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NEW YORK TIMES

DATE 9 OCT. 84 PAGE A1D

World Court Postpones Decision on Nicaragua

THE HAGUE, Oct. 8 (AP) — The World Court today postponed a decision on a Nicaraguan complaint that the United States is making "armed attacks" against the country.

Instead, the Court said it would begin hearings on whether it has jurisdiction to hear the complaint. Davis R. Robinson, the United States representative at the Court, has argued that the court does not have jurisdiction because Nicaragua never recognized the authority of the World Court.

But Carlos Argüello, the Nicaraguan Ambassador to the Netherlands, has said his Government does recognize the Court's authority because Nicaragua participates in the United Nations.

If the Court, the judicial arm of the United Nations, decides to accept the case, it may take years before a ruling is issued. The Court has no enforcement power.

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Nicaraguan Injustice at the World Court

By JOHN NORTON MOORE

Nicaragua is to make oral arguments today on the jurisdictional issues of its case against the U.S. in the International Court of Justice. When it brought the action last spring, its application was spearheaded by a stable of American lawyers and was accompanied by a Washington news conference coinciding with key congressional votes on funding for Central America. Nicaragua's thesis that the U.S. was gratuitously attacking it in violation of international law was uncritically accepted by many at home and abroad. Few noticed that Nicaragua sought not only an end to any support for the "contras," Nicaraguan insurgents, but also the withdrawal of the 55 August, El Salvador filed a declaration of intervention in the Nicaragua case to set the record straight and to support the U.S. position that the Nicaraguan application is inappropriate. Lacking a Washington news conference, the Salvadoran action was largely ignored. On Friday—

and without a hearing—the World Court rejected the Salvadoran request to intervene insofar as it relates to the current jurisdictional phase of the proceeding. (This action doesn't decide on the request for any other stage of the case, including the merits, should the case go that far.)

Overwhelming Evidence

The Salvadoran action is of fundamental importance in restoring balance to the Central American debate. In it El Salvador makes clear, as has the U.S., that it welcomed the new government in Nicaragua and hoped for an era of democracy, reform and peace in Central America. Instead—and contrary to the assertions of Nicaragua before the court—El Salvador was subjected to an armed attack organized, directed, armed, supplied, financed, trained and politically supported by Nicaragua and Cuba. In that setting, El Salvador requested—and under the United Nations charter and the hemispheric Rio Defense Treaty was entitled to receive—assistance necessary and proportional to ending the armed attack.

The declaration by El Salvador supports in detail the conclusions documented in a long series of administration testimony, speeches, "White Papers" and statements before the International Court

as well as the independent findings of the bipartisan Kissinger Commission and congressional intelligence committees. Although there is recurrent controversy as to the level of arms transhipped from Nicaragua to Salvadoran insurgents, when all relevant indicators are taken together the evidence of a continuing and determined armed attack is overwhelming.

On the merits of the Central American case, the U.S. has every right to respond to the request of El Salvador under Article 51 of the U.N. charter and to take whatever measures are necessary and proportional to end the armed attack against El Salvador. In fact, we have essentially the same legal obligation under Article 3 of the Rio Treaty to go to the defense of El Salvador

U.S. sought damages in the death of six Americans aboard an Israeli airliner shot down by the Bulgarians in July 1955. And few noticed that in the Nicaragua case the U.S. remained the only nation in the world to appear before the court to contest provisional measures despite the conviction that the court lacked jurisdiction, that Nicaragua filed the case for propaganda objectives, and that the case held real potential to severely damage both the court and continuing peace efforts in Central America.

El Salvador's declaration stresses that court action could inhibit the continuing Contadora peace process endorsed by the U.N. Security Council and nations in the region (including, it would seem, Nicaragua). Moreover, it now seems clear that

has been and must continue to be an important U.S. goal. Nothing, however, can more severely damage the court than the spectacle of it being crassly used by a nation engaged in an armed attack against its neighbor in violation of the most important provisions of the charters of the U.N. and the Organization of American States.

The People's Courage

Even if there were no such upside-down invocation of the court, there are strong reasons why use of the court to adjudicate major ongoing hostilities may overload the court and actually harm efforts to strengthen its role. Hardy Dillard, while a judge of the court, recognized these important limitations in noting: "There are many controversies that have a legal component yet do not lend themselves to adjudication. Litigation represents only the war side of law and to exaggerate its role may have a chilling effect on the effort to use law more effectively." In general, the opposite view that the court is a suitable forum for resolving hostilities such as the Vietnam War, the Arab-Israeli conflict or the Central American conflict is regarded in scholarly literature as an extreme "legalist" view that holds the potential to harm the rule of law in international life.

As one who recently witnessed the free and open presidential election in El Salvador, I could not help but be impressed by the courage of the people of that nation in their determination to build and defend democracy. When buses were threatened, families walked miles to the polls. When guerrilla attacks blacked out San Salvador, the counting of ballots proceeded by candlelight. I can imagine no greater perversion of the rule of law and the important role of the court than to permit Nicaragua, the nation engaged in that continuing armed attack, to invoke the prestige of the court in an Orwellian effort to inhibit a lawful defensive response.

Mr. Moore is Brown professor of law at the University of Virginia and chairs the American Bar Association Standing Committee on Law and National Security. He formerly was a counselor on international law to the State Department and is a special counsel for the U.S. in the Nicaragua case. The views expressed are his own.

We have essentially the same obligation under the Rio Treaty to defend El Salvador as we would under NATO in the event of an attack on Canada or Britain.

as we would under Article 5 of the NATO Treaty in the event of an armed attack against Canada or Britain. If there is to be any meaning to a post-charter Monroe Doctrine, surely it is that the U.S. will assist nations in the region against armed attack directed from abroad for the purpose of permanently depriving those nations of their right to self-determination.

The Salvadoran declaration before the International Court is also important in clarifying the appropriate role for the court in the Central American conflict. Nicaragua worked approximately eight months in preparing its application to the court. With only 48 hours' notice, the U.S. reacted on April 6 by modifying its acceptance of compulsory jurisdiction of the court for a period of two years regarding the events arising from the Central American conflict. Such action was widely seen as proof that the U.S. was acting illegally or at least was calous toward the appropriate role of the court.

Few noticed that the U.S. had not invoked the Connally Reservation (excluding matters essentially within the domestic jurisdiction of the U.S., as determined by Washington) despite the previous broad interpretation of that reservation invoked against the country by Bulgaria when the

since El Salvador and other states in the region are indispensable parties affected by the action, and that not all such affected or involved states (which include Costa Rica, Honduras, Guatemala and Cuba) are before the court, the court lacks jurisdiction under the Vandenberg Reservation (also part of the original U.S. acceptance of the jurisdiction of the court, it excludes disputes arising under a multilateral treaty unless all parties affected are before the court) as well as under the court's own doctrine of "admissibility."

It has also become clear that Nicaragua itself has never accepted the compulsory jurisdiction of the court. Indeed, it is now known that when in 1957 Honduras and Nicaragua sought to submit a border dispute to the court, an understanding that Nicaragua had not accepted the jurisdiction of the court led to the parties' accepting jurisdiction by special agreement.

For these reasons, among others, it seems evident that the court lacks jurisdiction quite apart from the U.S.'s letter of April 6.

When correctly used, the International Court of Justice has inspiring achievements to its credit. Strengthening the court and encouraging respect for the rule of law

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STREET JOURNAL

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Reagan Urged to Go to American People on Nicaragua Issue

By BERNARD GWERTZMAN
Special to The New York Times

WASHINGTON, April 19 — Administration officials said today that some White House officials have urged President Reagan to make a speech to the American people to overcome Congressional resistance to \$21 million in additional aid for the Nicaraguan rebels.

"I think the only way we are going to get the money," an official said, "is by the President going over the heads of Congress, to the people, to lay out the situation and persuade them that there is an important middle ground between total war and total peace."

Other officials hope a compromise can be worked out. A State Department official said that, once Congress returns from its Easter recess next Tuesday, there will be an opportunity for discussion to see what can be done.

The officials said no decision was likely until Mr. Reagan returns from China in 11 days. But they noted that available money for the rebels was almost exhausted and that the aid program would be imperiled if Congress did not approve the \$21 million soon.

