



Speech

Organization of American States



**LUIGI R. EINAUDI, ASSISTANT SECRETARY GENERAL OF
THE ORGANIZATION OF AMERICAN STATES
BRINGING OAS AMBASSADORS AND AFRICAN
AMBASSADORS TOGETHER
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YOUR EXCELLENCY AMBASSADOR DENIS ANTOINE, CHAIR OF THE PERMANENT COUNCIL AND PERMANENT REPRESENTATIVE OF GRENADA TO THE OAS

YOUR EXCELLENCY AMBASSADOR ROBLE OLHAYE, DEAN OF THE DIPLOMATIC CORPS IN WASHINGTON FROM THE AFRICAN COUNTRIES AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF DJIBOUTI TO THE UNITED STATES GOVERNMENT

AMBASSADORS, PERMANENT REPRESENTATIVES AND PERMANENT OBSERVERS TO THE OAS

AMBASSADORS AND REPRESENTATIVES OF THE AFRICAN COUNTRIES TO THE UNITED STATES

ON BEHALF OF SECRETARY GENERAL CESAR GAVIRIA, AND IN MY OWN NAME, I WELCOME YOU TO THIS HOUSE OF THE AMERICAS.

DR. GAVIRIA REGRETS MISSING THE OPPORTUNITY TO MEET WITH YOU TODAY. HE REMAINS IN CARACAS WORKING TO DEVELOP A PEACEFUL AND DEMOCRATIC OUTCOME TO THE CURRENT TENSIONS IN VENEZUELA.

I WOULD LIKE TO EXPRESS MY MOST SINCERE APPRECIATION TO AMBASSADOR ANTOINE FOR HIS INITIATIVE IN BRINGING ABOUT OUR UNIQUE ENCOUNTER TODAY.

AND I WOULD LIKE TO THANK THE AFRICAN PERMANENT OBSERVERS TO THE OAS FOR THEIR IMPORTANT CONTRIBUTIONS TO THIS INITIATIVE, WHICH WE HOPE WILL SET AN EXAMPLE NOT ONLY FOR US BUT ALSO FOR OTHERS AS WELL.

I WOULD LIKE TO MAKE BRIEF SUMMARY OF THESE TOPICS FROM AN INSTITUTIONAL POINT OF VIEW.

o o DEMOCRACY AND HUMAN RIGHTS

o o COOPERATION AND DEVELOPMENT

o o TRADE IN THE AMERICAS

DEMOCRACY. MOST PARTICULARLY OVER THE PAST DECADE, THE OAS HAS MADE DETERMINED PROGRESS TOWARD CONSOLIDATING A DEMOCRATIC VOCATION; IT HAS ALSO ADDRESSED AND HELPED RESOLVE A SERIES OF POLITICAL AND INSTITUTIONAL CRISES AFFECTING SEVERAL OF THE HEMISPHERE'S STATES, AND IT HAS FACILITATED NEGOTIATIONS FOR RESOLVING TERRITORIAL DISPUTES AMONG ITS MEMBERS. THESE VARIOUS UNDERTAKINGS HAVE LED TO THE OAS BEING CONSIDERED "THE PRINCIPAL HEMISPHERIC BODY FOR THE DEFENSE OF DEMOCRATIC VALUES AND INSTITUTIONS" AS STATED BY THE PRESIDENTS AND HEADS OF GOVERNMENT IN THE MIAMI PLAN OF ACTION.

RECENT AMENDMENTS TO THE CHARTER HAVE MADE THE ORGANIZATION THE ONLY MULTILATERAL BODY WHICH HAS REPRESENTATIVE DEMOCRACY AT ITS CORE. THE CHARTER NOW PROVIDES THAT "REPRESENTATIVE DEMOCRACY IS AN INDISPENSABLE CONDITION FOR THE STABILITY, PEACE AND DEVELOPMENT OF THE REGION." A SERIES OF DECLARATIONS AND RESOLUTIONS HAVE GRADUALLY DEVELOPED A BODY OF REGIONAL JURISPRUDENCE AND PRACTICE. THE LATEST STEP IN THIS PROCESS WAS THE ADOPTION LAST YEAR OF THE INTER-AMERICAN DEMOCRATIC CHARTER (2001).

IN 1991, RESOLUTION 1080 MADE THE FIRST OPERATIONAL BREAKTHROUGH FROM HORTATORY RHETORIC TO ACTUAL PRACTICE. BUT RESOLUTION 1080 DID NOT SPECIFY WHAT CONSTITUTED AN "INTERRUPTION" THAT WOULD CALL FOR COLLECTIVE ACTION. UNFORTUNATELY, MOST THREATS TO DEMOCRACY DO NOT TAKE THE FORM OF A MILITARY COUP. NOR DOES THE FACT THAT A GOVERNMENT IS ELECTED MEAN THAT ALL ITS ACTIONS WILL BE DEMOCRATIC.

