



Security Council

Dfstr.
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ORIGINAL: ENGLISH

UNITED NATIONS OBSERVER GROUP IN CENTRAL AMERICAReport of the Secretary-General

1. The present report is submitted to the Security Council in accordance with the request contained in the **statement made** by the President at the Council's 2922nd meeting on 23 May 1990 (**S/21331**). It is based on reports **received from** the Chief Military Observer of the United Nations **Observer** Group in Central America (ONUCA) and from my Alternate Personal Representative **for** Central America who, on my instructions, have continued to **observe** closely on the ground all developments in Nicaragua relevant to the **tasks** entrusted to ONUCA by the Security Council.

2. On 25 May 1990 I received from the Chief Military Observer a **list of** complaints which had earlier **been** presented to ONUCA by the leadership **of** the Nicaraguan **resistance** alleging violations of the Managua Agreements of 18 April (S/21272) by the Nicaraguan **army**. **Most** of these complaints related to the continuing presence of armed civilians and militia personnel in security **zones** 2 and 5 and in the demilitarised **zones** surrounding security **zones** 1, 2 and 5. But they also **referred** to the alleged presence of **units Of** the Nicaraguan army at eight locations in the demilitarised **zone** surrounding **security zone** 1. ONUCA had also received complaints from the Nicaraguan Government about the presence outside the security **zones** of armed members of the Nicaraguan resistance who had allegedly stolen cattle and committed other criminal acts.

3. On **my** express instructions, the Chief Military Observer took urgent action during the following days to investigate all the complaints received. **By** 30 May almost all **of** them had been resolved by ONUCA through negotiation at the **highest** level with the Nicaraguan authorities on the one hand and the Nicaraguan resistance **on** the other. The few complaints which remain unresolved arise mostly **from cases** where there is a difference **of** opinion between the two sides about the precise boundaries of the security **zones** and the demilitarised **zones**.

4. In general, it remains my assessment that there have been no **serious** violations of the cease-fire. There have been some breaches of the agreement on the separation **of** forces in certain **areas**. Many **of** these are, in the Chief Military Observer's view, attributable to **lack** of trust between the two sides, following eight years of hostilities. Almost all of them have been quickly resolved after being raised by ONUCA with the parties concerned.

5. However, implementation of the Managua Agreements encountered a setback on 25 May when the leadership of the Nicaraguan resistance issued a statement in which **it** alleged that the Nicaraguan authorities had failed to carry out their commitments under the Agreements and complained about an **alleged attack** carried out on 8 week before by Nicaraguan army troops against a large **number** of demobilised **members** of the resistance and their families, **in** which **many were** said to have been killed **or** injured. In these **circumstances**, the leadership **of** the resistance declared that **it** had decided to suspend indefinitely the **demobilization** process,

6. The following day, 26 May, a **joint investigation commission** consisting of representatives of the Nicaraguan Government, **the** Nicaraguan resistance, the Archbishop **of** Managua, ONUCA and the International Support and Verification Commission (**CIAV**) was set up by the Government to investigate the alleged **massacre**. On 2 June the Chief Military Observer reported to **me** that in its final report issued on 30 **May** the Joint Commission had in effect concluded that there was no evidence to support the allegation that **a massacre** had taken place.

7. On the night **of 29/30 May** *an* important meeting took place between President **Chasmorro** of Nicaragua, "Commander **Franklyn**" of the Nicaraguan resistance and the Archbishop of Managua, Cardinal Obando y Bravo, with the Chief Military Observer **of ONUCA** and representatives **of** **CIAV** being present **as observers**. The meeting resulted in an agreement entitled the "Managua Protocol", the text of which is attached as **an** annex to the present report. Under the terms of the Managua Protocol, the Nicaraguan Government responded to a number **of** the resistance's publicly stated concerns, notably through the establishment of "development areas" (**polos de desarrollo**) in which **demobilized** members of the resistance would be resettled; **economic** assistance to former members **of** the resistance; the creation of a police force for the development areas *in* which former members **of** the resistance would participate; various security **measures**; and full implementation **of** the Managua Agreements. For its part, the resistance reaffirmed its commitment to demobilise by 10 June 1990 at the latest and, to this end, undertook that at least 100 combatants would be demobilised each day in each of the security zones.

