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THREATS TO INTERNATIONAL PEACE  
AND SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL  
Fortieth year

Letter dated 15 April 1985 from the Permanent Representative  
of Honduras to the United Nations addressed to the Secretary-  
General of the United Nations

I have the honour to transmit herewith the document entitled "Statute of the Verification and Control Mechanism for Security Matters" which was drawn up by the representatives of the Governments of Honduras, Costa Rica and El Salvador during meetings held in San José, Costa Rica, and in Tegucigalpa, Honduras, in February and March respectively.

The purpose of the document is to ensure faithful compliance with the commitments and obligations with respect to security matters which the five Central American Governments have agreed upon as part of the provisions of what is to become the final text of the Contadora Act on Peace and Co-operation in Central America, and which further develop the earlier comments of Honduras, Costa Rica and El Salvador which were circulated by the United Nations as document A/39/630, dated 2 November 1984.

On 15 March of this year, the Foreign Ministers of Honduras, Costa Rica and El Salvador presented the text of the Statute to their counterparts in the Contadora Group at a meeting of the nine Ministers for Foreign Affairs in Brasilia. Various ideas contained in the document were adopted at the recent meeting of plenipotentiaries in Panama (on 11 and 12 April), and since the document is now under discussion at the technical level, it was felt that it might be useful for it to be circulated as a further proposal aimed at ensuring an effective and lasting peace in Central America.

A/39/889

S/17104

English

Page 2

I should be grateful if you would arrange for the annexed document, the contents of which have already been brought to the attention of the Organization of American States (OAS), to be circulated as a document of the General Assembly, under agenda item 25, and of the Security Council.

(Signed) H. Roberto HERRERA CACERES  
Ambassador  
Permanent Representative

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ANNEX

Statute of the Verification and Control Mechanism for Security  
Matters under the Contadora Act on Peace and Co-operation in  
Central America

CONTENTS

	<u>Page</u>
CHAPTER I	
DEFINITIONS .....	6
Sole Section .....	6
CHAPTER II	
PURPOSES AND STRUCTURE .....	7
CHAPTER III	
PERMANENT COMMISSION .....	8
Section I	
Membership of the Permanent Commission .....	8
Section II	
Executive Secretary .....	8
CHAPTER IV	
INTERNATIONAL CORPS OF INSPECTORS .....	10
Section I	
Director of Operations .....	10
Section II	
Responsibility of the International Corps of Inspectors .....	10
Section III	
Organization of the International Corps of Inspectors .....	12
Section IV	
Reports .....	12
CHAPTER V	
ARRANGEMENT FOR LIAISON .....	13
CHAPTER VI	
FINANCING, ADMINISTRATION AND FACILITIES .....	13

# CONTENTS (continued)

	<u>Page</u>
CHAPTER VII	
OBLIGATIONS OF MEMBERS OF THE MECHANISM IN THE RECEIVING STATE .....	14
Section I	
Compliance with the law .....	14
Section II	
Maintenance of order and discipline .....	15
Section III	
Identification, entry and departure .....	15
Section IV	
Appearance, markings and registration of vehicles, vessels and aircraft; operating licenses .....	16
Section V	
Insurance of vehicles, vessels and aircraft .....	16
Section VI	
Deceased members .....	16
Measures concerning personal belongings .....	16
CHAPTER VIII	
PRIVILEGES AND IMMUNITIES .....	17
Section I	
Immunity from criminal, civil and administrative legal process ....	17
Section II	
Premises of the Mechanism .....	18
Section III	
Privileges and immunities of the Mechanism .....	18
Section IV	
Customs and tax provisions .....	19
CHAPTER IX	
SPECIAL FACILITIES .....	19
Section I	
Currency of the receiving State .....	19
Section II	
Communications and postal services .....	20

CONTENTS (continued)

	<u>Page</u>
Section III	
Use of lines of communication .....	21
Section IV	
Water, electricity and other public services .....	21
Section V	
Supplies .....	21
CHAPTER X	
SETTLEMENT OF CLAIMS .....	21
CHAPTER XI	
SETTLEMENT OF DISPUTES .....	22
CHAPTER XII	
FINAL PROVISIONS .....	24
Section I	
Supplementary agreements .....	24
Section II	
Entry into force .....	24

CHAPTER I

DEFINITIONS

Sole section

Sole paragraph

As used in this Statute, the terms listed below shall be defined as follows:

"The Act":

The Contadora Act on Peace and Co-operation in Central America.

