

No. 24843

**NICARAGUA
and
COSTA RICA**

**Pact of Amity (with annex). Signed at Washington on
21 February 1949**

Authentic text: Spanish.

Registered by Nicaragua on 1 July 1987.

**NICARAGUA
et
COSTA RICA**

**Pacte d'amitié (avec annexe). Signé à Washington le 21 fé-
vrier 1949**

Texte authentique : espagnol.

Enregistré par le Nicaragua le 1^{er} juillet 1987.

[TRANSLATION — TRADUCTION]

PACT¹ OF AMITY BETWEEN THE GOVERNMENTS OF THE REPUBLICS OF COSTA RICA AND NICARAGUA

The Governments of the Republics of Costa Rica and Nicaragua, having taken the measures necessary to carry out, faithfully and in full, each and every one of the provisions contained in the Resolution of the Provisional Organ of Consultation approved on December 24, 1948, the text of which is annexed to the present Pact of Amity, and is fully accepted by the signatory Governments, reiterating their firm resolve to continue taking all measures necessary, without restriction, to observe fully and faithfully each and all of the provisions and recommendations contained in the said Resolution; desiring to put an end to the situation that has arisen between the two States, and at the same time solemnly to reaffirm their desire to maintain the closest friendship and to strengthen the fraternal bonds which have historically characterized their relations; and wishing to avail themselves of the offer made to them by the Council of the Organization of American States, acting as a Provisional Organ of Consultation, of its good offices in attaining this objective, have agreed to enter into the present Pact of Amity in the presence of the Chairman and other Members of the Council. To this end, His Excellency the President of the Government of Costa Rica, Don José Figueres, and His Excellency the President of Nicaragua, Dr. Víctor M. Román y Reyes, have designated the following Plenipotentiaries:

For the Republic of Costa Rica: His Excellency Ambassador Mario A. Esquivel, Representative of Costa Rica on the Council of the Organization of American States;
For the Republic of Nicaragua: His Excellency Ambassador Dr. Guillermo Sevilla Sacasa, Representative of Nicaragua on the Council of the Organization of American States;
who having exhibited their respective full powers, found in good and due form, agree to sign the present Pact.

I

The Governments of Costa Rica and Nicaragua both affirm that the events brought before the Council of the Organization of American States, acting as a Provisional Organ of Consultation, should not break the fraternal friendship of the two peoples, manifested in their common history and based on the solidarity which binds together the nations of the Hemisphere.

II

The Governments of Costa Rica and Nicaragua agree to prevent the repetition in the future of events of this nature, through the constant application by both Governments of effective measures for the safeguarding of the principles of non-intervention and continental solidarity, as well as for the faithful observance of the treaties, conventions and other inter-American instruments intended to ensure peace and good neighbourliness.

III

The Governments of Costa Rica and Nicaragua recognize the existing obligation of each of them, under the Inter-American Treaty of Reciprocal Assistance of Rio de

¹ Came into force on 15 July 1949 by the exchange of the instruments of ratification, which took place at Washington, in accordance with paragraph VII.

Janeiro¹ and under Article 20 of the Charter of the Organization of American States,² to submit disputes that may arise between them to the methods for the peaceful settlement of international conflicts.

In order to carry out this high purpose, both Governments agree to apply the American Treaty on Pacific Settlement, known as the Pact of Bogotá³ recognizing that Treaty as having full validity as to disputes between them even before it is formally ratified and enters in consequence into effect between all the American Republics.

IV

The Governments of Costa Rica and Nicaragua likewise undertake to reach an agreement as to the best manner of putting into practice the provisions of the Convention concerning the Duties and Rights of States in the Event of Civil Strife,⁴ in cases contemplated by that Convention, so that it may be applied immediately whenever a situation of this kind arises, in the manner provided for in the said agreement, especially with respect to measures for the control and supervision of frontiers, as well as with respect to any other measure intended to prevent the organization or existence of any revolutionary movement against the Government of either of the two Parties in the territory of the other.

V

The Governments of Costa Rica and Nicaragua acknowledge and applaud the action of the Council of the Organization of American States, constituted as a Provisional Organ of Consultation, which has culminated in the present Pact reaffirming the fraternal relations between Costa Rica and Nicaragua.

VI

The Pan American Union shall transmit authentic certified copies of the original of the present Pact to the Signatory Governments, to the other Governments of the States members of the Organization, and to the Secretary-General of the United Nations.

VII

The present Pact shall be ratified and shall enter into force when the ratifications are deposited with the Pan American Union, which shall communicate each deposit to the other Signatory State. Such notification shall be considered as an exchange of ratifications.

IN WITNESS WHEREOF, the Plenipotentiaries above mentioned sign and seal the present Pact at the Pan American Union, in the presence of the Chairman and other Members of the Council of the Organization of American States, in the City of Washington, D.C., this 21st day of February, 1949.

For Costa Rica:

MARIO A. ESQUIVEL

For Nicaragua:

GUILLERMO SEVILLA SACASA

¹ United Nations, *Treaty Series*, vol. 21, p. 77.

² *Ibid.*, vol. 119, p. 3.

³ *Ibid.*, vol. 30, p. 55.

⁴ League of Nations, *Treaty Series*, vol. CXXXIV, p. 45.

ANNEX

RESOLUTION OF THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES ACTING AS A PROVISIONAL ORGAN OF CONSULTATION APPROVED AT THE MEETING OF DECEMBER 24, 1948

The Council of the Organization of American States, acting as a Provisional Organ of Consultation, after studying the detailed report of the Committee that was in Costa Rica and Nicaragua for the purpose of investigating the facts and antecedents of the situation created between those sister Republics,

Resolves:

I. To request the Governments of Costa Rica and Nicaragua, in compliance with the Inter-American Treaty of Reciprocal Assistance, to give full assurances to the Provisional Organ of Consultation that they will immediately abstain from any hostile act toward each other.

II. To make known, with due respect to the Government of Nicaragua, that, in the light of data gathered by the Committee of Information especially appointed for the purpose, that Government could and should have taken adequate measures at the proper time for the purpose of preventing: (a) the development, in Nicaraguan territory, of activities intended to overthrow the present regime in Costa Rica, and (b) the departure from Nicaraguan territory of revolutionary elements who crossed the frontier and today are prisoners or are still fighting against the Government of Costa Rica.

III. To make known, with due respect to the Government of Costa Rica, that it can and should take adequate measures to rid its territory of groups of nationals or foreigners, organized on a military basis with the deliberate purpose of conspiring against the security of Nicaragua and other sister Republics, and of preparing to fight against their Governments.

IV. To request very respectfully that both Governments, by every available means, faithfully observe the principles and rules of non-intervention and solidarity contained in the various inter-American instruments signed by them.

V. To continue in consultation until positive assurances have been received from the Governments of Costa Rica and Nicaragua, that, as they are assuredly disposed to do, they will adhere strictly to the lofty principles and rules that constitute the juridical basis of American international life.

VI. To recommend that all American Governments actively co-operate toward the best observance of the principles which inspire this Resolution.

VII. To inform all States Members of the Organization of the steps taken in this case.