Senate Voted Money April 5
The Senate approved the request April 5, but House Democratic leaders have vowed not to vote any money. Since April 5, key members of the Senate Select Committee on Intelligence have complained that William J. Casey, the Director of Central Intelligence, did not inform them adequately about American involvement in the mining of Nicaraguan harbors and in a raid against Nicaraguan oil storage tanks.

Vice President Bush, referring to the Nicaraguan rebels as Contras, told the Overseas Writers Club today:

"I think it would be very, very bad if the Contras receive no funding from the United States. If you deny the Contras any support at all, you facilitate the overthrow of a neighboring regime which is going the democratic route, which has not perfected democracy, but is head and shoulders above the Sandinistas."

He was alluding to the Reagan Administration's argument that aid to the Nicaraguan insurgents was justified on the ground that the Nicaraguan Government was aiding the rebel forces in El Salvador.

Two Legislative Approaches

There are two legislative possibilities when Congress returns, Congressional staff aides said.

One is for a House-Senate conference to settle differences between a \$1.4 billion Senate appropriations bill that contains \$21 million for Nicaraguan rebels, and a House bill that contains only \$150 million in African famine relief.

The other is for the House to take up a substitute appropriations bill offered by Representative Jamie L. Whitten, Democrat of Mississippi, chairman of the Appropriations Committee, which contains \$500 million in aid, none of it for the Nicaraguan rebels.

Neither approach would provide money for the insurgents.

Last fall, when the Congress first approved \$24 million for the Nicaraguan rebels, the House at first did not support the aid. But House conferees agreed to it in conference with the Senate. For this to happen again, the Senate conferees would have to fight strongly for the request.

Two Hearings Are Scheduled

The Administration hopes to end the feud with the Senate Intelligence Committee next week. Two hearings are

scheduled. The first, on Monday, will be involve staff members of the committee and of the Central Intelligence Agency, through which the money for the Nicaraguan rebels is being funneled. The other hearing, on Thursday, will involve senators and senior C.I.A. officials.

Senator Patrick J. Leahy, Democrat of Vermont, who is a committee member, said in an interview that there were so many senators who "justifiably feel they were not briefed adequately" that there is a credibility problem between the Congress and the intelligence agencies.

"We should charge admission to the

hearing next week," he said, "because there will be so much storming with people pointing fingers at each other, accusing them of this and that."

Senator Leahy, who opposed aid for the Nicaraguan rebels, has said that he was sufficiently briefed on the nature of American involvement in the activities against Nicaragua.

Committee Recommendations

Committee staff aides have drawn up some recommendations. Some of these reflect the complaints by Senator Barry Goldwater, Republican of Arizona, the committee chairman, and Senator Daniel Patrick Moynihan,

Democrat of New York, the vice chairman, that Mr. Casey did not properly inform the committee about the scope of the American involvement.

Under the recommendations, the committee aides said, the C.I.A. would be required to certify each week that it has not undertaken any new significant operations without fully informing the committee. Mr. Casey would be required to testify only under oath, and the C.I.A. legislative liaison officer, Clair George, would be replaced.

Mr. Casey has insisted that he has complied fully with the law in his briefings. In a bulletin distributed to C.I.A. employees last week, he said reports that Congress had not been properly informed were "not true."

"We have fully met all statutory requirements on notifying our intelli-

gence oversight committees on the covert action program in Nicaragua," he wrote. "This agency has not only complied with the letter of the law in our briefings, but with the spirit of the law as well."

Germans Protest U.S. Policy

BONN, April 19 (UPI) — The police stopped hundreds of nuclear arms protesters from blocking access to American and NATO military bases today and West Germans angry at Washington's policy on Central America policy threw paint at the United States Embassy.

Did you finish today's crossword?



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C.I.A. and Congress: What the Law Says

WASHINGTON, April 16 — The Intelligence Agency and the Select Committee on Intelligence are in dispute over the agency's responsibility to keep the committee fully and currently informed of covert operations. Here are the provisions of Section 413 of the Intelligence Oversight Act of 1980, which deal with the responsibility of the C.I.A. to inform the intelligence committees in both the House and Senate of its activities.

(a) Reports to Congressional Committees of Current and Proposed Activities

To the extent consistent with all applicable authorities and duties, including those conferred by the Constitution upon the executive and legislative branches of the Government, and to the extent consistent with due regard for the protection from unauthorized disclosure of classified information and information relating to intelligence sources and methods, the Director of Central Intelligence and the heads of all departments, agencies and other entities of the United States involved in intelligence activities shall:

- (1) Keep the Select Committee on Intelligence of the Senate and the

Permanent Select Committee on Intelligence of the House of Representatives (hereinafter in this section referred to as the "intelligence committees") fully and currently informed of all intelligence activities which are the responsibility of, are engaged in by or are carried out for or on behalf of any department, agency or entity of the United States, including any significant anticipated intelligence activity, except that (A) the foregoing provision shall not require approval of the intelligence committees as a condition precedent to the initiation of any such anticipated intelligence activity, and (B) if the President determines it is essential to limit prior notice to meet extraordinary circumstances affecting vital interests of the United States, such notice shall be limited to the chairman and ranking minority members of the intelligence committees, the Speaker and minority leader of the House of Representatives and the majority and minority leaders of the Senate;

(2) Furnish any information or material concerning intelligence activities which is in the possession, custody or control of any department, agency or entity of the United States and which is requested by either of the intelligence committees in order to carry out its authorized responsibilities; and

(3) Report in a timely fashion to the intelligence committees any illegal intelligence activity or significant intelligence failure and any corrective action that has been taken or is planned to be taken in connection with such illegal activity or failure.

(b) Failure to Inform; Reasons

The President shall fully inform the intelligence committees in a timely fashion of intelligence operations in foreign countries, other than activities intended solely for obtaining necessary intelligence, for which prior notice was not given under subsection (a) of this section and shall provide a statement of the reasons for not giving prior notice.

(c) Establishment Of Procedures For Relaying Information

The President and the intelligence committees shall each establish such procedures as may be necessary to carry out the provisions of subsections (a) and (b) of this section.

(d) Protection From Unauthorized Disclosure

The House of Representatives and the Senate, in consultation with the

Director of Central Intelligence, shall each establish, by rule of resolution of such House, procedures to protect from unauthorized disclosure all classified information and all information relating to intelligence sources and methods furnished to the intelligence committees or to members of the Congress under this section. In accordance with such procedures, each of the intelligence committees shall promptly call to the attention of its respective House, or to any appropriate committee or committees of its respective House, any matter relating to intelligence activities requiring the attention of such House or such committee or committees.

(e) Construction Of Authority Conferred

Nothing in this chapter shall be construed as authority to withhold information from the intelligence committees on the grounds that providing the information to the intelligence committees would constitute the unauthorized disclosure of classified information or information relating to intelligence sources and methods.

Text of Statement by C.I.A.

Special to The New York Times
WASHINGTON, April 16 — Following is a statement today by George Lauder, the Central Intelligence Agency spokesman, on behalf of the agency concerning its efforts to keep appropriate committees of Congress informed of C.I.A. covert operations:

During the 13 January 1981 Senate Select Committee on Intelligence hearing on the nomination of Mr. Casey to be Director, C.I.A., Mr. Casey said:

"I intend to comply fully with the spirit and the letter of the Intelligence Oversight Act. I intend to provide this committee with the information it believes it needs for oversight purposes."

Mr. Casey believes the record will reflect that he and his staff have kept that pledge. A chronology of briefings of the Congressional oversight committees in connection with events in Central America reveals that from December 1981 through March 1984, either the director or deputy director briefed the Congressional committees 30 times on Central America.

Moreover, from 16 September 1983 through 2 April 1984, other officials of C.I.A. briefed either the committees or the committee staff 22 times on Central American developments. Since the first of this year, the subject

of mining of Nicaraguan ports has been discussed with members of the committees and other members of the Congress 11 times.

Largely in order to keep the Congress satisfactorily informed on the agency's activities, the director has continually strengthened the C.I.A. Congressional liaison office. This office has been in virtual daily contact with staffers of the House or Senate oversight committees as well as staffers and members of other committees of the Congress. The obligation to keep the oversight committees informed has, as it has evolved practice, been met by briefings of staff, responding to their oral and written questions, and by providing updates on developments and answering any and all questions at meetings called by the committees.