"Governmental authorities":

Any civilian and military authorities assigned functions relating to the Mechanism in accordance with the provisions of this Statute.

"National contingents":

Personnel of the same nationality provided by the Participating States for the International Corps of Inspectors.

"The Convention":

The Convention on the Privileges and Immunities of the United Nations of 13 February 1946.

"The Corps":

The International Corps of Inspectors.

"Central American States or Parties":

Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

"State Party or Party":

Any of the Central American States which are signatories of the Act.

"Participating State":

States participating in the Mechanism which are neither Central American States nor members of the Contadora Group.

"Receiving State":

A State in which members of the Mechanism have functions to perform.

"Contadora Group":

Colombia, Mexico, Panama and Venezuela.

"The Board":

The Claims Board for the settlement of claims of a private law character.

"The Mechanism":

The Verification and Control Mechanism for Security Matters, comprising the Permanent Commission and the International Corps of Inspectors.

"Members of the Mechanism":

The members of the Permanent Commission, the Executive Secretary, the Director of Operations, the staff of the Permanent Commission and of the International Corps of Inspectors, and any person not a resident of the receiving State employed by the Mechanism or assigned to it, and spouses and dependent family members of such persons.

"Resident of the receiving State":

- (a) A person possessing the nationality of the receiving State;
- (b) A person residing in the receiving State; and
- (c) A person present in the territory of the receiving State who is not a member of the Mechanism.

## CHAPTER II

### PURPOSES AND STRUCTURE

1. In accordance with part II.2 of the Contadora Act on Peace and Co-operation in Central America, a Verification and Control Mechanism for Security Matters shall be established for the purpose of monitoring and ensuring faithful compliance with the commitments and obligations set forth in the Act.
2. The Mechanism shall be composed of:
  - (a) The Permanent Commission; and
  - (b) The International Corps of Inspectors.

/...

## CHAPTER III

### PERMANENT COMMISSION

#### Section I

##### Membership of the Permanent Commission

1. The Permanent Commission shall be made up of representatives of the five Central American States and representatives of four States which have not participated in the Contadora negotiating process who are of recognized impartiality and have the technical and financial capacity and the political will to co-operate for peace in Central America.

The participating States in the Permanent Commission shall be proposed by the Contadora Group and accepted by consensus by the Central American countries before the entry into force of the Act.

The Participating States shall serve for renewable two-year terms.

Should a vacancy arise as a result of the definitive absence of an individual appointed to the Permanent Commission by a State Party or a Participating State, it shall be filled in accordance with the same procedure as for initial appointments at least three months before the vacancy arises.

2. The Permanent Commission shall begin to function on the date on which the Act enters into force.

3. Once duly constituted, the Permanent Commission shall, at its first session, appoint an Executive Secretary, from among the representatives of the four Participating States, who shall be responsible for the permanent functioning of the Permanent Commission.

4. The decisions of the Permanent Commission shall be taken by simple majority.

5. The Permanent Commission shall have such functions as are assigned to it in the Act and as are provided for in this Statute or any supplementary agreement between the Central American States.

6. The headquarters of the Permanent Commission shall be at ...

#### Section II

##### Executive Secretary

1. The Permanent Commission shall appoint from among the members of the Participating States an Executive Secretary for a two-year term of office; on the expiry of that term he shall be replaced by another member representing a Participating State in the Permanent Commission of a nationality different from his own and that of the Director of Operations.



In the absence of the Executive Secretary, the Permanent Commission may appoint one of its members other than the Director of Operations to carry out the functions of the Executive Secretary on a temporary basis.

2. The Executive Secretary shall direct the Permanent Commission in the performance of its functions with respect to monitoring, conciliation, information and administration. The Executive Secretary shall have the power and authority to act on behalf of the Permanent Commission, to represent it legally, to enter into contracts, to acquire and alienate property, and to take all steps necessary for the performance of his duties, in conformity with the laws and regulations of the receiving State, this Statute and the instruments granting privileges and immunities to the Permanent Commission.

The Central Office of the Executive Secretary shall be situated at the headquarters of the Permanent Commission. The Executive Secretary shall conclude a Headquarters Agreement with the Government of the Republic of ..., which shall provide for the privileges and immunities of the Permanent Commission and its staff, including the International Corps of Inspectors, in keeping with its status as an international body.

