

No. 30999

MULTILATERAL

Treaty on the establishment of the Central American Parliament and other political organs. Concluded at Guatemala City on 2 October 1987

Protocol of amendment to the above-mentioned Treaty. Concluded at Guatemala City on 15 September 1989, San José on 29 September 1989, Tegucigalpa on 6 November 1989, San Salvador on 8 December 1989 and at Managua on 9 December 1989

Authentic texts: Spanish.

Registered by Guatemala on 1 June 1994.

MULTILATÉRAL

Traité portant création du Parlement centraméricain et d'autres organes politiques. Conclu à Guatemala le 2 octobre 1987

Protocole d'amendement au Traité susmentionné. Conclu à Guatemala le 15 septembre 1989, San José le 29 septembre 1989, Tegucigalpa le 6 novembre 1989, San Salvador le 8 décembre 1989 et à Managua le 9 décembre 1989

Textes authentiques : espagnol.

Enregistrés par le Guatemala le 1^{er} juin 1994.

[TRANSLATION — TRADUCTION]

TREATY¹ ON THE ESTABLISHMENT OF THE CENTRAL AMERICAN PARLIAMENT AND OTHER POLITICAL ORGANS

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PREAMBLE

We, the Presidents of the five Central American States,

Convinced of the inalienable right of the Central American peoples to develop in a climate of genuine cooperation and solidarity,

Determined to generate and supplement efforts to achieve understanding and cooperation through institutional machinery for the strengthening of dialogue, joint development, democracy and pluralism as basic building blocks for peace in the region and for the integration of Central America,

Convinced that peace in Central America must necessarily be the fruit of an authentic pluralistic and participatory democratic process which promotes social justice, respect for human rights, the sovereignty and territorial integrity of States

¹ The Treaty and the Protocol of amendment came into force on 1 May 1990, i.e., eight days after the date of deposit with the Government of Guatemala of the third instrument of ratification in accordance with article 35 of the Treaty, as amended by the Protocol, and article 6 of the Protocol of amendment:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification to the Treaty</i>	<i>Date of deposit of the instrument of ratification to the Protocol of amendment</i>
Guatemala.....	21 December 1987	5 March 1990
El Salvador.....	14 November 1988	5 April 1990
Nicaragua.....	26 January 1988	23 April 1990

Subsequently, the Treaty and the Protocol of amendment came into force for the following State on the dates indicated below:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification to the Treaty</i>	<i>Date of deposit of the instrument of ratification to the Protocol of amendment</i>
Honduras.....	21 November 1988 (With effect from 25 June 1990, the date on which the Protocol of amendment entered into force for Honduras.)	17 June 1990 (With effect from 25 June 1990.)

and the right of all nations to determine their economic, political and social model freely, without outside interference of any kind, reflecting the freely expressed will of the peoples,

Convinced that a formally established Central American Parliament will provide a forum in which the countries of the region can discuss and take decisions on the political, economic, social and cultural questions that affect them, with a view to achieving, in a spirit of understanding and solidarity, the highest levels of cooperation within the framework of the principles of the Charter of the United Nations and the Charter of the Organization of American States,

Have agreed to conclude the following treaty:

TREATY ON THE ESTABLISHMENT OF THE CENTRAL AMERICAN
PARLIAMENT AND OTHER POLITICAL ORGANS

CHAPTER I. NATURE OF THE CENTRAL AMERICAN PARLIAMENT

Article 1

NATURE OF THE CENTRAL AMERICAN PARLIAMENT

The Central American Parliament is a regional body for the discussion and examination of, and the formulation of recommendations on, political, economic, social and cultural questions of common interest, with a view to achieving peaceful coexistence in a climate of security and social well-being, based on representative and participatory democracy, pluralism and respect for national legislation and international law.

Article 2

ESTABLISHMENT OF THE CENTRAL AMERICAN PARLIAMENT

The Central American Parliament shall remain permanently in session and shall comprise:

(a) Twenty deputies from each member State. Each deputy shall be elected together with an alternate, who shall replace him in his absence. Deputies shall be elected for a period of five years by direct and universal secret ballot and may be re-elected.