There has been no reluctance to share information with them. As has been reported in recent days, members of both committees have affirmed that this process has made required information available.

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C.I.A. NOW ASSERTS IT SOUGHT DELAYS IN SENATE BRIEFING

REVERSAL ON NICARAGUA

Agency Said on Sunday It Was
Senate Panel That Put Off
a Meeting in February

By BERNARD GWERTZMAN

Special to The New York Times

WASHINGTON, April 16 — The Central Intelligence Agency reversed itself today and acknowledged that earlier this year, it delayed for six weeks a response to a request by the Senate Select Committee on Intelligence for a briefing on covert activity in Nicaragua.

A C.I.A. spokesman, George Lauder, said he gave an incorrect account Sunday when he told The New York Times that William J. Casey, the Director of Central Intelligence, had been ready to brief the committee in January, but had not done so until March because the committee asked for delays.

The retraction was made after Robert R. Simmons, the committee's staff director, told The Times today that he asked Clair George, the C.I.A.'s liaison officer, in late January for a briefing in early February. Mr. Simmons said the C.I.A. sought two delays and did not brief the committee until March 8.

Senators' Complaints Recalled

Senator Barry Goldwater, Republican of Arizona, committee chairman, and Senator Daniel Patrick Moynihan, Democrat of New York, vice chairman, have said that the C.I.A. did not keep the committee "currently" informed, in particular on the scope of American involvement in the mining of harbors starting in early January.

The Senators have also said that when there were briefings, March 8 and 13, Mr. Casey did not "fully" disclose the United States' role.

The Intelligence Oversight Act of 1980 says that intelligence committees of Congress will be kept "fully and currently informed of all intelligence activities" and of "any significant anticipated intelligence activity."

Moynihan Is Asked to Reconsider

Senator Moynihan said Sunday that he was resigning as vice chairman of the Intelligence Committee to draw attention to what he said was the failure of the C.I.A. to inform it properly.

Mr. Simmons said today that Senator Goldwater, who is in Taiwan, had asked him to urge Mr. Moynihan to reconsider his resignation. Mr. Moynihan said in a telephone interview that he was not inclined to change his mind.

The C.I.A., in seeking to demonstrate that it had kept committees informed, acknowledged publicly for the first time today its involvement in harbor mining. A statement said that "the subject of mining of Nicaraguan ports" had been discussed 11 times this year in Congressional briefings.

Mr. Simmons, the Intelligence Committee's staff chief, filled in additional details on briefing arrangements.

In a telephone call that he initiated, Mr. Lauder said that on Jan. 12, Mr. Casey told Senators Goldwater and

Moynihan in a letter that the C.I.A. wished to "withdraw the full amount of money" — \$24 million — in funds approved for Nicaraguan activities.

"I was a little surprised," Mr. Simmons said. "I spoke to Clair George around Jan. 23 and told him that, on the basis of this request, the members would probably want a meeting with Mr. Casey before the February recess." The recess was for the Lincoln and Washington birthdays.

Goldwater Accommodated C.I.A.

Continuing his account of discussions with Mr. George, Mr. Simmons said:

"He called me back and said the Administration was still trying to make a decision on the issue of supplemental funds over and above the \$24 million, and could the committee wait until after the recess for the hearing. He also said that, because the Nicaraguan program was part of the President's foreign policy, he felt Secretary of State Shultz should be the lead witness."

Mr. Simmons said Senator Goldwater

had agreed to accommodate the C.I.A., and a meeting was set for Feb. 29. Meanwhile, unknown to the Senate committee, the C.I.A. had briefed the House Intelligence Committee Jan. 31.

On Feb. 24, Mr. Simmons said, he was called by Mr. George and told that the agency did not want to brief on Feb. 29, as scheduled, because Mr. Shultz would be "unavailable." Mr. Simmons said he told Mr. George that there was pressure from many committee members for a briefing and he refused the request to postpone the meeting.

But on Feb. 27, Mr. Simmons said, Mr. Casey telephoned Senator Goldwater to seek a delay, and Senator Goldwater agreed to a March 8 meeting.

Today, when Mr. Lauder, the C.I.A. spokesman, was informed of Mr. Simmons's rebuttal, he said he had to check. He called back and said that, on the basis of his conversations with C.I.A. officials, "Rob Simmons is 100 percent correct."

"I am truly sorry," Mr. Lauder said. "We regret any misunderstanding on this matter."

Mr. Lauder, in a subsequent telephone conversation, was asked why the C.I.A. had briefed the House commit-



The New York Times

Senator Barry Goldwater appealed to Senator Daniel Patrick Moynihan to reconsider his resignation.

tee on Jan. 31, but had sought a delay in the Senate committee. He said the C.I.A. was under the impression that some senators wanted Mr. Shultz to

testify and that the agency sought to accommodate Mr. Shultz's schedule.

Mr. Simmons said Mr. Casey was told Feb. 27 that the committee wanted the briefing without delay whether or not Mr. Shultz was there.

The specific issue of harbor mining, Mr. Simmons said, was mentioned by Mr. Casey in the context of accomplishments of the Nicaraguan rebels. According to Mr. Simmons, Mr. Casey said mines had been laid in three harbors, but his comments were phrased in such a way that it seemed as if the rebels had done it by themselves.

Mr. Simmons said the committee had been told in 1983 that the rebels were being trained in minelaying and it was assumed that the mining of ports was a result of that training.

The March 8 briefing was, in fact, dominated by a dispute that had arisen a day earlier when it was disclosed that the Administration had asked the Senate Appropriations Committee to approve \$21 million in supplemental funds for Nicaragua, without first obtaining the intelligence committee's authorization. Mr. Shultz apologized for bypassing the Intelligence Committee.

On March 13, Mr. Casey met again with the committee and won its backing for the additional \$21 million, which was eventually approved by the Senate on April 5. Mr. Casey gave no further details on harbor mining.

The first indication the committee had that the mining involved not just Nicaraguans came March 30, Mr. Simmons said. Senator Claiborne Pell, Democrat of Rhode Island, who is not on the Intelligence Committee, but is the ranking minority member on the Foreign Relations Committee, had been disturbed by reports of ships being damaged by mines and asked the Intelligence Committee for information.

Gary J. Schmitt, the committee's minority staff director, passed on the request to the C.I.A. and, on March 30, received a letter that mentioned "unilaterally controlled Latino assets."

Mr. Simmons, who said he had worked for 10 years for the C.I.A., knew that this meant the United States was in charge of Latin Americans doing the mining.

That letter led Mr. Schmitt to seek a full staff briefing on April 2, Mr. Simmons said, and this resulted in the disclosures about a C.I.A.-leased ship, carrying Americans, that was transferring mines to speedboats operated by non-Nicaraguan Latin Americans working for the agency.

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3 June 1983

Stan:

Attached are (1) San Jose Declaration; (2) a "full reciprocity" legislative proposal and (3) H.R. 2760, as reported by HPSCI.



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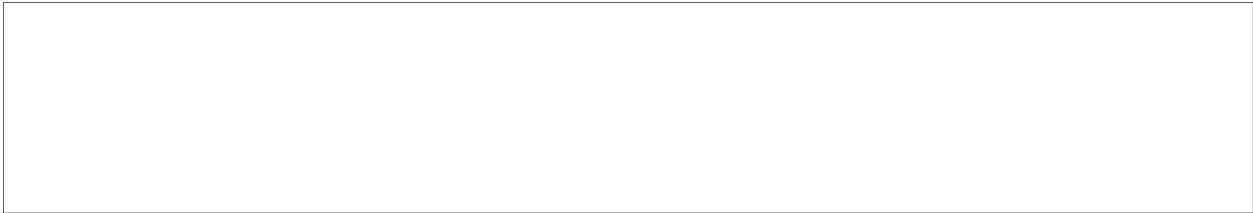
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E.O. 12356: DECL: OADR
TAGS: PEPR, XL, XK
SUBJECT: ENGLISH TRANSLATION OF SAN JOSE FINAL ACT

REF: SAN JOSE 6744

1. THERE FOLLOWS OUR TRANSLATION OF THE FINAL ACT OF THE OCTOBER 4 SAN JOSE MEETING OF STATES INTERESTED IN PROMOTING DEMOCRACY IN CENTRAL AMERICA AND THE CARIBBEAN AT WHICH BELIZE AND JAMAICA WERE REPRESENTED. TO AVOID CIRCULATION OF MULTIPLE ENGLISH VERSIONS, WE SUGGEST YOU PASS OUR TRANSLATIONS AS A COURTESY TO MFA, ASAP.