3. In addition to recruiting staff directly, the Executive Secretary shall request Participating States which are members of the Permanent Commission to provide staff needed for the performance of functions assigned to the Commission.

The Executive Secretary shall also, at the request of the Director of Operations, ask those countries to provide qualified personnel for the performance of the functions assigned to the International Corps of Inspectors. In both cases, the Executive Secretary shall secure a commitment that the personnel will not be withdrawn from Central America without adequate prior notice.

4. The Executive Secretary may recruit locally such staff as may be required. At the request of the Executive Secretary, the authorities of the receiving State shall provide assistance in recruiting such staff. The terms and conditions of employment for locally recruited staff shall be determined by the Executive Secretary and shall be governed by the labour legislation of the receiving State.

5. The Executive Secretary shall report to the Permanent Commission on his activities from time to time or whenever requested to do so. He may also raise with one or more of the Parties, as the case may be, any matter relating to the functioning of the Permanent Commission. With that end in view, each Party shall designate high-ranking officials to ensure liaison with the Executive Secretary.

When one of the Parties or the Executive Secretary requests a meeting of the Permanent Commission, the meeting shall be held within 48 hours at a venue to be determined by the Executive Secretary.

## CHAPTER IV

### INTERNATIONAL CORPS OF INSPECTORS

#### Section I

##### Director of Operations

1. The Permanent Commission shall designate by consensus from among the members of the Participating States a Director of Operations, who shall be of a nationality different from that of the Executive Secretary and shall be responsible for planning and directing the activities of the International Corps of Inspectors. The term of office of the Director of Operations shall be two years, on the expiry of which he shall be replaced by one of the members of the Participating States of the Permanent Commission of a nationality different from his own and from that of the Executive Secretary.
2. The Director of Operations shall have full authority over the verification and control activities of the International Corps of Inspectors, to which end he shall issue the Standing Procedural Regulations in accordance with the general guidelines laid down by the Permanent Commission. He shall establish a chain of command linked to the heads of the national contingents provided by the Participating States members of the Permanent Commission and of the International Corps of Inspectors. The Director of Operations shall have authority, exercised through the established chain of command, over the members of the assigned contingents.
3. The Director of Operations shall bear overall responsibility for the conduct of the personnel under his authority. The heads of the national contingents of which the International Corps of Inspectors is made up shall be responsible for disciplinary measures in their respective national contingents. The Director of Operations may, upon authorization by the Permanent Commission, order the heads of the national contingents to withdraw any member of their contingent from the International Corps of Inspectors, without prejudice to the disciplinary measures that may be taken by the national contingent.
4. The seat of the Office of the Director of Operations shall be the same as that of the Executive Secretary.

#### Section II

##### Responsibility of the International Corps of Inspectors

1. The International Corps of Inspectors shall be made up of the national contingents provided by the Participating States members of the Permanent Commission proposed by the Contadora Group and accepted by the Parties by consensus. The Corps shall also have the necessary administrative personnel, which shall be provided by the Permanent Commission.

The Corps shall be under the direct authority and responsibility of the Director of Operations. Each contingent shall be headed by a person of its own nationality.

2. The Corps shall perform the functions and duties specified in the Act and in the present Statute.

3. The Corps shall monitor the performance of the commitments and obligations in respect of security matters provided for in the Act, and shall do its utmost, within its sphere of competence, to investigate exhaustively any alleged violation of its terms.

4. To ensure the effective discharge of its verification and control duties, the Corps may, as it deems appropriate, establish, direct and operate check-points, patrols and observation posts along the international frontiers and within the territory of the Parties, as well as any other mechanism necessary for the discharge of its duties.

5. The Corps shall verify and control periodically, in conformity with the guidelines laid down by the Permanent Commission, strict compliance with the ceilings for arms and troop strength established in the Act and its annexes. This activity shall be carried out once a month unless otherwise decided by the Parties.

6. Without prejudice to its other verification and control functions, the Corps shall carry out additional verification operations within 48 hours following receipt of a request from any of the Parties.

7. In carrying out verification and control activities in the territory of one of the Parties, the Corps may or may not, as it deems appropriate for the effective discharge of its functions, give prior notification to the Party in whose territory the investigation is to be conducted.