ARTICLE 3 OF THE DEMOCRATIC CHARTER FILLS THIS CONCEPTUAL VOID BY DEFINING THE "ESSENTIAL ELEMENTS" OF REPRESENTATIVE DEMOCRACY. I QUOTE: "... RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, ACCESS TO AND THE EXERCISE OF POWER IN ACCORDANCE WITH THE RULE OF LAW, THE HOLDING OF PERIODIC, FREE, AND FAIR ELECTIONS BASED ON SECRET BALLOTING AND UNIVERSAL SUFFRAGE AS AN EXPRESSION OF THE SOVEREIGNTY OF THE PEOPLE, THE PLURALISTIC SYSTEM OF POLITICAL PARTIES AND ORGANIZATIONS, AND THE SEPARATION OF POWERS AND INDEPENDENCE OF THE BRANCHES OF GOVERNMENT."

THE OAS HAS CONDUCTED MORE THAN 50 ELECTORAL OBSERVATION MISSIONS. THROUGH ITS UNIT FOR THE PROMOTION OF DEMOCRACY, AND PROVIDES TECHNICAL ASSISTANCE FOR MEMBER STATES IN EXECUTING PROJECTS TO STRENGTHEN PUBLIC INSTITUTIONS AND PROMOTE DEMOCRATIC VALUES AND PRACTICES. IN ADDITION, THE OAS, WITH THE VALUABLE SUPPORT OF THE INTER-AMERICAN DEFENSE BOARD, IS RESPONSIBLE FOR SPECIAL PROGRAM THAT IS WORKING TO FREE CENTRAL AMERICA OF LANDMINES.

WITHIN THE FRAMEWORK OF PROMOTING DEMOCRACY, IN THE OAS IS MANAGING THE INTER-AMERICAN PROGRAM AGAINST CORRUPTION, AND IS ACTIVE NOT ONLY IN ENCOURAGING COUNTRIES TO RATIFY THE CONVENTION AGAINST CORRUPTION BUT IN APPROVING MECHANISMS FOR IMPLEMENTING

THE LEGAL INSTRUMENT.

HUMAN RIGHTS. THE INTER-AMERICAN HUMAN RIGHTS SYSTEM WAS BORN WITH THE ADOPTION OF THE AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN IN BOGOTÁ, COLOMBIA IN APRIL OF 1948, THE FIRST INTERNATIONAL HUMAN RIGHTS INSTRUMENT OF A GENERAL NATURE.

THE INTER-AMERICAN COMMISSION OF HUMAN RIGHTS WAS CREATED IN 1959 AND IS THE PRINCIPAL ORGAN OF THE OAS MANDATED TO PROTECT AND PROMOTE HUMAN RIGHTS IN THE AMERICAS. THE CREATION OF A SPECIAL BODY TO OVERSEE THE SITUATION OF THE HUMAN RIGHTS IN THE AMERICAS WAS AN EXPRESSION OF THE COMMITMENT OF THE STATES "TO A SYSTEM OF FREEDOM FOR THE INDIVIDUAL AND SOCIAL JUSTICE BASED ON RESPECT FOR FUNDAMENTAL HUMAN RIGHTS".

THE COMMISSION IS COMPOSED OF SEVEN MEMBERS, NOMINATED BY MEMBER STATES AND ELECTED BY THE GENERAL ASSEMBLY OF THE OAS TO FOUR YEAR TERMS, WHICH MAY BE RENEWED. THE SEVEN MEMBERS SERVE IN THEIR "PERSONAL CAPACITY" THEREFORE, THEY ARE INDEPENDENT OF THEIR COUNTRIES OF NATIONALITY, WHICH THEY DO NOT REPRESENT; INSTEAD THEY REPRESENT ALL THE MEMBER COUNTRIES OF THE ORGANIZATION. THE COMMISSION IS SUPPORTED BY ITS OWN SEPARATE EXECUTIVE SECRETARIAT.

ALTHOUGH THE COMMISSION AT ONCE BEGAN RECEIVING INDIVIDUAL PETITIONS ALLEGING HUMAN RIGHTS VIOLATIONS COMMITTED BY THE MEMBER STATES OF THE OAS, IT WAS NOT GRANTED THE AUTHORITY TO EXAMINE SUCH COMPLAINTS UNTIL 1965. THUS, IN ITS EARLY YEARS, THE COMMISSION FOCUSED UPON INVESTIGATING THE GENERAL HUMAN RIGHTS SITUATION IN PARTICULAR OAS MEMBER STATES. IN ITS QUEST TO IDENTIFY APPROPRIATE MEASURES FOR PROMOTING AND DEFENDING HUMAN RIGHTS, IT USED ITS STATUTORY AUTHORITY TO HOLD MEETINGS IN ANY MEMBER STATE OF THE OAS AS THE BASIS FOR A POWER WHICH IT CLAIMED TO CONDUCT ON-SITE INVESTIGATIONS IN OAS MEMBER STATES. THESE FACT-FINDING INVESTIGATIONS AND THE ENSUING COUNTRY (OR SPECIAL) REPORTS, WHICH THE COMMISSION PRESENTED TO THE OAS GENERAL ASSEMBLY, BECAME THE MOST SIGNIFICANT ACTIVITY OF THE COMMISSION DURING THE FIRST YEARS OF ITS HISTORY. WITH THE ENTRY INTO FORCE OF THE AMERICAN CONVENTION AND THE ESTABLISHMENT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS, INDIVIDUAL COMPLAINT PROCEDURE BEGAN TO ACQUIRE GREATER PROMINENCE.

