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REPORTS

Regional and International Activities

ISIDORO ZANOTTI†

I. UNITED NATIONS

Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

This Conference will be held in Vienna, Austria from August 9-21, 1982. The provisional agenda for the Conference includes topics concerning the present state of development of peaceful uses for outer space. The Conference will consider the current and projected state of space research, an evaluation of the major developments in space science and technology, and an assessment of these developments' current usefulness. The Conference will also examine mechanisms by which countries at various stages of technological development can benefit from space technology. The Conference will additionally consider the implications of projected space technology such as earth-orbiting solar power stations, space manufacturing, space transportation and manned space stations. The Conference will discuss methods by which the near-earth environment, including the upper atmosphere, can be protected. Finally, the Conference will consider what role the United Nations should play in securing the benefits of space technology for all countries.

II. ANTARCTIC TREATY CONSULTATIVE MEETING

This meeting was held in Buenos Aires from June 23 through July 7, 1981, and by resolution, made recommendations to the international community regarding Antarctica. The participants noted the progress made toward adopting a regime for utilizing Antarctic mineral resources and expressed the view that finalizing such a regime should be a matter of urgency. It was recommended that a special consultative meeting be convened to design such a regime and consider such questions as the appropriate form of the regime, a tentative schedule for negotiations, and to take any other steps necessary to conclude such a regime. It was urged that the Antarctic mineral

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resource regime be based on: (1) the consultative parties continuing to play an active role in dealing with Antarctic mineral resource questions; (2) maintenance of the Antarctic Treaty in its entirety; (3) protection of the unique Antarctic environment; (4) a recognition of all mankind's interest in Antarctica; and (5) a provision that article IV of the Antarctic Treaty be unaffected by the regime.

It was also recommended at the meeting that the regime should include a means for assessing the potential impact of mineral resource activity on the Antarctic environment, determining whether mineral resource activity would be acceptable and if so, providing a means by which to govern the ecological, technological, political, social, legal and economic aspects of those activities. The participants also stressed the need to provide procedures by which states other than the consultative parties would be bound to adhere to the recommendations of the consultative parties and to the provisions of articles one, four, five and six of the Antarctic Treaty. The participants further recommended that the mineral resource regime include provisions for cooperation between the regime and other international organizations; apply to all mineral resource activity on the Antarctic continent and in adjacent offshore areas; include provisions to ensure that the special environmental responsibilities of the consultative parties are protected within the Antarctic Treaty area; regulate commercial development and exploitation of mineral resources; and promote the research which would be required in order to make the most effective environmental and resource management decisions.

In another resolution, the consultative parties welcomed the adoption of the Convention on the Conservation of Antarctic Marine Living Resources at Canberra in September 1980.

III. ORGANIZATION OF EASTERN CARIBBEAN STATES

A treaty signed on June 18, 1981, in St. Kitts/Nevis, established the Organization of Eastern Caribbean States.* According to article 2, paragraphs one through four, full membership in the Organization shall be open to those countries which, immediately prior to the establishment of the Organization, were members of the West Indies (Associated States) Council of Ministers, namely: Antigua, Dominica, Grenada, Montserrat, St. Kitts/Nevis, Saint Lucia, and Saint Vincent and the Grenadines. These states, immediately upon signing and ratifying the treaty, shall become full members of the Organization. Notwithstanding the fact that a territory or group of territories men-

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tioned above is not a sovereign independent state, the heads of government may, by an unanimous vote, admit that territory or group of territories as a full member of the Organization. Any other states or territories in the Caribbean region may apply to become full or associate members and shall be admitted as such by a unanimous decision of the Authority of the Organization.

The purposes and functions of the Organization as established in article 3 include: the promotion of cooperation among the member states, at a regional and international level; having due regard for the Treaty Establishing the Caribbean Community and the Charter of the United Nations; to promote unity and solidarity among member states and to defend their sovereignty, territorial integrity and independence; to assist the member states in the realization of their obligations and responsibilities to the international community with due regard for the role of international law as a standard of conduct in their relationships; to seek to achieve the greatest possible harmony of foreign policy among the member states; and to promote economic integration among the member states through the provisions of the Agreement Establishing the East Caribbean Common Market. In order to fulfill these goals, the member states will endeavor to coordinate, harmonize and pursue joint policies, particularly in the fields of: external relations, including overseas representation; international trade agreements; financial and technical assistance from external sources; international marketing of goods and services, including tourism; external transportation and communication; economic integration; matters relating to the sea and its resources; the judiciary; currency and central banking; statistics and income tax administration; education; training in public administration and management; scientific, technical and cultural cooperation; and mutual defense and security.