BEGIN TEXT:

FINAL ACT OF THE MEETING OF FOREIGN MINISTERS OF COUNTRIES INTERESTED IN THE PROMOTION OF DEMOCRACY IN CENTRAL AMERICA AND THE CARIBBEAN

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE REPUBLICS OF BELIZE, COLOMBIA, EL SALVADOR, THE UNITED STATES OF AMERICA, HONDURAS, JAMAICA, AND COSTA RICA, AND THE OBSERVER REPRESENTATIVE OF THE GOVERNMENT OF THE DOMINICAN REPUBLIC, CONVINCED THAT DIRECT DIALOGUE AMONG DEMOCRATIC COUNTRIES IS THE APPROPRIATE WAY TO REVIEW THE SITUATION IN THEIR STATES AND, THEREFORE, TO SEARCH FOR SOLUTIONS TO COMMON PROBLEMS, MET IN SAN JOSE, ON OCTOBER 4, 1982, REPRESENTED AS FOLLOWS:

BELIZE

HIS EXCELLENCY GEORGE PRICE
PRIME MINISTER AND MINISTER OF FOREIGN AFFAIRS

COLOMBIA

HIS EXCELLENCY RODRIGO LLOREDA CAICEDO
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY CARLOS BORDA MENDOZA
AMBASSADOR OF COLOMBIA IN COSTA RICA

AMBASSADOR JULIO LONDONO
GENERAL SECRETARY OF THE MINISTRY OF FOREIGN AFFAIRS

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AMBASSADOR LUIS CARLOS VILLEGAS
UNDER SECRETARY FOR ECONOMIC AFFAIRS

MR. JULIO RIANO VELANDIA
DEPUTY CHIEF OF PROTOCOL

EL SALVADOR

HIS EXCELLENCY FIDEL CHAVEZ MENA
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY CARLOS MATAMOROS GUIROLA
AMBASSADOR OF EL SALVADOR IN COSTA RICA

HIS EXCELLENCY OSCAR CASTRO ARAUJO
DIRECTOR GENERAL OF FOREIGN POLICY

MR. ALVARO MENENDEZ LEAL
DIRECTOR GENERAL OF CULTURE AND COMMUNICATIONS

UNITED STATES OF AMERICA

HIS EXCELLENCY THOMAS O. ENDERS
ASSISTANT SECRETARY OF STATE FOR INTER-AMERICAN AFFAIRS

HIS EXCELLENCY FRANCIS MC NEIL
AMBASSADOR OF THE UNITED STATES IN COSTA RICA

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MR. ARTHUR GIESE
DEPUTY DIRECTOR, CENTRAL AMERICAN AFFAIRS

MR. RONALD GODARD
FIRST SECRETARY, EMBASSY OF THE UNITED STATES IN COSTA
RICA

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LEGAL ADVISER, DEPARTMENT OF STATE

MR. DONALD BARNES

HONDURAS

HIS EXCELLENCY EDGARDO PAZ BARNICA
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY RICARDO ARTURO PINEDA MILLA
AMBASSADOR ON SPECIAL MISSION

HIS EXCELLENCY JORGE ROMAN HERNANDEZ ALCERRO
AMBASSADOR ON SPECIAL MISSION

HIS EXCELLENCY HERMINIO PINEDA B.
CHARGE D'AFFAIRES A.I. OF HONDURAS IN COSTA RICA

JAMAICA

HIS EXCELLENCY NEVILLE GALLIMORE
MINISTER OF FOREIGN AFFAIRS AND FOREIGN TRADE

HIS EXCELLENCY LOUIS HERON BOOTHE
AMBASSADOR OF JAMAICA IN COSTA RICA

HIS EXCELLENCY NEVILLE CLARK
CONSUL GENERAL OF JAMAICA IN COSTA RICA

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MR. FERNANDO VOLIO JIMENEZ
MINISTER OF FOREIGN AFFAIRS AND WORSHIP

MR. EKHART PETERS SEEVERS
VICE MINISTER OF FOREIGN AFFAIRS AND WORSHIP

MR. ALVAR ANTILLON SALAZAR
SENIOR DIRECTOR GENERAL OF THE MINISTRY OF FOREIGN
AFFAIRS AND WORSHIP

DOMINICAN REPUBLIC

HIS EXCELLENCY JOSE MARCOS IGLESIAS INIGO
AMBASSADOR OF THE DOMINICAN REPUBLIC IN COSTA RICA

THE OPENING SESSION WAS HELD IN SAN JOSE AT 9:30 A.M.,
AND WAS ATTENDED BY THE PRESIDENT OF THE REPUBLIC OF
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IN ORDER TO HAVE A MODERATOR FOR THE DISCUSSIONS,
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VOLIO JIMENEZ, MINISTER OF FOREIGN AFFAIRS AND WORSHIP OF
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THE PARTICIPANTS AGREED ON THE FOLLOWING POINTS AS THE
FINAL RESULT OF THEIR DELIBERATIONS:

1. THEY EXPRESSED THEIR CONVICTION THAT IT IS THE
INELUDIBLE TASK OF GOVERNMENTS THAT HAVE BEEN LEGITIMIZED
BY THE WILL OF THE PEOPLE, EXPRESSED AT THE POLLS, TO
DEFEND, PROMOTE, AND DEVELOP A DEMOCRATIC REPRESENTATIVE,
PLURALISTIC, AND PARTICIPATORY SYSTEM, AND THAT THE TIME
HAS COME TO DEFINE THE CONDITIONS THAT WILL PERMIT THE
REESTABLISHMENT OF A LASTING AND STABLE PEACE IN CENTRAL
AMERICA;
2. THEY RECOGNIZED THE CHALLENGES FACING THE DEMOCRATIC
INSTITUTIONS OF OUR COUNTRIES, AND THE UNAVOIDABLE DUTY
TO FACE THEM FIRMLY;
3. THEY LIKewise RECOGNIZED THAT IT IS NECESSARY AND
DESIRABLE TO ESTABLISH ORGANIZATIONS TO HELP MAINTAIN AND
IMPROVE DEMOCRATIC INSTITUTIONS;
4. THEY NOTED THAT DEMOCRATIC INSTITUTIONS, IN ADDITION
TO SERVING AS A MEANS OF EXPRESSING THE SOVEREIGNTY OF
THE PEOPLE, SHOULD CONTRIBUTE TO THE STRENGTHENING OF
PEACE AND SOLIDARITY AMONG PEOPLES AND THE PROMOTION OF
ECONOMIC DEVELOPMENT, FREEDOM, AND SOCIAL JUSTICE;
5. THEY REAFFIRMED THE FUNDAMENTAL IMPORTANCE OF
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6. THEY STATED THAT THE MAINTENANCE OF PEACE AND
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FUNDAMENTAL VALUES OF HUMAN DIGNITY EMANATING FROM THE
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OF SOCIAL INJUSTICE;
7. THEY STRESSED THE NEED FOR THE PREVENTION AND
SOLUTION OF CONFLICTS BETWEEN STATES TO BE CHANNLED
THROUGH THE MECHANISMS FOR PEACEFUL SETTLEMENT RECOGNIZED
BY INTERNATIONAL LAW, AND EMPHASIZED THAT IT IS THE DUTY
OF GOVERNMENTS TO USE SUCH MECHANISMS AND, IF NECESSARY,
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Principles

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8. THEY NOTED THAT THE CURRENT WORLD ECONOMIC CRISIS PRODUCES PHENOMENA SUCH AS DISPROPORTIONATE FOREIGN INDEBTEDNESS, A DETERIORATION OF THE INTERNATIONAL FINANCIAL SYSTEM, AND AN INCREASING IMBALANCE IN THE TERMS OF TRADE AMONG STATES;