8. When the Director of Operations ascertains the existence of a violation, he shall immediately inform the Permanent Commission in order that it may take the relevant measures so that, within 48 hours from the time of official notification, the Party or Parties responsible rectify the violation.

The Party or Parties responsible shall notify the Permanent Commission of the measures taken, and the Commission shall order the additional investigations by the Corps necessary to confirm the effectiveness of the measures in question.

9. The Corps, through the Director of Operations, shall inform the Permanent Commission of all actions taken by individuals or groups of private citizens in violation of the provisions of the Act, in order that the Permanent Commission may notify the authorities of the Party concerned and monitor the measures to be taken by the appropriate authorities to rectify the actions thus notified. Likewise, the Permanent Commission may request any other information from the Party concerned with respect to the incident, or specifically on the measures taken to put an end to the reported actions and punish the individuals or groups responsible.

10. For the performance of its functions, the Corps shall enjoy freedom of movement in and access to the territory of the Parties, and to this end its members may freely cross international frontiers subject to no requirement other than the submission of appropriate identification.

11. Support flights by the Corps shall conform to the rules and procedures governing local or international flights, as the case may be. The Parties undertake to grant without delay overflight and landing permits where appropriate.

12. In order to ensure air safety, the air traffic control authorities shall be notified in a timely manner of verification and control flights made by aircraft of the Corps within the territory of any of the Parties.

13. Notification of verification and control flights made by the Corps across international frontiers shall be communicated to the air traffic control authorities of each of the Parties concerned as deemed appropriate for the effective discharge of their functions.

### Section III

#### Organization of the International Corps of Inspectors

1. The International Corps of Inspectors shall have a suitable organization for carrying out its functions and shall be provided with the necessary offices, together with the required administrative and operational staff.

2. With the prior authorization of the Permanent Commission upon the request of the Director of Operations, the personnel of the Corps shall be provided with arms and equipment suitable for its peace-keeping mission.

3. The personnel assigned to the offices of the Corps shall include, inter alia, staff from each of the Participating States, members of the Permanent Commission, and the International Corps of Inspectors. The staff shall be organized by the Director of Operations, who shall fill posts in such a way as to ensure their appropriate distribution among the nationals of the Participating States.

### Section IV

#### Reports

1. The International Corps of Inspectors shall submit its reports to the Permanent Commission through the Director of Operations no later than 24 hours after the completion of a verification and control mission or after the confirmation of a violation.

The Corps shall submit, through the Director of Operations, a monthly report to the Permanent Commission giving a summary of its activities and the conclusions which it has reached on the basis of the operations of the check-points, observation posts and patrols, or other means of verification and control used.

2. The Director of Operations, with the approval of the Permanent Commission, shall determine the format, requirements and terms of reference for the reports.

3. The reports of the Permanent Commission to the Parties shall be transmitted promptly through the national liaison offices of the Corps in the five Central American countries.

## CHAPTER V

### ARRANGEMENT FOR LIAISON

1. A permanent arrangement for liaison between the Parties and the Verification and Control Mechanism shall be established as a means of promoting the effective implementation of the provisions of the Act with regard to security matters.

2. Each Party shall set up in its own capital a liaison office under the direction of a high-ranking national official, which shall be staffed by its own nationals and have direct access to the authorities responsible for national security and defence. Direct telephone links shall be set up between the national liaison offices, the headquarters of the Permanent Commission, and the offices of the Corps. Any other necessary means of communication shall also be set up.

3. Joint meetings of the National Heads of the five Liaison offices, which shall be presided over by the Director of Operations, shall be held at least once a month.

Any Party or the Director of Operations may request a special meeting, which shall be held within a period of 24 hours after the request has been made.

The first monthly meeting shall be held in .... no later than two weeks after the International Corps of Inspectors has assumed its duties. Subsequent meetings shall be held in turn in the capitals of the Parties on the basis of alphabetical order, unless the Parties decide otherwise.

On its own initiative or at the request of any Party, the Permanent Commission shall use its good offices in order to resolve any issue which has not been settled through the arrangement for liaison and which hampers or prevents the effective implementation of the provisions of the Act.