The institutions of the Organization are established in article 5 of the treaty, which states that the principal institutions through which the Organization shall accomplish the functions entrusted to it are: a) the Authority of Heads of Governments of the Member States of the Organization; b) the Foreign Affairs Committee; c) the Defense and Security Committee; d) the Economic Affairs Committee; and e) the Central Secretariat.

The Authority of Heads of Governments of the Member States shall be, according to article 6, the supreme policy-making institution of the Organization, shall be responsible for, and shall generally direct and control, the performance of the Organization's functions in order to achieve its progressive development and the attainment of its goals. The Authority shall have the power to decide all matters within its

competence. All such decisions shall require the affirmative vote of all member states present and voting at the meeting of the Authority where such decisions were made, provided that the decisions shall have no force and effect until ratified by any member states not present at that meeting, or until such member states have notified the Authority of their decision to abstain. The Authority may also make such recommendations and directives as it deems necessary to achieve the purposes of the Organization, and may establish and designate institutions of the Organization in addition to those already mentioned.

The Foreign Affairs Committee, as provided in article 7 of the treaty, shall consist of the ministers responsible for foreign affairs in the governments of the member states or such other ministers as may be designated by the heads of government of member states. The Foreign Affairs Committee shall have the responsibility for the progressive development of the Organization's foreign policy and for the general direction and control of the performance of the Organization's executive functions in relation to its foreign affairs. The decisions and directives of this Committee shall be unanimous and shall be binding on all subordinate institutions of the Organization, unless otherwise determined by the Authority.

According to article 8, the Defense and Security Committee shall consist of the ministers responsible for defense and security or other ministers designated by the member states' heads of government. This Committee shall have responsibility for coordinating the efforts of the member states for collective defense and the preservation of peace and security against external aggression, and for the development of close ties among the Organization's members in external defense and security matters, including measures to combat the activities of mercenaries operating with or without the support of internal or national elements. The decisions and directives of this Committee shall be by unanimous vote and shall be binding on all subordinate institutions of the Organization unless otherwise determined by the Authority.

The Economic Affairs Committee, as stipulated in article 9, shall consist of such ministers in the governments as may, from time to time, be appointed to the Committee by the member states' heads of government. This Committee shall have as its functions those functions entrusted to the Council of Ministers under the Agreement of June 11, 1968, establishing the East Caribbean Common Market.

The Central Secretariat, in accordance with article 10, shall be the principal institution responsible for the general administration of the Organization. The Secretariat shall be comprised of a Director

General and such other staff as the Organization may require. The Director General shall be the chief executive officer of the Organization and shall have responsibility for the general direction and control of the Organization. He shall be appointed by the Authority to serve for a term of four years and shall be eligible for reappointment.

Article 11 of the treaty provides that the member states of the Organization may establish and maintain arrangements for joint overseas diplomatic or other representation. The Director General shall have the authority and responsibility for transmitting directives of the Authority on joint foreign policy matters to heads of diplomatic or other overseas missions established by the Organization. Organization missions shall be recommended for appointment by the Authority after consultation with the Foreign Affairs Committee. The expenses for diplomatic or other representatives shall be apportioned among the member states participating in such an arrangement.

On budgetary matters, article 13 of the treaty declares that an organization shall be established; that all expenses of the Organization shall be approved by the Authority for each financial year and that expenses shall be chargeable to the budget. Revenue for the budget shall be derived from annual contributions by member states and from other sources as may be designated by the Authority. The budget shall be balanced as to income and expenditures. Article 13 also embodies the concept that each member state undertakes to regularly pay its annual contribution to the budget of the Organization.

A procedure for dispute settlement is provided in article 14. Any dispute which may arise between two or more of the member states concerning the interpretation and application of the treaty shall, upon the request of any member, be amicably resolved by direct agreement. If the dispute is not resolved within three months, any party to it may submit the dispute for conciliation pursuant to the procedure provided for in Annex A to this treaty, by submitting a request for conciliation to the Director General of the Organization and informing the other party or parties of the request. Member states accept the conciliation procedure as compulsory. Any decisions or recommendations of the Conciliation Commission in resolution of the dispute shall be final and binding on the member states.

