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 FROM : TEGUCIGALPA
 DATE: Feb. 9, 1968
 SUBJECT : "Unequal" Treaties
 REF : CA-4944
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According to informed Honduran legal circles, there are no treaties considered defective because of the considerations outlined in the referenced airgram.

A former Foreign Minister who is now the President of the Interstatal Study Commission for Honduras in its boundary negotiations with El Salvador, stated that there is some controversy among Honduran international lawyers regarding the validity of the Villeda Morales-Cordon Agreement, but this difference of opinion revolves about the effective date of the treaty and is not pertinent to the considerations set out in the referenced airgram. However, in view of the Department's special interest in boundary treaties a brief resumé of our understanding of the treaty and the controversy follows.

In 1962, President VILLEDA Morales of Honduras and President CORDON of El Salvador signed a treaty which provided as follows:

- 1) The Government of Honduras and El Salvador pledge that differences regarding the boundary line between the two countries will be dealt with by direct negotiations between the parties.
- 2) In order to accomplish this objective each government will name an Interstatal Study Commission. These two study commissions will form a Mixed Border Commission.

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- 3) If no action is taken the treaty will expire in five years.

The controversy centers around whether the date of signing or the date of ratification is determining. If it is the date of signing, 1962, then neither Honduras or El Salvador is obliged to follow the procedures outlined in the Villeda-Cordon Agreement; if, on the other hand, it is the date of deposit, 1963, the treaty is still valid.

Negotiations are now underway under the Villeda-Cordon Treaty and neither El Salvador nor Honduras has raised the question of the Treaty's validity.

A handwritten signature in black ink, consisting of several overlapping, stylized lines that form a unique, somewhat abstract shape. The signature is positioned above the printed name 'JOVA'.

JOVA

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