## CHAPTER VI

### FINANCING, ADMINISTRATION AND FACILITIES

1. The Mechanism shall be financed by contributions from the Parties and other States, international organizations, individuals and private institutions. The contributions shall be used to establish a Central America Peace Fund, to be administered by the Executive Secretary, who shall be authorized to solicit and receive contributions.

2. The budget for each financial period shall be drawn up by the Executive Secretary and approved by the Permanent Commission. The financial period shall be determined by the Executive Secretary after consulting the Permanent Commission.

3. The Executive Secretary shall draw up the necessary administrative and financial regulations and submit them for the approval of the Permanent Commission.

The financial regulations shall include a provision to ensure that a periodic independent and professional audit is conducted and that the audit report is transmitted to the Permanent Commission and the contributors to the budget.

4. At the request of the Executive Secretary, each Party shall provide in its territory the necessary facilities for the proper functioning of the Mechanism. The Parties shall not be compensated for the use of grounds, buildings or any other type of movable or immovable property placed at the disposal of the Mechanism according to agreement.

## CHAPTER VII

### OBLIGATIONS OF MEMBERS OF THE MECHANISM IN THE RECEIVING STATE

#### Section I

##### Compliance with the law

1. The members of the Mechanism shall respect the laws and regulations of the receiving State. They shall refrain from any activity which is not in keeping with the international nature of their function. The Executive Secretary shall adopt all appropriate measures to ensure compliance with these obligations.

2. In carrying out their obligations and for the purposes of this Chapter, the members of the Mechanism shall receive their instructions solely from the Executive Secretary and the authorities in the chain of command established by the Executive Secretary.

3. The members of the Mechanism shall exercise maximum discretion with regard to all matters related to their functions; they shall not disclose any information of which they have knowledge by virtue of their duties in the Mechanism, unless, they have been authorized to do so in the performance of their functions by the Permanent Commission, the Executive Secretary, or the Director of Operations, as the case may be. This obligation shall not cease upon the termination of their duties with the Mechanism.

## Section II

### Maintenance of order and discipline

1. The Executive Secretary shall take appropriate action to ensure the maintenance of discipline and order and guarantee the security of the members of the Mechanism. The Executive Secretary, in conjunction with the Director of Operations, may order the stationing of security guards on the premises and in the areas where the Mechanism is carrying out its activities.
2. The security guards shall promptly hand over to the competent national authorities of the receiving State any individual who is not a member of the Mechanism and has been detained or temporarily placed in their custody.
3. The competent national authorities of the receiving State shall promptly hand over to the Permanent Commission any member of the Mechanism who has been detained or temporarily placed in their custody.
4. The authorities of the receiving State and the Permanent Commission shall duly co-operate with each other in disciplinary and criminal cases when necessary in order to facilitate the implementation of the provisions set forth in this Statute.

## Section III

### Identification, entry and departure

1. The Executive Secretary shall notify the receiving State of the names, duties and scheduled dates of initial arrival and final departure of the members of the Mechanism.

The Executive Secretary shall issue members of the Mechanism with identity cards, presentation of which will enable them to enter or leave the receiving State.

Members of the Mechanism shall be exempt from customs inspection and from all restrictions on entering or leaving the territory of the receiving State. Members of the Mechanism shall also not be subject to the residence regulations of the receiving State and shall not acquire permanent residence or domicile rights during their stay there.

2. Members of the Mechanism shall at all times carry the personal identity card issued by the Executive Secretary.

Members of the Mechanism must present their identity card if requested to do so by a competent authority of the receiving State, but it may not be taken from them.

3. If a member of the Mechanism terminates his service with it and is not repatriated, the Executive Secretary shall immediately inform the authorities of the receiving State and shall provide the latter with any information it may request.

#### Section IV

##### Appearance, markings and registration of vehicles, vessels and aircraft; operating licences

1. When on duty, members of the Mechanism shall wear the identity badges issued by the Executive Secretary.

Official vehicles, vessels and aircraft shall be of the colour determined by the Executive Secretary and shall carry special identity and registration numbers which the Executive Secretary shall notify to the authorities of the receiving State.

These vehicles, vessels and aircraft shall be entered in a special register by the receiving State.

2. The authorities of the receiving State shall, upon presentation, accept as valid permits or licences issued by the Executive Secretary for official vehicles, vessels and aircraft.

#### Section V

##### Insurance of vehicles, vessels and aircraft

###### Sole paragraph

The Executive Secretary shall arrange for all vehicles belonging to the Mechanism to be covered at least by third party insurance.

