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THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE INITIATIVES

Letter dated 4 October 1984 from the Permanent Representative
of Costa Rica to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith the text of the note addressed to the Ministers for Foreign Affairs of the Contadora Group by Lic. Carlos José Gutiérrez, Minister for Foreign Affairs of Costa Rica, and to request you to have it circulated as a document of the General Assembly, under agenda item 25, and of the Security Council.

(Signed) Fernando ZUMBADO
Ambassador
Permanent Representative

ANNEX

Letter from the Minister for Foreign Affairs of Costa
Rica addressed to the Ministers for Foreign Affairs
of the Contadora Group

On instructions from Mr. Luis Alberto Monge, President of the Republic, I am writing to you in reply to the note which you addressed to him on 7 September 1984, accompanying the revised version of the "Contadora Act on Peace and Co-operation in Central America".

Before referring to this important document, I wish to express, on behalf of the Government of the Republic, the deep gratitude of Costa Rica for the immense efforts that you have made to seek a stable and lasting peace in the region. Your concern to find effective solutions to the Central American crisis, reflected in a task which has been difficult, prolonged and not always fully understood, merits our gratitude, and we are sure that similar gratitude will be expressed by the other Central American peoples.

The revised version of the Act reflects the keen attention with which the Contadora Group has studied the problems facing Central America and sought to reconcile the various views. The Government of Costa Rica considers that this version constitutes one of the most comprehensive efforts that could have been made to ensure equilibrium and political stability. It also shows that the Contadora process continues to be the most viable option for overcoming differences, and that the confidence placed in it by the international community is fully justified.

We have studied the Act carefully and note with satisfaction that the observations, objections and comments of Costa Rica concerning the original document have been taken into account in this text. After analysing the revised version, we conclude that if the obligations proposed for adoption therein are fulfilled in an effective and genuine manner, they will contribute decisively to the pacification of the region.

This conviction leads the Government of Costa Rica to express its intention of signing the Act. This intention reflects the devotion of the Costa Rican people to peace and their desire to find an effective solution to the serious problems of Central America.

With regard to the political, security, economic and social commitments, Costa Rica wishes to point out that it is not only prepared to fulfil the substantive obligations contained in the Act, but that, as the international community is well aware, it is already fulfilling them, for they are inherent in the peaceful and democratic tradition of the Costa Rican people.

The Act provides for a number of operative mechanisms that will take effect immediately. In the case of Costa Rica, the approval of the Legislature will be necessary for their entry into force. However, the Government of Costa Rica has no internal legal difficulties as regards acceptance of the entry into force of these

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operative measures on the date mentioned in the Act, for it considers that, by their very nature, the measures required by these mechanisms in no case exceed the constitutional powers of the executive.

Nevertheless, we deem it necessary to express our view that the system of verification and control contained in part II of the Act could and should be improved.

I wish to reiterate the view expressed on 16 July 1984 in the observations of the Government of Costa Rica on the original version of the Act to the effect that the system of verification and control should be mandatory and binding in order that it may function properly and ensure compliance with the stipulated commitments.

Costa Rica is particularly interested in the democratization process, and therefore feels it necessary to point out that the Act does not grant to the Ad Hoc Committee mentioned in part II, article 1, the essential power to carry out investigations "in situ".

Moreover, the inter-American system specifically envisages this concrete possibility in the American Convention on Human Rights, which has been signed and ratified by all the Central American countries. Consequently, the granting of the power of verification is neither extraordinary nor uncommon.

Consequently, Costa Rica considers that this possibility of verification and control "in loco" should be accorded with regard to political and refugee matters, so that not only are the commitments assumed in that regard fulfilled by the States concerned, but also their fulfilment is verified by the international community.

In the observations formulated on 16 July, the Government of Costa Rica expressed no objections with regard to security matters. However, it considers that certain aspects of the new version of the Act relating to these matters should be reviewed carefully.

Lastly, the Government of Costa Rica requests that the Eighth Joint Meeting of Ministers for Foreign Affairs of Central America and of the countries of the Contadora Group should be convened as soon as possible, with a view to considering the observations submitted and, as you state in your note, making the improvements considered relevant.

Accept, Sirs, the assurances of my highest consideration.

Carlos José GUTIERREZ