8. It will **be** noted that paragraph 5 (**a**) of the Managua Protocol refers to an enlargement **of** the mandate **of** **ONUCA**. I have not as yet received any communication in this respect **from** the Government of Nicaragua. However, I have been informed by the Chief Military Observer **that at the meeting on 29/30 May** the representatives of the Nicaraguan resistance proposed that ONUCA should **be** given the additional tasks **of** collecting weapons that might **remain** in civilian hands in Nicaragua, training a new national police force and verifying the proposed reduction in the strength of the Nicaraguan army. I have, of course, instructed the Chief Military Observer to make clear to all concerned that any **matter** having to do with **ONUCA's** mandate will fall within the responsibility **of** the Security Council, which would have to approve any modification or further enlargement of the mandate. I have also instructed him to indicate that the members of the Council alone could decide whether or not ONUCA should be involved in such tasks and that they have already expressed their concern at the delay in implementing existing agreements *on* whose basis they have twice enlarged **ONUCA's** mandate.

9. On the day the Managua Protocol was signed, 30 May, there was a marked increase in the pace of demobilisation, with 498 members of the Nicaraguan resistance being demobilized. In the five days since the Protocol was signed, namely 30 May to 3 June inclusive, the number demobilized in zones 1 to 5 has averaged 377 daily, bringing to 3,726 the total demobilised in those areas since the process began on 8 May. ONUCA's estimate, as of 3 June, is that approximately 9,800 members of the Nicaraguan resistance covered by the Managua Protocol remain to be demobilized. This total excludes the members of the Atlantic Front of the Nicaraguan resistance (YATAMA), whose demobilization, which is covered under a separate agreement, started on 21 May. So far 187 members of YATAMA have been demobilized. In addition, it should be noted that a branch of the Nicaraguan resistance known as the Southern Front (Frete Sur), which claims to have as many as 2,000 combatants under arms outside the security zones, has so far failed to sign an agreement to demobilize. Negotiations in Managua between Government representatives and leaders of the Southern Front broke down on 22 May and have not as yet been resumed.

10. On 29 and 30 May my Alternate Personal Representative met in Mexico City with the Secretary General of the Organization of American States (OAS) and, on my behalf, conveyed to him the Security Council's concerns, in accordance with the request contained in the President's statement of 23 May. Mr. Baena Soares stressed that he fully shared the Security Council's point of view and would convey his concerns to the forthcoming meeting of the OAS Assembly in Asunción. It was agreed that closely co-ordinated steps would need to be taken by the United Nations and OAS in the event that the various agreements relating to the demobilisation of the members of the Nicaraguan resistance were not implemented.

Observations

11. It will be clear from the figures in paragraph 9 above that while there has been a welcome increase in the rate of demobilisation since the Managua Protocol was signed, the leaders of the Nicaraguan resistance have still not achieved the minimum target to which they committed themselves in that document. If there is no improvement in the current rate of demobilisation, less than half the members of the Nicaraguan resistance covered by the Managua Protocol will have been demobilised by 10 June and large numbers of them will remain under arms in the security zones. I have accordingly instructed the Chief Military Observer and my Alternate Personal Representative to do all in their power to persuade those concerned to increase substantially the pace of demobilization. It is necessary for the Nicaraguan resistance to demonstrate convincingly not only that an irreversible process is under way but also that it is not raising obstacles of any kind and is doing everything possible to facilitate the completion of demobilization by the agreed date of 10 June.