The headquarters of the Organization shall be determined by the Authority, as provided in article 18. The treaty is subject to ratification, and it shall go into force immediately upon receipt by the government of Saint Lucia of the second instrument of ratification from the countries specified in article 2 of the treaty which have the status of independent states.

IV. JOINT COMMUNIQUE ON CARIBBEAN DEVELOPMENT

On July 11, 1981, the Foreign Ministers of Canada, Mexico, Venezuela and the Secretary of State of the United States, issued a statement at the Conference of Ministers on Caribbean Basin Development. The Conference, held in Nassau, the Bahamas, was called to discuss a cooperative approach to addressing the economic problems of the Caribbean Basin area.

In the communique, the Ministers agreed that their efforts must be based on a consultative process by which potential donors and recipients of economic assistance come to a realistic understanding of the problems and aspirations of the Basin countries, based on the national plans and priorities of those countries and the means to address their problems. Dynamic and balanced development will contribute not only to the welfare of the people in the Caribbean Basin area, but also to the peace and prosperity of the entire hemisphere. The Ministers noted that many countries, both inside and outside the region, are already addressing the problems of development in the Caribbean Basin through a variety of programs on a substantial scale. Nevertheless, they recognized the need for more comprehensive efforts by countries cooperating with the region, taking into account the different approaches and development stages of these countries. The success of these actions also depends directly on a country's efforts on its own behalf.

The joint communique recognized the diversity as well as the commonality of interests of the nations in the region; the Ministers recognized the separate identities of Central America and the Caribbean. They took note of the views expressed by the Central American countries that the specific character of their development problems and their long-standing efforts towards economic integration should not only be taken into account, but even strengthened by outside cooperation. The Ministers also noted that the governments of Central American and Caribbean states have expressed the need to participate actively in the formulation of any development planned for the area.

The communique went on to state that on the basis of these principles, the ministers agreed to immediately begin consultations with the governments of Central America and the Caribbean, as well as with other countries and international financial institutions. The purpose of the consultation would be to determine the best approach for an action plan for facilitating those trade, investment or development cooperation measures which would stimulate sustained and balanced economic and social development in the region. The Ministers agreed to meet again before the end of the year to review the results of the consultation.

The Ministers affirmed their own willingness to continue their efforts and expressed the hope that regional and non-regional governments would, in a similar expression of good will, associate themselves with the promotion of integral and sustained development in the area.

V. INTERNATIONAL AND REGIONAL ACTIVITIES

United States Program for the Caribbean and Central America

On February 24, 1982, the President of the United States, Ronald Reagan, delivered a speech at the OAS in Washington, D.C., proposing a United States program for economic and social development and assistance for the Caribbean and Central American countries. This well-prepared program has special significance in light of today's international relations.

According to the speech by the President, the centerpiece of this program is to be "free trade for the Caribbean Basin products exported to the United States. Currently some eighty-seven percent of Caribbean exports already enter United States markets duty-free under the Generalized System of Preferences." According to the free-trade arrangements that will be proposed to the U.S. Congress, "exports from the area will receive duty-free treatment for twelve years. . . . The only exception to the free-trade concept will be textile and apparel products, because these products are governed by other international agreements."

Mr. Reagan also stated that "this economic proposal is as unprecedented as today's crisis in the Caribbean. Never before has the United States offered a preferential trading arrangement to any region. This commitment makes unmistakably clear our determination to help our neighbors grow strong." The U.S. Congress will be asked to approve significant tax incentives for investment in the Caribbean Basin. In addition, the plan will call for a supplemental appropriation for fiscal year 1982 of 350 million dollars to assist those countries which are economically in need. Much of this aid will be concentrated on the private sector. Technical assistance and training will also be offered to assist the private sector in the Basin countries to benefit from the opportunities of this program.

Additionally, the President indicated that the United States "will work closely with Mexico, Canada, and Venezuela — all of whom have already begun substantial and innovative programs of their own — to encourage stronger international efforts to coordinate our own development measures with their vital contributions and with those of other potential donors like Colombia. We will also encourage our European, Japanese and other Asian allies, as well as multilateral development institutions, to increase their assistance in the region."

Referring to the Western Hemisphere in general, the President stated: "These two great land masses are rich in virtually everything we need. Together, our more than 600 million people can develop what is undeveloped, can eliminate want and poverty, can show the world that our many nations can live in peace, each with its own customs, language and culture, but sharing a love for freedom and a determination to resist outside ideologies that would take us back to colonialism."