9. THEY CONSIDERED THAT SUCH PHENOMENA RESULT IN UNEMPLOYMENT, INFLATIONARY TRENDS, SERIOUS FINANCIAL PROBLEMS, AND POLITIGAL, ECONOMIC, AND SOCIAL CONFLICTS WHICH ARE EXPLOITED BY TOTALITARIANISM FOR THE PURPOSE OF DESTABILIZING THE DEMOCRATIC WAY OF LIFE AND GOVERNMENT;

10. THEY NOTED THE OBJECTIVE ENUNCIATED THIS YEAR BY THE CHIEFS OF STATE AND GOVERNMENT ON THE OCCASION OF THE INAUGURATION OF THE PRESIDENT OF HONDURAS, DR. ROBERTO SUAZO CORDOVA, ON JANUARY 27; OF THE PRESIDENT OF COSTA RICA, MR. LUIS ALBERTO MONGE, ON MAY 8; OF THE PRESIDENT OF COLOMBIA, DR. BELISARIO BETANCUR, ON AUGUST 7; OF THE PRESIDENT OF THE DOMINICAN REPUBLIC, DR. SALVADOR JORGE BLANCO, ON AUGUST 16; AND IN THE JOINT COMMUNIQUE OF THE PRESIDENTS OF COSTA RICA AND EL SALVADOR OF JUNE 17, OF THE PRESIDENTS OF HONDURAS AND-EL SALVADOR, OF JUNE 10, AND OF THE PRESIDENTS OF COSTA RICA AND PANAMA, OF SEPTEMBER 26, OF THIS SAME YEAR, AND THAT SUCH OBJECTIVES POINT TO THE ADOPTION OF MEASURES FOR THE ACHIEVEMENT OF PEACE, DEMOCRACY, SECURITY, DEVELOPMENT, FREEDOM, AND SOCIAL JUSTICE.

THEY THEREFORE DECLARE:

I. THEIR FAITH IN AND SUPPORT FOR THE PRINCIPLES OF REPRESENTATIVE, PLURALISTIC, AND PARTICIPATORY DEMOCRACY WHICH, WHEN PROPERLY UNDERSTOOD, CONSTITUTES A WAY OF LIFE, OF THINKING, AND OF ACTING WHICH CAN ACCOMMODATE WITHIN ITS SCOPE DIFFERENT SOCIAL AND ECONOMIC SYSTEMS AND STRUCTURES HAVING A COMMON DENOMINATOR, WHICH IS RESPECT FOR LIFE, FOR THE SECURITY OF THE INDIVIDUAL, FOR FREEDOM OF THOUGHT, AND FOR FREEDOM OF THE PRESS, AS WELL AS THE RIGHT TO WORK AND TO RECEIVE PROPER REMUNERATION, THE RIGHT TO FAIR LIVING CONDITIONS, TO THE FREE EXERCISE OF SUFFRAGE, AND OF OTHER HUMAN, CIVIL, POLITICAL, ECONOMIC, SOCIAL, AND CULTURAL RIGHTS.

II. THEIR CONCERN ABOUT THE SERIOUS DETERIORATION OF THE CONDITIONS OF THE PRESENT INTERNATIONAL ECONOMIC ORDER AND INTERNATIONAL FINANCIAL SYSTEM, WHICH GIVES RISE TO A PROCESS OF DESTABILIZATION, ANGUISH, AND FEAR, AFFECTING, IN PARTICULAR, THOSE COUNTRIES THAT HAVE A DEMOCRATIC SYSTEM OF GOVERNMENT. IN THIS REGARD, THEY APPEAL TO THE INDUSTRIALIZED DEMOCRATIC COUNTRIES TO STEP UP THEIR COOPERATION WITH THE DEMOCRATIC COUNTRIES OF THE AREA BY IMPLEMENTING BOLD AND EFFECTIVE INITIATIVES TO STRENGTHEN THE RECOVERY AND ECONOMIC AND SOCIAL DEVELOPMENT EFFORTS OF THE VARIOUS INTERESTED COUNTRIES IN THE AREA. AS PART OF THIS COOPERATION, THE INITIATIVE OF THE PRESIDENT OF THE UNITED STATES OF AMERICA WITH REGARD TO THE CARIBBEAN BASIN IS ESPECIALLY URGENT AND SHOULD BE ENCOURAGED AND FULLY IMPLEMENTED AS SOON AS POSSIBLE. LIKEWISE, THOSE PRESENT RECOGNIZE THE ECONOMIC COOPERATION AND ASSISTANCE EFFORTS UNDERTAKEN BY THE GOVERNMENTS OF THE NASSAU GROUP: CANADA, COLOMBIA, MEXICO, THE UNITED STATES, AND VENEZUELA.

THEY SUPPORT CURRENT EFFORTS TOWARDS SUBREGIONAL ECONOMIC INTEGRATION, INCLUDING THE CENTRAL AMERICAN COMMON MARKET AND THE CARIBBEAN COMMUNITY AND POINT OUT THE URGENCY OF UPDATING AND IMPROVING THOSE INTEGRATION PROCESSES WHICH ARE NOW IN TROUBLE IN ORDER TO PLACE THEM IN AN APPROPRIATE POLITICAL, ECONOMIC, JURIDICAL, AND

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III. THEIR CONVICTION THAT, IN ORDER TO PROMOTE REGIONAL PEACE AND STABILITY, IT IS NECESSARY TO SUPPORT DOMESTIC POLITICAL UNDERSTANDINGS THAT WILL LEAD TO THE ESTABLISHMENT OF DEMOCRATIC, PLURALISTIC, AND

PARTICIPATORY SYSTEMS; TO THE ESTABLISHMENT OF MECHANISMS FOR A CONTINUING MULTILATERAL DIALOGUE; TO ABSOLUTE RESPECT FOR DELIMITED AND DEMARCATED BORDERS, IN ACCORDANCE WITH EXISTING TREATIES, COMPLIANCE WITH WHICH IS THE PROPER WAY TO PREVENT BORDER DISPUTES AND INCIDENTS, OBSERVING, WHENEVER APPLICABLE, TRADITIONAL LINES OF JURISDICTION; TO RESPECT FOR THE INDEPENDENCE AND TERRITORIAL INTEGRITY OF STATES; TO THE REJECTION OF THREATS OR THE USE OF FORCE TO SETTLE CONFLICTS; TO A HALT TO THE ARMS RACE; AND TO THE ELIMINATION, ON THE BASIS OF FULL AND EFFECTIVE RECIPROCITY, OF THE EXTERNAL FACTORS WHICH HAMPER THE CONSOLIDATION OF A STABLE AND LASTING PEACE.

IN ORDER TO ATTAIN THESE OBJECTIVES, IT IS ESSENTIAL THAT EVERY COUNTRY WITHIN AND WITHOUT THE REGION TAKE THE FOLLOWING ACTIONS:

A) CREATE AND MAINTAIN TRULY DEMOCRATIC GOVERNMENT INSTITUTIONS, BASED ON THE WILL OF THE PEOPLE AS EXPRESSED IN FREE AND REGULAR ELECTIONS, AND FOUNDED ON THE PRINCIPLE THAT GOVERNMENT IS RESPONSIBLE TO THE PEOPLE GOVERNED;

B) RESPECT HUMAN RIGHTS, ESPECIALLY THE RIGHT TO LIFE AND TO PERSONAL INTEGRITY, AND THE FUNDAMENTAL FREEDOMS, SUCH AS FREEDOM OF SPEECH, FREEDOM OF ASSEMBLY, AND RELIGIOUS FREEDOM, AS WELL AS THE RIGHT TO ORGANIZE POLITICAL PARTIES, LABOR UNIONS, AND OTHER GROUPS AND ASSOCIATIONS;

C) PROMOTE NATIONAL RECONCILIATION WHERE THERE HAVE BEEN DEEP DIVISIONS IN SOCIETY THROUGH THE BROADENING OF OPPORTUNITIES FOR PARTICIPATION WITHIN THE FRAMEWORK OF DEMOCRATIC PROCESSES AND INSTITUTIONS;