#### Section VI

##### Deceased members

##### Measures concerning personal belongings

###### Sole paragraph

The Executive Secretary shall make the necessary arrangements in respect of the body of a member of the Mechanism who dies in the territory of the receiving State. The expenses involved shall be borne by the Mechanism.

The Executive Secretary shall refer any claims received in respect of debts contracted by the deceased person in the territory of the receiving State to the appropriate channels.



## CHAPTER VIII

### PRIVILEGES AND IMMUNITIES

#### Section I

##### Immunity from criminal, civil and administrative legal process

1. Immunity from criminal, civil and administrative legal process is accorded under this Statute to members of the Mechanism, in respect of their official functions but not their personal activities.
2. The Executive Secretary, in consultation with the State Party or participating State concerned, as the case may be, may waive immunity from legal process (penal, civil and administrative) in respect of members of the Mechanism. The Executive Secretary shall notify such waiver of immunity from legal process to the Permanent Commission, in accordance with the procedure established in this paragraph.
3. Waiver must always be express.
4. The initiation of legal proceedings by a member of the Mechanism shall preclude him from invoking immunity from legal process in respect of any counter-claim directly linked with the principal claim.
5. Waiver of immunity from legal process in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgement, for which a separate waiver shall be necessary.
6. In cases where the Executive Secretary or the Permanent Commission, as the case may be, does not waive the immunity of members of the Mechanism, an effort must be made to find a just and equitable solution of the matter.
7. No judgement may be executed in respect of members of the Mechanism, except as provided in Section \_\_\_\_, paragraph \_\_\_\_, of this Statute and provided that there is no infringement of the inviolability of the person or residence of the member concerned.
8. Members of the Mechanism shall not be compelled to give evidence.
9. The Executive Secretary shall, at the request of the receiving State, arrange for any member of the Mechanism who breaks the laws to leave the territory of that State.
10. Unless the Executive Secretary waives immunity from legal process, members of the Mechanism shall be subject solely to the jurisdiction of their respective States in respect of any offence committed in the receiving State.
11. The members of the Mechanism shall enjoy immunity from civil and administrative legal process, except in the cases referred to in paragraphs 1 (a), 1 (b) and 1 (c) of article 31 of the Vienna Convention on Diplomatic Relations of 18 April 1961.

12. Disputes between a member of the Mechanism in the exercise of his official functions and a resident of the receiving State and any other disputes shall be settled in accordance with the procedure provided in chapter \_\_\_, section \_\_\_ of this Statute.

13. In the event of court proceedings against a member of the Mechanism, the Executive Secretary shall, through the appropriate diplomatic channels and at the request of a court in the receiving State, certify whether or not the proceedings are connected with the member's official functions.

## Section II

### Premises of the Mechanism

#### Sole paragraph

The premises officially used by the Mechanism shall be inviolable and subject to the authority and control of the Executive Secretary, who, with prior authorization by the Permanent Commission, may allow the Authorities of the receiving State access to such premises.

## Section III

### Privileges and immunities of the Mechanism

1. The Mechanism shall enjoy the privileges and immunities conferred by article II of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, hereinafter referred to as "the Convention". The provisions of article II shall also apply to the property, funds and assets of Participating States used in the receiving State in connection with the activities of the Mechanism.

2. The importation, free of duty, of the property of the Mechanism shall be expedited with the least possible delay, and shall be arranged by the Executive Secretary, through the appropriate diplomatic channel of the receiving State.

3. The Executive Secretary shall adopt all necessary measures to avoid any abuse of such fiscal privileges and the sale of such property without the express authorization of the receiving State.

4. The nine representatives of the States members of the Permanent Commission shall be granted, together with their spouses and dependent family members, the same privileges and immunities accorded to diplomatic agents under international law.