(b) The President of each Central American Republic, upon completion of his term.

(c) The Vice-President or the official authorized to deputize for the President of the Republic of each Central American State, upon completion of his term. In countries where there are two or more such officials, only one of them may become a member of the Parliament, on the proposal of the national legislative body.

Members of the Parliament shall exercise the office of Central American deputy; they shall not be bound by any compulsory mandate, they shall enjoy the immunities and privileges referred to in article 27 of this Treaty, and at no time shall they be held responsible for the opinions they express or the votes they cast concerning questions connected with the performance of their duties.

The officials referred to in paragraphs (b) and (c) of this article may be required to relinquish their office. The method of their replacement shall be provided for in the rules of procedure. They shall cease to perform their duties as members of the Parliament upon completion of the terms of their respective successors, who shall take over their seats in the Parliament.

Article 3

REQUIREMENTS FOR BEING A DEPUTY

The requirements for being a deputy in the Central American Parliament, with the exception of the persons referred to in paragraphs (b) and (c) of the preceding article, are the same as those for being a deputy or representative under the legislation of the respective member States.

Article 4

STATUTORY DISABILITY

The deputies referred to in article 2, paragraph (a), of this Treaty shall not be eligible to serve on the staff of international organizations during their term of office. They must also respect any provisions on incompatibility established by the respective national legislation for the position of deputy or representative.

Article 5

FUNCTIONS OF THE CENTRAL AMERICAN PARLIAMENT

The functions of the Central American Parliament shall be as follows:

(a) To serve as a forum for deliberation where common political, economic, social and cultural concerns and questions relating to the security of the Central American region can be examined;

(b) To promote and to provide guidelines for the various integration processes and the broadest possible cooperation among Central American countries;

(c) In accordance with the rules of procedure, to elect, appoint or dismiss, as appropriate, the highest-ranking administrator of the existing or future Central American integration agencies established by the States Parties to this Treaty.

For the purposes of the preceding paragraph, the governing authorities or bodies of the above-mentioned international agencies shall submit to the Central American Parliament 30 days before the end of the relevant period a list of candidates for the offices in question from among whom the respective official shall be elected or appointed. If no proposal is forthcoming, the Parliament shall elect or appoint the person whom it considers most appropriate. The officials shall be elected or appointed on a rotational basis in the alphabetical order of the member States.

The qualifications and requirements for the selection of the officials shall be governed, respectively, by the agreements or treaties governing the organization and functioning of the above-mentioned agencies;

(d) To propose for negotiation among the Central American countries draft treaties and agreements which will be instrumental in meeting the needs of the region;

(e) To foster peaceful coexistence and the security of Central America;

(f) To promote the consolidation of the democratic, pluralistic and participatory system in the Central American countries, in strict conformity with international law;

(g) To help to make international law fully effective;

(h) To recommend to the Central American Governments the most viable and effective solutions in regard to the various matters which they are competent to consider; and

(i) To carry out such other functions compatible with its nature as are assigned to it under this Treaty or the supplementary instruments.

Article 6

ELECTORAL PROCESS

Each member State shall elect its deputies and alternates to the Parliament in accordance with any applicable provisions of its national legislation governing the election of deputies or representatives to its Congress or Legislative Assembly. It shall ensure that there is broad political and ideological representation in a pluralistic democratic system that guarantees free and participatory elections and equality of the political parties in accordance with section 4, entitled “Free elections”, of the “Procedure for the establishment of a firm and lasting peace in Central America”.

Elections shall be held at least three months prior to the expiry of the period referred to in article 2 of this Treaty.

Article 7

SEAT

The Central American Parliament shall have its permanent seat in the Republic of Guatemala. Nonetheless, it may meet at any other venue in Central American territory when it so decides.

Article 8

ORGANS OF THE CENTRAL AMERICAN PARLIAMENT

The Central American Parliament shall have the following organs:

(a) A Plenary Assembly;

(b) An Executive Board;

(c) A Secretariat.