D) RESPECT THE PRINCIPLE OF NONINTERVENTION IN THE INTERNAL AFFAIRS OF STATES, AND THE RIGHT OF PEOPLES TO SELFDETERMINATION;

E) PREVENT THE USE OF THEIR TERRITORIES FOR THE SUPPORT, SUPPLY, TRAINING, OR COMMAND OF TERRORIST OR SUBVERSIVE ELEMENTS IN OTHER STATES, END ALL TRAFFIC IN ARMS AND SUPPLIES, AND REFRAIN FROM PROVIDING ANY DIRECT OR INDIRECT ASSISTANCE TO TERRORIST, SUBVERSIVE, OR OTHER ACTIVITIES AIMED AT THE VIOLENT OVERTHROW OF THE GOVERNMENTS OF OTHER STATES;

F) LIMIT ARMS AND THE SIZE OF MILITARY AND SECURITY

FORCES TO THE LEVELS THAT ARE STRICTLY NECESSARY FOR THE MAINTENANCE OF PUBLIC ORDER AND NATIONAL DEFENSE;

G) PROVIDE FOR INTERNATIONAL SURVEILLANCE AND SUPERVISION OF ALL PORTS OF ENTRY, BORDERS, AND OTHER STRATEGIC AREAS UNDER RECIPROCAL AND FULLY VERIFIABLE ARRANGEMENTS;

H) ON THE BASIS OF FULL AND EFFECTIVE RECIPROCITY, WITHDRAW ALL FOREIGN MILITARY AND SECURITY ADVISERS AND FORCES FROM THE CENTRAL AMERICAN AREA, AND BAN THE IMPORTATION OF HEAVY WEAPONS OF MANIFEST OFFENSIVE

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CAPABILITY THROUGH GUARANTEED MEANS OF VERIFICATION.

THE PRECEDING ACTIONS REPRESENT THE ESSENTIAL FRAMEWORK THAT MUST BE ESTABLISHED IN EACH STATE IN ORDER TO PROMOTE REGIONAL PEACE AND STABILITY;

THE SIGNING COUNTRIES CALL ON ALL THE PEOPLES AND GOVERNMENTS OF THE REGION TO EMBRACE AND IMPLEMENT THESE PRINCIPLES AND CONDITIONS AS THE BASIS FOR THE IMPROVEMENT OF DEMOCRACY AND THE BUILDING OF A LASTING PEACE.

THEY NOTE WITH SATISFACTION THE EFFORTS BEING MADE IN THAT DIRECTION, AND DEEM THAT THE ACHIEVEMENT OF THESE OBJECTIVES MAY BE REACHED MORE FULLY THROUGH THE REESTABLISHMENT OF THE RULE OF LAW AND THE ORGANIZATION OF ELECTION PROCESSES THAT WILL GUARANTEE FULL PARTICIPATION OF THE PEOPLE, WITHOUT ANY DISCRIMINATION WHATSOEVER.

THEY RESOLVE:

IV. TO CREATE A DEMOCRATIC ORGANIZATION TO PROVIDE DEVELOPMENT ASSISTANCE AND ADVISORY SERVICES FOR ELECTIONS, THE PURPOSE OF WHICH ORGANIZATION WILL BE TO MAINTAIN THE ELECTORAL SYSTEM AND TO DEVELOP, STRENGTHEN, AND STIMULATE ITS UTILIZATION IN THE INTERAMERICAN AREA, PROVIDING ADVICE TO COUNTRIES THAT REQUEST IT ABOUT ITS PRACTICE AND IMPLEMENTATION. THE ORGANIZATION WILL OPERATE EITHER AUTONOMOUSLY, SPONSORED BY THE COUNTRIES REPRESENTED IN THE MEETING AND BY OTHER INTERESTED COUNTRIES, OR AS A SECTION OR BRANCH OF THE INTERAMERICAN INSTITUTE OF HUMAN RIGHTS, SINCE SUFFRAGE IS AN ESSENTIAL PART OF THE THEORY AND PRACTICE OF HUMAN RIGHTS.

TO REQUEST THE MINISTER OF FOREIGN AFFAIRS AND WORSHIP OF COSTA RICA, MR. FERNANDO VOLIO FERNANDEZ, TO PREPARE AN

APPROPRIATE DOCUMENT, CONTAINING THE COMMENTS OF THE PARTICIPANTS IN THIS MEETING AND OF REPRESENTATIVES OF OTHER DEMOCRATIC COUNTRIES AND TO CIRCULATE IT AMONG THEM AND IMPLEMENT IT AS SOON AS POSSIBLE.

V. LASTLY, THEY AGREE TO PARTICIPATE IN A FORUM FOR PEACE AND DEMOCRACY, THE PURPOSE OF WHICH WILL BE TO CONTRIBUTE TO THE IMPLEMENTATION OF THE ACTIONS AND THE ATTAINMENT OF THE OBJECTIVES CONTAINED IN THIS DOCUMENT, AND, WITHIN THE FRAMEWORK OF THIS DECLARATION, TO STUDY THE REGIONAL CRISIS AND ANALYZE THE VARIOUS PEACE PROPOSALS OR INITIATIVES AIMED AT SOLVING IT. THE FORUM MAY BE BROADENED BY THE INCLUSION OF THE COLLABORATION OF OTHER DEMOCRATIC STATES.

THE FORUM MAY ENTRUST SPECIFIC TASKS TO REPRESENTATIVES OF GIVEN PARTICIPATING COUNTRIES, WHO WILL REPORT ON THE RESULTS, AND WILL TRANSMIT THE FINAL ACT OF THIS MEETING, SO THAT COMMENTS AND OPINIONS DEEMED ADVISABLE, MAY BE PRESENTED TO THE FORUM.

THE REPRESENTATIVES REQUESTED THE MINISTER OF FOREIGN AFFAIRS AND WORSHIP OF COSTA RICA, ON BEHALF OF THE PARTICIPATING GOVERNMENTS, TO TRANSMIT THIS DECLARATION TO THE GOVERNMENTS OF THE REGION AND OTHER INTERESTED GOVERNMENTS, AND TO OBTAIN THEIR VIEWS ON THE PRINCIPLES AND CONDITIONS FOR PEACE THAT IT CONTAINS. THEY AGREED TO CONVENE A NEW MEETING AS SOON AS POSSIBLE, IN ORDER TO EVALUATE THE DEVELOPMENT OF THE OBJECTIVES OF THE DECLARATION.

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VII. THE PLENARY SESSION OF THIS MEETING OF FOREIGN MINISTERS NOTED WITH PLEASURE THE PRESENCE OF PANAMA AND THE DOMINICAN REPUBLIC AS OBSERVERS.

THE REPRESENTATIVES EXPRESSED THEIR APPRECIATION TO THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA FOR THE COURTESIES IT EXTENDED TO THEM, WHICH MADE POSSIBLE THE SUCCESSFUL COMPLETION OF THEIR DELIBERATIONS.

SIGNED AT SAN JOSE, REPUBLIC OF COSTA RICA, ON OCTOBER 4, 1982.

FOR BELIZE

FOR COLOMBIA

FOR EL SALVADOR

FOR THE UNITED STATES OF AMERICA

FOR HONDURAS

FOR JAMAICA

FOR COSTA RICA
TRUE COPY OF THE ORIGINAL.

ALVAR ANTILLON S.
DIRECTOR GENERAL OF THE MINISTRY OF FOREIGN AFFAIRS AND
WORSHIP OF COSTA RICA

FOR THE DOMINICAN REPUBLIC DAM

END OF MESSAGE

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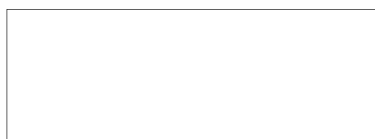
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Stan:

Attached are (1) San Jose Declaration; (2) a "full reciprocity" legislative proposal and (3) H.R. 2760, as reported by HPSCI.