## Section IV

### Customs and tax provisions

1. The receiving State shall exempt members of the Mechanism from the payment of taxes on the salaries and emoluments which they receive from their national Governments or the Mechanism. They shall also be exempt from the payment of any other taxes or duties in accordance with the provisions of article 37 of the Vienna Convention on Diplomatic Relations.
2. The members of the Mechanism shall have the right to import, free of duty, their personal effects upon taking up their posts, in accordance with relevant international custom and practice.
3. The members of the Mechanism, with respect to their personal property which is not essential to the discharge of their functions shall be subject to the customs and foreign exchange laws and regulations of the receiving State.
4. Upon termination of their service with the Mechanism, members may, notwithstanding the foreign exchange regulations of the receiving State, take with them those funds which the Executive Secretary certifies as having been obtained in the form of emoluments from their respective national Governments or from the Mechanism and which the member in question has converted into national currency at the Central Bank of the receiving State.
5. In order to ensure compliance by members of the Mechanism with the customs and tax laws and regulations of the receiving State, the Executive Secretary shall co-operate with the customs and tax authorities of the receiving State, in accordance with this Statute and any other relevant supplementary agreement.

## CHAPTER IX

### SPECIAL FACILITIES

#### Section I

#### Currency of the receiving State

##### Sole paragraph

If the Executive Secretary so requests, the relevant authorities of the receiving State shall make available, subject to repayment in another mutually acceptable currency, currency of the receiving State required for the use of the Mechanism, including for the acquisition of property for members of the Mechanism, at the rate of exchange officially recognized by the receiving State.

## Section II

### Communications and postal services

1. The Mechanism shall have the right to use the communications services provided for in article III of the Convention.

2. The Mechanism shall be empowered to establish and operate the communications systems necessary for the performance of its functions, subject to the provisions of article 35 of the Torremolinos International Telecommunication Convention of 25 October 1973 on harmful interference. The frequencies on which any station of this type may be operated shall be duly authorized by the competent authorities of the receiving State.

The Mechanism and the authorities of the receiving State shall hold such consultations as may be necessary with a view to avoiding harmful interference.

3. The Mechanism shall have the right to priority with regard to telegrams and telephone calls addressed to Governments, its offices or those of the International Corps of Inspectors, in accordance with the rights accorded to the United Nations under article 39 and annex 3 to the Convention mentioned in the preceding paragraph and in article 5, paragraph 10, of the telegraphic regulations annexed thereto.

4. The Mechanism shall also have the right to unrestricted communications by radio, telephone, telegraph or any other means and to establish the services necessary for the maintenance of such communications among and between its staff and its premises, including the establishment of fixed and mobile radio transmitting and receiving stations.

5. The receiving State shall recognize the right of the Mechanism to conclude agreements for the handling and transport of private correspondence addressed to or sent by its members. The receiving State shall be informed of such agreements before they are implemented.

6. When the postal agreements applicable to the private correspondence of the members of the Mechanism cover operations involving the transfer of money or the transport of packages or parcels out of the receiving State, the competent authorities of the latter and the Executive Secretary shall agree on the conditions in which such operations shall be carried out in the receiving State.

7. The correspondence of the Mechanism shall be inviolable and shall not be subject to interference or censorship by the receiving State.

### Section III

#### Use of lines of communication

##### Sole paragraph

When the Mechanism uses roads and highways, bridges, port facilities, airports and railways, it shall not be subject to the payment of fees, tolls or taxes, except for the payments directly related to services requested and received.

### Section IV

#### Water, electricity and other public services

1. The Mechanism shall have the right to the use of water, electricity and other public services at tariffs equal to those set for diplomats resident in the receiving State.
2. At the request of the Executive Secretary, the authorities of the receiving State shall assist the Mechanism in obtaining water, electricity and other public services required and, in the event of an interruption or threat of interruption of any service, shall accord to the needs of the Mechanism the same priority as that given to essential government services.

### Section V

#### Supplies

##### Sole paragraph

At the request of the Executive Secretary, the authorities of the receiving State shall assist the Mechanism in obtaining from local sources the equipment, supplies and other goods and services required for its operation. The members of the Mechanism shall purchase locally, on the terms prevailing in the market, the articles necessary for their consumption and the services they need.

## CHAPTER X

### SETTLEMENT OF CLAIMS

1. Claims of a private law character shall be settled in accordance with the following provisions:

(a) The Executive Secretary shall be obliged to set forth in the relevant contract the necessary arrangements for the settlement of claims arising out of contracts or other claims of a private law character which are not covered by subparagraph (b) below;

- (b) A permanent Claims Board shall be established to settle the following claims:
- (i) Claims for whose settlement no contractual procedure has been established in accordance with paragraph (a) above;
  - (ii) Claims brought by a resident of the receiving State against the Mechanism or a member thereof concerning any injury allegedly sustained as the result of an action or omission by such members of the Mechanism in connection with their official functions;
  - (iii) Claims brought by a receiving State against a member of the Mechanism;
  - (iv) Claims brought by the Mechanism against a receiving State or vice versa;
  - (v) Labour claims resulting from a work contract or work relationship brought by local staff recruited by the Mechanism.