12. In paragraph 4 of its resolution 654 (1990) the Security Council requested the Secretary-General to report to the Council not later than 10 June concerning the completion of the demobilisation process. It is accordingly my intention to present a further report to the Council by next Sunday, 10 June. If by that date demobilisation has not been very largely completed, the Council will need to consider the decisions it should take in order to deal with the dilemma to which I referred in my statement at its informal consultations on 22 May,

Annex

[Original: Spanish]

Managua protocol on disarmament

In the spirit of the Managua Declaration **signed** on 4 May 1990, the resistance, the Government of Nicaragua and His Eminence Miguel Cardinal Obando y Bravo have by these presents agreed as follows:

1. The implemeatatioa of measures planned in connection with the "Commitment to guarantee the physical and moral integrity of the combatants of the Nicaraguan resistance, as a group and individually, their family members and the civilian population accompanying them" shall be facilitated as follows:

(a) The seriously ill shall be moved immediately so that they may receive the necessary medical care in a Nicaraguan hospitalr

(b) Disabled and wounded ex-combatants shall be given specialized care in Managua;

(c) A commission comprising members from the Government, the Nicaraguan resistance, the United Nations International Support and Verification Commission (CIAV) and His Eminence Miguel Cardinal Obando y Bravo shall be established to travel to Honduras and Costa Rica in order to make a thorough investigation of the living conditions of the families of the resistance combatants and take emergency measures to solve any problems that come to light;

(d) The resistance is urged to submit immediately a list of widows and orphans, so that the Nicaraguan Social Security and Welfare Institute can include them in its budget and they can receive the monthly pensions to which they are entitled.

2. By agreement among the parties, the development area known as "El Almendro", described in the annexed document on the development areas, shall be established on the basis of the proposal made by the Government. The series of steps required for its implementation and for the settlement of the demobilised combatants in the development areas shall begin as from today's date.

3. The Government of Nicaragua undertakes to provide each demobilised combatant with minimal economic assistance.

4. It undertakes to set up immediately a police force for internal order, in which former members of the resistance will participate, the main object of which shall be to safeguard the life and physical integrity of the citizens living in the development areas; It is also proposed that this police force should come under the organizational structure of the Ministry of the Interior. In addition, the United Nations or a friendly country shall be asked to provide technical advice on the professional training of the police force.

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5. It undertakes to **create the proper security** conditions in **the** demilitarised areas, to which **end** it is **considered necessary** to:

(a) Make **arrangements to have** the mandate **of** the United Nations **Observer Group** in Central America (ONUCA) **enlarged;**

(b) Have **the Government** provide supplementary assistance to **each demobilised combatant** leaving a security **zone;**

(c) Demilitarise each area **of conflict;**

(d) Continue collecting **weapons** in the hands of **civilians** in the areas of conflict.

6. It undertakes to guarantee the safety **of** ex-combatants who agree to **demobilize** and leave the **security zones**, settling in the development areas. **The** option of returning to their place **of origin** **shall** also be available for those who wish to do **so**. It is **understood** that anyone so opting shall, like any other **citizen**, assume the **risks** involved.

7. The Government undertakes **to** appoint upon the recommendation **of the resistance**, a **representative of the demobilized combatants** to the **Ministries** dealing **with** ex-combatants and their families, namely the Ministries **of** Health, Agrarian Reform, **Labour** and others, and also to appoint two **members** to the **Governing Council Of the Nicaraguan Repatriation Institute.**

8. The Government **of** Nicaragua undertakes to allow the **ex-combatants of the resistance** who **have** settled **in** the development areas to participate in **the** local government, **that is, within** the development area. In addition, the ex-combatants who return to their places **of origin** **shall** receive the necessary support **from State** agencies for their integration into civilian life.

9. The Managua Declaration is hereby ratified **in each** and **every** point, **with** particular **emphasis** on the **provisions** in respect of the possibility that the resistance **may become** a political party, thus allowing its full integration into **the** political **life of** the **country.**

10. In compliance with **the Toncontin** Agreement and its addendum, the **resistance** hereby ratifies its undertaking to **demobilise and** lay down its arms **by 10 June 1990** at the latest. To that **end**, the resistance undertakes **to** demobilise **at least** 100 combatants each day in **each zone** as from this date. **Furthermore**, in honour of **Mother's Day**, a **considerable** number **of the combatants** of the Nicaraguan resistance **shall be demobilized.**

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DONE **at Managua** on **30** May 1990.

(Signed) Violeta BARRIOS de CHAMORRO
President of **the** Republic

(Signed) Israel GALEANO
Commander Franklin

(Signed) Miguel OBANDO y BRAVO
Cardinal of Nicaragua