THE COMMISSION HAS HELD 115 SESSIONS, SOME OF THEM AT ITS HEADQUARTERS, OTHERS IN DIFFERENT COUNTRIES OF THE AMERICAS. IT HAS ESTABLISHED SPECIAL RAPPORTEURSHIPS TO BETTER ADDRESS THE FOLLOWING ISSUES: FREEDOM OF EXPRESSION, THE RIGHTS OF WOMEN, THE RIGHTS OF INDIGENOUS PEOPLES, THE RIGHTS OF CHILDREN, THE SITUATION OF MIGRANT WORKERS AND THEIR FAMILIES, PRISON CONDITIONS, AND THE RIGHTS OF DISPLACED PERSONS.

TRADE. IN CONJUNCTION WITH THE IDB AND THE UN'S ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN, THE OAS IS WORKING TOWARD THE CREATION OF A FREE TRADE AREA IN THE AMERICAS BY THE YEAR 2005.

THE TRADE UNIT WAS CREATED IN 1995 AS PART OF THE OAS'S RESPONSE TO MANDATES FROM THE FIRST SUMMIT OF THE AMERICAS, THE PROGRAM OBJECTIVES OF THE TRADE UNIT FALL UNDER THREE MAIN AREAS THAT ADDRESS TRADE AND DEVELOPMENT CONCERNS OF OAS MEMBERS:

- · SUPPORT FOR FTAA NEGOTIATING GROUPS
- · CAPACITY BUILDING AND TRAINING
- · DISSEMINATION OF TRADE-RELATED INFORMATION

COOPERATION AND DEVELOPMENT. THE INTER-AMERICAN AGENCY FOR COOPERATION HAS BEEN DESIGNED TO PROVIDE AN OPERATIONAL COMPLEMENT TO THE OAS'S ROLE IN THE DIALOGUE ON DEVELOPMENT ISSUES IN THE CONTINENT. ITS SPECIFIC FUNCTIONS INCLUDE MOBILIZING HUMAN AND FINANCIAL RESOURCES FOR INTER-AMERICAN COOPERATION AND ENCOURAGING THE PLANNING AND IMPLEMENTATION OF COOPERATION PROJECTS IN AREAS RELATING TO THE INSTITUTIONAL STRENGTHENING OF MEMBER STATES AND THE DEVELOPMENT OF HUMAN RESOURCES.

AT THE 3RD SUMMIT OF THE AMERICAS IN QUEBEC CITY, THE LEADERS OF THE REGION RECOGNIZED THE ROLE OF THE AGENCY IN DEVELOPING INNOVATIVE PROGRAMMING MECHANISMS IN SUPPORT OF THE MANDATES OF THE SUMMIT PLAN OF ACTION. THE HOPE IS THAT THE AGENCY WILL PROVE ABLE TO HELP MEET THE DEVELOPMENT OBJECTIVES OF ITS MEMBERS STATES.

COOPERATION WITH THE AFRICAN UNION. FINALLY, I WOULD LIKE TO MENTION THAT I HAVE HAD A CHANCE TO MEET WITH ONE OF MY COUNTERPARTS IN FROM THE ORGANIZATION OF AFRICAN UNITY, NOW THE AFRICAN UNION. BOTH ORGANIZATIONS FACE NUMEROUS COMMON PROBLEMS, FROM ENSURING UNITY AMONG A DIVERSE MEMBERSHIP TO QUESTIONS OF MANAGEMENT AND RESOURCES. THE OAS HAS ONLY ONE ASSISTANT SECRETARY GENERAL, AND HE IS ELECTED BY THE ENTIRE MEMBERSHIP. I AM THE FIRST US CITIZEN ELECTED TO THIS POSITION, WHICH HAD PREVIOUSLY BEEN HELD FOR ALMOST 40 YEARS BY CITIZENS OF THE RELATIVELY SMALLER COUNTRIES OF CENTRAL AMERICA AND THE CARIBBEAN. THE AU HAS SEVERAL ASSISTANT SECRETARY GENERALS, I BELIEVE 5, AND THEY ARE CHOSEN EXPLICITLY TO GUARANTEE SUBREGIONAL REPRESENTATION.

SO THERE ARE THUS MANY ISSUES, FROM THEORY TO PRACTICE, ON WHICH WE COULD DISCUSS OUR RESPECTIVE APPROACHES. I SUSPECT, HOWEVER, THAT THERE IS ONE AREA IN WHICH WE WOULD AGREE, NAMELY THAT THE SEARCH FOR DEMOCRACY, IN A WORLD OF SOVEREIGN BUT INTERDEPENDENT STATES, IS VITAL, AND THAT IT IS IMPORTANT TO STRIVE FOR DEMOCRACY AMONG COUNTRIES AS WELL AS WITHIN COUNTRIES.

THANK YOU