2. The Board shall consist of a representative of the Parties, chosen by agreement between them, a representative of the Mechanism, and a Chairman who shall be appointed by agreement by the two representatives.

If the Parties and the Mechanism cannot reach agreement with regard to the appointment of the Chairman, they shall select one from the panel of the Permanent Court of Arbitration.

3. Any vacancy in the Board shall be filled within thirty days by the procedure established in this section for the original appointment.

4. Two members of the Board shall constitute a quorum for the performance of its functions and a vote in favour by two members shall be sufficient for all deliberations and decisions of the Board.

5. The decision taken by the Board shall be binding and shall not be subject to appeal or to any other remedy.

The parties shall recognize the binding character of the decision taken in accordance with this Contract and shall have the obligations imposed thereby executed within their respective territories as if it were a final judgement handed down by one of their national courts.

## CHAPTER XI

### SETTLEMENT OF DISPUTES

1. In accordance with part III, paragraphs 6, 7 and 8 of the Act, the machinery for the settlement of disputes arising from the application or interpretation of the Act with regard to security shall function through:

(a) The Meeting of the Ministers for Foreign Affairs of Central America;

(b) The Joint Meeting of the Ministers for Foreign Affairs of Central America and the Contadora Group.

2. The Meeting of the Ministers for Foreign Affairs of Central America shall meet at the request of any of the Parties or be convened by the Executive Secretary within a period of seventy-two hours from the time of the notice of convocation, for the purpose of considering and taking a decision by consensus on any dispute concerning the interpretation or application of the Act which the Permanent Commission has been unable to settle.

3. The Meeting of the Ministers for Foreign Affairs shall take a decision on the specific situation brought to its attention, at the meeting convened for that purpose, without suspending the meeting or postponing the decision on the dispute.

4. The Joint Meeting of the Ministers for Foreign Affairs of Central America and the Contadora Group shall meet at the request of any of the Central American States, within a period of seventy-two hours from the time of the notice of convocation, for the purpose of considering the dispute concerning the interpretation or application of the Act which the Meeting of the Ministers for Foreign Affairs of Central America has been unable to settle.

5. At the Joint Meeting, the Contadora Group shall use its good offices to enable the Central American States to adopt a decision on the dispute by consensus.

In any event, at the Joint Meeting, the Central American States shall take a decision at the meeting convened for that purpose, without suspending the meeting or postponing the decision on the dispute.

6. If no decision putting an end to the dispute is taken at the Joint Meeting, that venue shall be considered exhausted and the Ministers for Foreign Affairs of the States of the Contadora Group may suggest to the Central American States the use of another peaceful means of settlement of the dispute, in accordance with Article 33 of the Charter of the United Nations (UN) and article 24 of the Charter of the Organization of American States (OAS).

7. The Meeting of the Ministers for Foreign Affairs of Central America can be held if three of its members are present.

The Joint Meeting of the Ministers for Foreign Affairs of Central America and the Contadora Group can be held if five of its members, at least three of whom are Central Americans, are present.

CHAPTER XII

FINAL PROVISIONS

Section I

Supplementary agreements

Sole paragraph

The Executive Secretary and the authorities designated by the receiving State may conclude supplementary agreements for the implemetation of this Statute.

Section II

Entry into force

Sole paragraph

This Statute shall enter into force in the same way and on the same date as the other provisions of the Act and shall remain in force so long as the Act is in force. Nevertheless, the provisions of paragraphs 1, 2, 3, 4 and 5 of chapter X, on the settlement of claims, shall remain in force until all the claims arising before the date of termination of this Statute and filed prior to or during the three months following the date of termination of this Statute have been settled.

Done in the city of \_\_\_\_\_, Republic of \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
For Costa Rica

\_\_\_\_\_  
For El Salvador

\_\_\_\_\_  
For Guatemala

\_\_\_\_\_  
For Honduras

\_\_\_\_\_  
For Nicaragua

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