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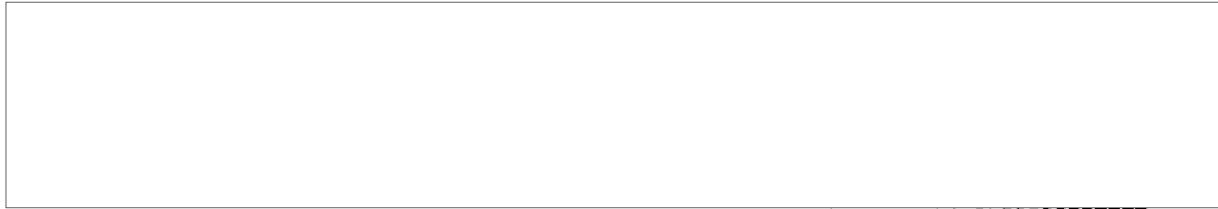
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E.O. 12356: DECL: OADR
TAGS: PEPR, XL, XK
SUBJECT: ENGLISH TRANSLATION OF SAN JOSE FINAL ACT
REF: SAN JOSE 6744

1. THERE FOLLOWS OUR TRANSLATION OF THE FINAL ACT OF THE OCTOBER 4 SAN JOSE MEETING OF STATES INTERESTED IN PROMOTING DEMOCRACY IN CENTRAL AMERICA AND THE CARIBBEAN AT WHICH BELIZE AND JAMAICA WERE REPRESENTED. TO AVOID CIRCULATION OF MULTIPLE ENGLISH VERSIONS, WE SUGGEST YOU PASS OUR TRANSLATIONS AS A COURTESY TO MFA, ASAP.

BEGIN TEXT:

FINAL ACT OF THE MEETING OF FOREIGN MINISTERS OF COUNTRIES INTERESTED IN THE PROMOTION OF DEMOCRACY IN CENTRAL AMERICA AND THE CARIBBEAN

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE REPUBLICS OF BELIZE, COLOMBIA, EL SALVADOR, THE UNITED STATES OF AMERICA, HONDURAS, JAMAICA, AND COSTA RICA, AND THE OBSERVER REPRESENTATIVE OF THE GOVERNMENT OF THE DOMINICAN REPUBLIC, CONVINCED THAT DIRECT DIALOGUE AMONG DEMOCRATIC COUNTRIES IS THE APPROPRIATE WAY TO REVIEW THE SITUATION IN THEIR STATES AND, THEREFORE, TO SEARCH FOR SOLUTIONS TO COMMON PROBLEMS, MET IN SAN JOSE, ON OCTOBER 4, 1982, REPRESENTED AS FOLLOWS:

BELIZE

HIS EXCELLENCY GEORGE PRICE
PRIME MINISTER AND MINISTER OF FOREIGN AFFAIRS

COLOMBIA

HIS EXCELLENCY RODRIGO LLOREDA CAICEDO
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY CARLOS BORDA WENDOZA
AMBASSADOR OF COLOMBIA IN COSTA RICA

AMBASSADOR JULIO LONONO
GENERAL SECRETARY OF THE MINISTRY OF FOREIGN AFFAIRS

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AMBASSADOR LUIS CARLOS VILLEGAS
UNDER SECRETARY FOR ECONOMIC AFFAIRS

MR. JULIO RIANO VELANDIA
DEPUTY CHIEF OF PROTOCOL

EL SALVADOR

HIS EXCELLENCY FIDEL CHAVEZ MENA
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY CARLOS MATAMOROS GUIROLA
AMBASSADOR OF EL SALVADOR IN COSTA RICA

HIS EXCELLENCY OSCAR CASTRO ARAUJO
DIRECTOR GENERAL OF FOREIGN POLICY

MR. ALVARO MENENDEZ LEAL
DIRECTOR GENERAL OF CULTURE AND COMMUNICATIONS

UNITED STATES OF AMERICA

HIS EXCELLENCY THOMAS D. ENDERS
ASSISTANT SECRETARY OF STATE FOR INTER-AMERICAN AFFAIRS

HIS EXCELLENCY FRANCIS MC NEIL
AMBASSADOR OF THE UNITED STATES IN COSTA RICA

ADVISERS

MR. ARTHUR GIESE
DEPUTY DIRECTOR, CENTRAL AMERICAN AFFAIRS

MR. RONALD GODARD
FIRST SECRETARY, EMBASSY OF THE UNITED STATES IN COSTA
RICA

MR. SCOTT GUDGEON
LEGAL ADVISER, DEPARTMENT OF STATE

MR. DONALD BARNES

HONDURAS

HIS EXCELLENCY EDGARDO PAZ BARNICA
MINISTER OF FOREIGN AFFAIRS

HIS EXCELLENCY RICARDO ARTURO PINEDA MILLA
AMBASSADOR ON SPECIAL MISSION

HIS EXCELLENCY JORGE ROMAN HERNANDEZ ALCERRO
AMBASSADOR ON SPECIAL MISSION

HIS EXCELLENCY HERMINIO PINEDA B.
CHARGE D'AFFAIRES A.I. OF HONDURAS IN COSTA RICA

JAMAICA

HIS EXCELLENCY NEVILLE GALLIMORE
MINISTER OF FOREIGN AFFAIRS AND FOREIGN TRADE

HIS EXCELLENCY LOUIS HERON BOOTHE
AMBASSADOR OF JAMAICA IN COSTA RICA

HIS EXCELLENCY NEVILLE CLARK
CONSUL GENERAL OF JAMAICA IN COSTA RICA

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MR. FERNANDO VOLIO JIMENEZ
MINISTER OF FOREIGN AFFAIRS AND WORSHIP

MR. EKHART PETERS SEEVERS
VICE MINISTER OF FOREIGN AFFAIRS AND WORSHIP

MR. ALVAR ANTILLON SALAZAR
SENIOR DIRECTOR GENERAL OF THE MINISTRY OF FOREIGN
AFFAIRS AND WORSHIP

DOMINICAN REPUBLIC

HIS EXCELLENCY JOSE MARCOS IGLESIAS INIGO
AMBASSADOR OF THE DOMINICAN REPUBLIC IN COSTA RICA

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INSTITUTIONAL FRAMEWORK.

III. THEIR CONVICTION THAT, IN ORDER TO PROMOTE REGIONAL PEACE AND STABILITY, IT IS NECESSARY TO SUPPORT DOMESTIC POLITICAL UNDERSTANDINGS THAT WILL LEAD TO THE ESTABLISHMENT OF DEMOCRATIC, PLURALISTIC, AND

PARTICIPATORY SYSTEMS; TO THE ESTABLISHMENT OF MECHANISMS FOR A CONTINUING MULTILATERAL DIALOGUE; TO ABSOLUTE RESPECT FOR DELIMITED AND DEMARCATED BORDERS, IN ACCORDANCE WITH EXISTING TREATIES, COMPLIANCE WITH WHICH IS THE PROPER WAY TO PREVENT BORDER DISPUTES AND INCIDENTS, OBSERVING, WHENEVER APPLICABLE, TRADITIONAL LINES OF JURISDICTION; TO RESPECT FOR THE INDEPENDENCE AND TERRITORIAL INTEGRITY OF STATES; TO THE REJECTION OF THREATS OR THE USE OF FORCE TO SETTLE CONFLICTS; TO A HALT TO THE ARMS RACE; AND TO THE ELIMINATION, ON THE BASIS OF FULL AND EFFECTIVE RECIPROCITY, OF THE EXTERNAL FACTORS WHICH HAMPER THE CONSOLIDATION OF A STABLE AND LASTING PEACE.

