the so-called third world, a movement which is exerting a growing influence in the international arena, in the struggle of peoples for peace and

active peaceful coexistence, in the struggle against imperialism, neo-colonialism, apartheid, racism, including sionism, and all forms of oppression which prevent peoples from exercising their right to peace, and which is working for an end to blocs and military alliances, the restructuring of international relations on an equitable basis and the establishment of a new international economic order.

6. Very soon after the formation of the Contadora Group was announced, Nicaragua afforded the Group its unqualified support and has made every effort necessary to ensure the success of the peace-making efforts which it and its Support Group have been making on behalf of Latin America. On 15 October 1983, within the Contadora framework, Nicaragua put forward four draft treaties: a treaty between the United States and Nicaragua; another between Nicaragua and Honduras; a general treaty for the region; and a draft agreement on El Salvador. On 1 December of that same year, Nicaragua proposed a draft agreement on economic and social matters, an undertaking on military matters and a political declaration. On 21 September 1984, Nicaragua was the only country in the region which had agreed to sign the draft Contadora Act on Peace and Co-operation in Central America without any charges. On 2 January 1986, the President of the Republic, Commander of the Revolution Daniel Ortega Saavedra, sent a letter to the Presidents of the Contadora Group and the Support Group, proposing the signing of a region-wide general treaty.

7. Wishing to leave no stone unturned in the pursuit of peace, Nicaragua has come before the United Nations on various occasions in search of peaceful solutions and has won the support of the world for its just position. The United Nations has seen the unremitting efforts in behalf of peace which Nicaragua has been making in the firm conviction that life without war is the fundamental pre-condition for the achievement of the material and spiritual well-being of peoples and hence for the full exercise of their basic rights and fundamental freedoms.

8. In April 1984 Nicaragua, adhering to the established principles of international law and abiding by international juridical procedures, applied to the International Court of Justice, the highest tribunal of States. This step was taken, moreover, in order to reassert the Nicaraguan people's unquestionable right to sovereignty and self-determination, as the guarantee of its own economic and social development. On 27 June 1986, the International Court of Justice delivered its historic Judgment in which it decided that the Government of the United States of America had acted, against the Republic of Nicaragua, in breach of its obligations under customary law not to intervene in the affairs of Nicaragua, not to use force, not to violate the sovereignty of another State and not to interrupt peaceful maritime commerce, and of its obligations under the bilateral Treaty of Friendship, Commerce and Navigation of 1956 and the general principles of humanitarian law. The International Court of Justice ordered the Government of the United States immediately to cease and to refrain from all such acts as might constitute breaches of the foregoing legal obligations. Lastly, the Court decided that the United States was under an obligation to make reparation for the injury caused to Nicaragua, and rejected each and every one of the arguments by which the United States sought to "justify" its aggression against Nicaragua.

9. The Government of Nicaragua has made the pursuit of peace a corner-stone of its foreign policy. This has been apparent from the peace initiatives and negotiations

it has undertaken, the sole purpose of which is to put an end once and for all to this unjust war of aggression which prevents the Nicaraguan people from exercising its lawful right to peace. Nicaragua has insisted on countless occasions on direct dialogue with the United States. It has issued various invitations to the United States Administration. The Manzanillo talks initiated in June 1984, at the request and insistence of Nicaragua, were broken off in January 1985 as a result of United States intransigence. At these meetings, Nicaragua was bent on reaching agreement on matters of mutual security and on initiating the normalization of friendly relations between the two countries.

10. Nicaragua has made use of every mechanism that exists for the peaceful settlement of disputes. It has put forward peace initiatives at both the region-wide and the bilateral levels. Throughout 1981, 1982, 1983 and 1984, Nicaragua made various peace proposals to the Government of Honduras regarding the establishment of special commissions for in situ investigation. On 13 May 1981, at the request of Nicaragua, the heads of State of the two countries met at the El Guasaule border point. In April 1982, the Minister for Foreign Affairs of Nicaragua put to the Minister for Foreign Affairs of Honduras a seven-point proposal on a non-aggression pact, joint patrols and the dismantling of the counter-revolutionary camps. On 9 July 1983, Nicaragua proposed to Honduras the signing of a non-aggression pact. On 11 May 1985, Nicaragua proposed that the armed forces of the two countries should draw up a joint plan. On 16 May 1985, it proposed the formation of a special commission for the in situ inspection of the frontier zone. On 28 July 1986, given the unproductiveness of Nicaragua's efforts to arrive at a bilateral understanding with the Government of Honduras, the Government of Nicaragua applied to the International Court of Justice with a view to achieving a peaceful settlement of the disputes in accordance with international law. The Application against Honduras was founded on the Charter of the United Nations, the Charter of the Organization of American States, the Inter-American Treaty on the Peaceful Settlement of Disputes and customary international law.

11. Bilateral negotiations have also been carried on with the Government of Costa Rica. In June 1982, the Nicaragua-Costa Rica Joint Commission was established to solve problems of a bilateral nature. On 15 May 1984 the commission for the supervision and prevention of frontier incidents was established. In June 1985, Nicaragua made various proposals to Costa Rica aimed at establishing a demilitarized zone under international supervision. On 12 March 1986, an agreement on the establishment of a Permanent Mission to Investigate and Inspect Frontier Incidents was signed in Costa Rica.

12. On 2 August 1986 the President of the Republic and Commander of the Revolution, Daniel Ortega Saavedra, put forward the Chicago proposal, urging that Central America be made a demilitarized zone.

13. With the signing of Esquipulas II, Nicaragua once again, and this time together with the rest of the Central American countries, gave impetus to a peace process which has met with the support of the international community. The signing of this Agreement was evidence of Central Americans' will to peace and their firm conviction that this is a legitimate right of all peoples. The participation of the Contadora Group and the Support Group in this process deserves special

recognition, since Esquipulas II is a consequence of the untiring efforts of the Contadora Group and its Support Group.

14. Still in line with its desire for peace, Nicaragua initiated, within the framework of Esquipulas II, a process of dialogue with the contras. The first fruit of this exercise was the signing of the Sapoa agreements, which were to lead to a definitive cease-fire. Within this negotiating process, the flexibility and maturity of the Government of Nicaragua, as well as its sincere desire for peace, have been amply demonstrated. The international community has been able to see for itself the iron will to peace of the Government of Nicaragua, which, despite the pressures the United States Administration has applied and its brazen imposition of a belligerent course on the contra leadership, is continuing to make real efforts to ensure that in the near future the exercise of the right of peoples to peace will become a reality for the Nicaraguan people.

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