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ACT OF MONTEVIDEO BY WHICH CHILE AND ARGENTINA REQUEST THE HOLY SEE TO ACT AS A MEDIATOR WITH REGARD TO THEIR DISPUTE OVER THE SOUTHERN REGION AND UNDERTAKE NOT TO RESORT TO FORCE IN THEIR MUTUAL RELATIONS (WITH SUPPLEMENTARY DECLARATION), SIGNED AT MONTEVIDEO ON 8 JANUARY 1979

ACTE DE MONTEVIDEO, PAR LEQUEL LE CHILI ET L'ARGENTINE SONT CONVENUS D'INVITER LE SAINT-SIÈGE À AGIR COMME MÉDIATEUR DANS LE CADRE DE LEUR DIFFÉREND RELATIF À LA RÉGION AUSTRALE ET DE NE PAS RECOURIR À LA FORCE DANS LEURS RELATIONS MUTUELLES (ACCOMPAGNÉ D'UNE DÉCLARATION SUPPLÉMENTAIRE), SIGNÉ À MONTEVIDEO LE 8 JANVIER 1979

ACT OF MONTEVIDEO¹ BY WHICH CHILE AND ARGENTINA REQUEST THE HOLY SEE TO ACT AS A MEDIATOR WITH REGARD TO THEIR DISPUTE OVER THE SOUTHERN REGION AND UNDERTAKE NOT TO RESORT TO FORCE IN THEIR MUTUAL RELATIONS

1. At the invitation of His Eminence Antonio Cardinal Samoré, Special Representative of His Holiness Pope John Paul II for a peace mission agreed to by the Governments of the Republic of Chile and of the Argentine Republic, a meeting was held at Montevideo between the Ministers for External Relations of the two Republics, His Excellency Mr. Hernán Cubillos Sallato and His Excellency Mr. Carlos W. Pastor, who, having analyzed the dispute and taking into account;

2. That His Holiness Pope John Paul II, in his message to the Presidents of the two countries on 11 December 1978, expressed his conviction that a calm and responsible examination of the problem will make it possible to fulfil "the requirements of justice, equity and prudence as a sure and stable basis for the fraternal coexistence" of the two peoples;

3. That in his address to the College of Cardinals on 22 December 1978, the Holy Father recalled the concerns and the hopes he had al-

¹ Came into force on 8 January 1979 by signature. Reproduced from United Nations, *Treaty Series*, vol. 1137, No. 17838.

ready expressed with regard to the search for a means of safeguarding peace, which is keenly desired by the peoples of both countries;

4. That His Holiness Pope John Paul II expressed the desire to send to the capitals of the two States a special representative to obtain more direct and concrete information on the positions of the two sides and to contribute to the achievement of a peaceful settlement of the dispute;

5. That that noble initiative was accepted by both Governments;

6. That since 26 December 1978, His Eminence Antonio Cardinal Samoré, who was appointed to carry out this peace mission, has been holding talks with the highest authorities of the two countries and with their closest associates;

7. That on 1 January, which by pontifical order was celebrated as "World Peace Day", His Holiness Pope John Paul II referred to this delicate situation and expressed the hope that the authorities of the two countries, adopting a forward-looking, balanced and courageous approach, would take the path of peace and would be able to achieve, as soon as possible, the goal of a just and honourable settlement;

8. Declare that the two Governments, through this Agreement, reiterate their appreciation to the Supreme Pontiff, John Paul II, for his dispatch of a special representative. They decide to avail themselves of the Holy See's offer to intervene and, with a view to deriving the greatest benefit from this gesture by the Holy See in making itself available, agree to request it to act as mediator for the purpose of guiding them in the negotiations and assisting them in the search for a settlement of the dispute, to which end the two Governments agreed to seek such method of peaceful settlement as they considered most appropriate. For that purpose, they will carefully take into account the positions maintained and expressed by the Parties in the negotiations already held in connection with the Puerto Montt Act² and the proceedings in pursuance of that Act;

9. The two Governments will inform the Holy See both of the terms of the dispute and of such background information and opinions as they deem relevant, especially those which were considered in the course of the various negotiations, the records, instruments and proposals of which will be placed at its disposal;

10. The two Governments declare that they will raise no objection to the expression by the Holy See, during these proceedings, of such ideas as its thorough studies on all disputed aspects of the problem of the southern zone may suggest to it, with a view to contributing to a peaceful settlement acceptable to both Parties. They declare their readiness to consider such ideas as the Holy See may express.

11. Accordingly, by this Agreement, which is concluded in the spirit of the norms laid down in international instruments for the preser-

² United Nations, *Treaty Series*, vol. 1088, p. 135.

vation of peace, the two Governments associate themselves with the concern of His Holiness Pope John Paul II and consequently reaffirm their will to settle the outstanding issue through mediation.

DONE at Montevideo, on 8 January 1979, and signed in six identical copies.

[Carlos W. PASTOR]

[Hernán CUBILLOS SALLATO]

[Antonio CARDINAL SAMORÉ]

Antonio Cardinal Samoré, Special Envoy of His Holiness Pope John Paul II, in accepting the request for mediation from the Governments of the Republic of Chile and of the Argentine Republic, asks that that request should be accompanied by an undertaking that the two States will not resort to the use of force in their mutual relations, will bring about a gradual return to the military situation existing at the beginning of 1977 and will refrain from adopting measures that might impair harmony in any sector.

The Ministers for External Relations of the two Republics, His Excellency Mr. Hernán Cubillos Sallato and His Excellency Mr. Carlos Washington Pastor, signify their agreement on behalf of their respective Governments and join the Cardinal in signing six identical copies.

DONE at Montevideo, on 8 January 1979.

For the Government
of the Argentine Republic:

[Carlos W. PASTOR]

*Minister for External
Relations and Worship*

For the Government
of the Republic of Chile:

[Hernán CUBILLOS SALLATO]

*Minister for External
Relations*

[Antonio CARDINAL SAMORÉ]