IN ORDER TO ATTAIN THESE OBJECTIVES, IT IS ESSENTIAL THAT EVERY COUNTRY WITHIN AND WITHOUT THE REGION TAKE THE FOLLOWING ACTIONS:

A) CREATE AND MAINTAIN TRULY DEMOCRATIC GOVERNMENT INSTITUTIONS, BASED ON THE WILL OF THE PEOPLE AS EXPRESSED IN FREE AND REGULAR ELECTIONS, AND FOUNDED ON THE PRINCIPLE THAT GOVERNMENT IS RESPONSIBLE TO THE PEOPLE GOVERNED;

B) RESPECT HUMAN RIGHTS, ESPECIALLY THE RIGHT TO LIFE AND TO PERSONAL INTEGRITY, AND THE FUNDAMENTAL FREEDOMS, SUCH AS FREEDOM OF SPEECH, FREEDOM OF ASSEMBLY, AND RELIGIOUS FREEDOM, AS WELL AS THE RIGHT TO ORGANIZE POLITICAL PARTIES, LABOR UNIONS, AND OTHER GROUPS AND ASSOCIATIONS;

C) PROMOTE NATIONAL RECONCILIATION WHERE THERE HAVE BEEN DEEP DIVISIONS IN SOCIETY THROUGH THE BROADENING OF OPPORTUNITIES FOR PARTICIPATION WITHIN THE FRAMEWORK OF DEMOCRATIC PROCESSES AND INSTITUTIONS;

D) RESPECT THE PRINCIPLE OF NONINTERVENTION IN THE INTERNAL AFFAIRS OF STATES, AND THE RIGHT OF PEOPLES TO SELFDETERMINATION;

E) PREVENT THE USE OF THEIR TERRITORIES FOR THE SUPPORT, SUPPLY, TRAINING, OR COMMAND OF TERRORIST OR SUBVERSIVE ELEMENTS IN OTHER STATES, END ALL TRAFFIC IN ARMS AND SUPPLIES, AND REFRAIN FROM PROVIDING ANY DIRECT OR INDIRECT ASSISTANCE TO TERRORIST, SUBVERSIVE, OR OTHER ACTIVITIES AIMED AT THE VIOLENT OVERTHROW OF THE GOVERNMENTS OF OTHER STATES;

F) LIMIT ARMS AND THE SIZE OF MILITARY AND SECURITY

FORCES TO THE LEVELS THAT ARE STRICTLY NECESSARY FOR THE MAINTENANCE OF PUBLIC ORDER AND NATIONAL DEFENSE;

G) PROVIDE FOR INTERNATIONAL SURVEILLANCE AND SUPERVISION OF ALL PORTS OF ENTRY, BORDERS, AND OTHER STRATEGIC AREAS UNDER RECIPROCAL AND FULLY VERIFIABLE ARRANGEMENTS;

H) ON THE BASIS OF FULL AND EFFECTIVE RECIPROCITY, WITHDRAW ALL FOREIGN MILITARY AND SECURITY ADVISERS AND FORCES FROM THE CENTRAL AMERICAN AREA, AND BAN THE IMPORTATION OF HEAVY WEAPONS OF MANIFEST OFFENSIVE

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CAPABILITY THROUGH GUARANTEED MEANS OF VERIFICATION.

THE PRECEDING ACTIONS REPRESENT THE ESSENTIAL FRAMEWORK THAT MUST BE ESTABLISHED IN EACH STATE IN ORDER TO PROMOTE REGIONAL PEACE AND STABILITY;

THE SIGNING COUNTRIES CALL ON ALL THE PEOPLES AND GOVERNMENTS OF THE REGION TO EMBRACE AND IMPLEMENT THESE PRINCIPLES AND CONDITIONS AS THE BASIS FOR THE IMPROVEMENT OF DEMOCRACY AND THE BUILDING OF A LASTING PEACE.

THEY NOTE WITH SATISFACTION THE EFFORTS BEING MADE IN THAT DIRECTION, AND DEEM THAT THE ACHIEVEMENT OF THESE OBJECTIVES MAY BE REACHED MORE FULLY THROUGH THE REESTABLISHMENT OF THE RULE OF LAW AND THE ORGANIZATION OF ELECTION PROCESSES THAT WILL GUARANTEE FULL PARTICIPATION OF THE PEOPLE, WITHOUT ANY DISCRIMINATION WHATSOEVER.

THEY RESOLVE:

IV. TO CREATE A DEMOCRATIC ORGANIZATION TO PROVIDE DEVELOPMENT ASSISTANCE AND ADVISORY SERVICES FOR ELECTIONS, THE PURPOSE OF WHICH ORGANIZATION WILL BE TO MAINTAIN THE ELECTORAL SYSTEM AND TO DEVELOP, STRENGTHEN, AND STIMULATE ITS UTILIZATION IN THE INTERAMERICAN AREA, PROVIDING ADVICE TO COUNTRIES THAT REQUEST IT ABOUT ITS PRACTICE AND IMPLEMENTATION. THE ORGANIZATION WILL OPERATE EITHER AUTONOMOUSLY, SPONSORED BY THE COUNTRIES REPRESENTED IN THE MEETING AND BY OTHER INTERESTED COUNTRIES, OR AS A SECTION OR BRANCH OF THE INTERAMERICAN INSTITUTE OF HUMAN RIGHTS, SINCE SUFFRAGE IS AN ESSENTIAL PART OF THE THEORY AND PRACTICE OF HUMAN RIGHTS.

TO REQUEST THE MINISTER OF FOREIGN AFFAIRS AND WORSHIP OF COSTA RICA, MR. FERNANDO VOLIO FERNANDEZ, TO PREPARE AN

APPROPRIATE DOCUMENT, CONTAINING THE COMMENTS OF THE PARTICIPANTS IN THIS MEETING AND OF REPRESENTATIVES OF OTHER DEMOCRATIC COUNTRIES AND TO CIRCULATE IT AMONG THEM AND IMPLEMENT IT AS SOON AS POSSIBLE.

V. LASTLY, THEY AGREE TO PARTICIPATE IN A FORUM FOR PEACE AND DEMOCRACY, THE PURPOSE OF WHICH WILL BE TO CONTRIBUTE TO THE IMPLEMENTATION OF THE ACTIONS AND THE ATTAINMENT OF THE OBJECTIVES CONTAINED IN THIS DOCUMENT, AND, WITHIN THE FRAMEWORK OF THIS DECLARATION, TO STUDY THE REGIONAL CRISIS AND ANALYZE THE VARIOUS PEACE PROPOSALS OR INITIATIVES AIMED AT SOLVING IT. THE FORUM MAY BE BROADENED BY THE INCLUSION OF THE COLLABORATION OF OTHER DEMOCRATIC STATES.

THE FORUM MAY ENTRUST SPECIFIC TASKS TO REPRESENTATIVES OF GIVEN PARTICIPATING COUNTRIES, WHO WILL REPORT ON THE RESULTS, AND WILL TRANSMIT THE FINAL ACT OF THIS MEETING, SO THAT COMMENTS AND OPINIONS DEEMED ADVISABLE, MAY BE PRESENTED TO THE FORUM.

THE REPRESENTATIVES REQUESTED THE MINISTER OF FOREIGN AFFAIRS AND WORSHIP OF COSTA RICA, ON BEHALF OF THE PARTICIPATING GOVERNMENTS, TO TRANSMIT THIS DECLARATION TO THE GOVERNMENTS OF THE REGION AND OTHER INTERESTED GOVERNMENTS, AND TO OBTAIN THEIR VIEWS ON THE PRINCIPLES AND CONDITIONS FOR PEACE THAT IT CONTAINS. THEY AGREED TO CONVENE A NEW MEETING AS SOON AS POSSIBLE, IN ORDER TO EVALUATE THE DEVELOPMENT OF THE OBJECTIVES OF THE DECLARATION.

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VII. THE PLENARY SESSION OF THIS MEETING OF FOREIGN
MINISTERS NOTED WITH PLEASURE THE PRESENCE OF PANAMA AND
THE DOMINICAN REPUBLIC AS OBSERVERS.

THE REPRESENTATIVES EXPRESSED THEIR APPRECIATION TO THE
GOVERNMENT OF THE REPUBLIC OF COSTA RICA FOR THE
COURTESIES IT EXTENDED TO THEM, WHICH MADE POSSIBLE THE
SUCCESSFUL COMPLETION OF THEIR DELIBERATIONS.

SIGNED AT SAN JOSE, REPUBLIC OF COSTA RICA, ON OCTOBER 4,
1982.

FOR BELIZE

FOR COLOMBIA

FOR EL SALVADOR

FOR THE UNITED STATES OF AMERICA

FOR HONDURAS

FOR JAMAICA

FOR COSTA RICA
TRUE COPY OF THE ORIGINAL.

ALVAR ANTILLON S.
DIRECTOR GENERAL OF THE MINISTRY OF FOREIGN AFFAIRS AND
WORSHIP OF COSTA RICA

FOR THE DOMINICAN REPUBLIC DAM

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