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LETTER DATED 26 APRIL 1983 FROM THE PERMANENT REPRESENTATIVE  
OF COLOMBIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT  
OF THE SECURITY COUNCIL

I have the honour to transmit herewith a copy of note No. 453 of today's date addressed to the Chargé d'Affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations, on instructions from my Government.

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

(Signed) Carlos ALBAN HOLGUIN  
Ambassador,  
Permanent Representative of Colombia  
to the United Nations

Annex

Letter dated 26 April 1983 from the Permanent Representative  
of Colombia to the United Nations addressed to the Chargé  
d'Affaires a.i. of the Permanent Mission of the Libyan Arab  
Jamahiriya to the United Nations

Sir,

On instructions from my Government I request that you transmit the following communication to your Government:

1. In compliance with a request made from Tripoli on 13 April 1983, the Administrative Department of Civil Aviation of Colombia authorized, two days later, by message No. 151447, the overflight of Colombian territory by four Libyan commercial aircraft.

This request was reiterated by the Embassies of Libya accredited to Brazil and Panama to the Colombian diplomatic missions in those two countries. An identical request was made to other neighbouring nations, indicating that it involved the transport of medical assistance intended for Nicaragua.

2. Complying with the request from the Government of Libya, the Ministry of Foreign Affairs of Colombia contacted its missions confirming permission for overflight by four commercial aircraft which were to fly from Brazil across the air space of Venezuela and Colombia.

3. As a result of investigation of the four aircraft held in Brazilian territory, it was ascertained that they were carrying munitions and war matériel of various types, in flagrant violation not only of article 35 of the Convention on International Civil Aviation signed at Chicago on 7 December 1944 but of the principle of good faith, which is the cornerstone of public international law. This Convention stipulates that commercial aircraft may not carry munitions or implements of war in or above the territory of a State except by permission of such State.

4. Any use of the authority and inviolability of public treaties or of the above-mentioned principle of good faith among States to further action involving the unauthorized carriage of war matériel for unspecified purposes can only be strongly repudiated by the Government of Colombia, especially as that Government has given clear evidence of its genuinely democratic, peaceful and pluralist policies and, in that context, has worked and continues to be engaged with other friendly countries in active and disinterested measures to eliminate tensions and restore peace in Central America.

5. The fact that no information was provided concerning the nature of the cargo carried gives reason to believe that it was intended for purposes that are not in keeping with the rules and principles governing conduct between nations.

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In the particular case of Colombia, various information media have maintained, with some foundation, that part of the military cargo was intended for armed rebel groups which persist in operating outside the law, although they have been granted a broad amnesty ordered by the National Congress, to the implementation of which the Government has devoted substantial efforts in recent months as an essential part of its pacification policy.

(Signed) Carlos ALBAN HOLGUIN  
Ambassador,  
Permanent Representative of Colombia  
to the United Nations

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