

2010

Remarks by Secretary General of the OAS, Inaugural Ceremony Fortieth Regular Session of the General Assembly - June 6, 2010 - Lima, Peru

Follow this and additional works at: <https://scholar.smu.edu/lbra>

Recommended Citation

Remarks by Secretary General of the OAS, Inaugural Ceremony Fortieth Regular Session of the General Assembly - June 6, 2010 - Lima, Peru,
16 LAW & BUS. REV. AM. 919 (2010)
<https://scholar.smu.edu/lbra/vol16/iss4/16>

This Document is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in Law and Business Review of the Americas by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

REMARKS BY SECRETARY GENERAL OF
THE OAS, INAUGURAL CEREMONY
FORTIETH REGULAR SESSION OF
THE GENERAL ASSEMBLY
JUNE 6, 2010—LIMA, PERU

I would like to express my appreciation to President Alan García and the people of Peru, and in particular to the officials and citizens of this beautiful city of Lima, for the warm welcome they have extended to us and for their care and efficiency in preparing for this fortieth regular session of the General Assembly of the Organization of American States (OAS). Peru has always been a staunch supporter of hemispheric multilateralism, especially in recent years, during which it has played an important role in preparing some of our principal instruments. First and foremost among these is our Inter-American Democratic Charter.

It is especially important for us, Mr. President, to be meeting here in Peru at this stage in the country's development, characterized by rates of economic growth rates that are among the highest in the region, part of an ambitious social program that has helped reduce poverty and [that has] improved the delivery of essential social services.

Democracy has also been strengthened in Peru in the past decade. The OAS is proud of having contributed, in our own small way, to this fundamental achievement.

Mr. President, Ministers, Delegates,

Since 2005, I have year after year addressed you at this inaugural ceremony of our General Assembly's regular session. Today I do so, grateful and honored by the confidence you have placed in me by reelecting me as Secretary General for the next five years. I reiterate my pledge to this General Assembly, the main body of the Organization, that I will spare no effort to make the OAS increasingly relevant and effective in fulfilling its mission to make the Americas a democratic, free, developed, just, compassionate, and [a] safe and secure region.

A few days ago, I laid out the priorities that would guide the activities of the General Secretariat during my second term:

1. Develop a broad, modern, and inclusive form of multilateralism, whose principal instruments for achieving our common democratic objective are dialogue and agreement, not sanctions, exclusion, or divisiveness;

2. Strengthen democratic governance by promoting: respect for the rule of law and institutions, an independent and effective justice system, full freedom of expression for all citizens, and transparency and accountability by public officials;
3. Enhance our human rights system by promoting: respect for and compliance with its decisions, of the American Convention on Human Rights ratification by all countries, and the continued struggle against all forms of discrimination;
4. Strike a better balance between our democracy-building and our integral development efforts by focusing our activities on the mandates of our Summits of the Americas with respect to poverty and decent work, migration, competitiveness, energy, the environment and climate change, technological development, and education; and by coordinating our work with that of the other agencies of the inter-American system;
5. Contribute to the enhancement of multidimensional security in the Americas by focusing our efforts on the serious public security crisis generated by trafficking in drugs, arms and persons, money laundering and organized crime; and
6. Pay greater attention to the issue of gender in the OAS, prioritizing the problems of violence against women, equal employment opportunities, access to public and private executive positions, and the poverty in which most women heads of household live.

My belief that these goals are achievable is a demonstration of not only my commitment, but also of my optimism about the economic and democratic progress that has been made in our region. I am very much aware of the challenges ahead but I remain confident that our Hemisphere is on its way to becoming one of the two most democratic regions of the world, that confidence in democracy and the strength of its institutions has been on the rise, and that regional multilateralism has a critical role to play in this regard.

Mr. President, Distinguished Ministers and Heads of Delegation,

Permit me to use this opportunity to address a few items on our immediate agenda, which will, I am sure, be considered during this session of the Assembly.

I. ECONOMIC CRISIS

Several years of sustained growth came to an abrupt halt in 2009. The economies of both the United States and Canada experienced a slowdown in growth rates and an increase in unemployment. According to the Economic Commission of Latin America and the Caribbean (ECLAC), the countries of Latin America and the Caribbean suffered an economic contraction of 1.9%, with the resulting impact on unemployment, breaking the positive trend of earlier years.

Beyond the statistics, more important are its drastic effects. Nine million more people are living in poverty and five million more in extreme poverty.

However, the political impact of this crisis, which many of us feared last year, does not seem to have materialized. The most recent Latinobarómetro survey indicates that there has been an upswing in public support for democracy in the region, including those in the countries most affected by the crisis. This situation further increases the responsibility of our leaders to deliver the promised benefits of democracy, including decent jobs, a just wage, and a decent standard of living.

Last week, I attended the 41st session of ECLAC, and I sensed that, beyond the unresolved problems, a new climate of optimism prevailed with respect to overcoming the crisis and returning to a path of growth conducive to a reduction in poverty and inequality. The challenging title of the ECLAC proposal, "Time for Equality" reflects the radical break in the Americas with the ideas that prevailed in the past and that impoverished our public policies without producing growth. At the heart of the new vision is the role of a stronger democratic state that is more capable of guiding our economies towards development with justice and equity. I believe that there is also a new understanding of Politics as a collective effort, characterized by rational dialogue and consensus-seeking.

The OAS has much to share in this effort. The Latin American states are still far from having sufficient resources and institutional capacity to face the major challenges of democracy in the area of good governance. The ideal of a democratic republic expressed in our Inter-American Democratic Charter assumes not only the democratic generation of power, but also the development of stable institutions, respect for human rights and freedom of expression, and the presence of an authority that takes on increasing legitimacy not only because of its origin but also because of the quality of its leadership. Over the past five years, we have focused our major programs on good governance and improvements in the effectiveness of government action. The people of our region believe ever more strongly in democracy, but they understand and are increasingly demanding that it have tangible results in their daily lives.

II. HONDURAS

Almost a year ago, the coup d'état, that political scourge that we regarded as a thing of the past in our region, reemerged. In the early morning hours of June 28, 2009, an Army command broke into the residence of the President of Honduras, José Manuel Zelaya, and, after capturing him, expelled him from the country. After calling unsuccessfully for him to be restored to power, our Organization labeled the situation a coup d'état in violation of the OAS Charter and Inter-American Democratic Charter and resolved, by a unanimous decision of all member states, to suspend Honduras. Our policy was supported by the international community as a whole.

In keeping with General Assembly mandates, the Secretariat pursued a number of diplomatic initiatives to restore democracy and the rule of law in the country, which included: support for mediation efforts by the President of Costa Rica, Óscar Arias; two visits by this Secretary General and foreign ministers to Tegucigalpa; direct and permanent consultations with the two parties and other concerned players; and finally promotion and facilitation of the “Guaymuras Dialogue” between representatives of President Zelaya and de facto leader Roberto Micheletti, which led to the signing of the Tegucigalpa/San José Accord on October 30.

However, none of the efforts of the international community resulted in President Zelaya’s restitution, which would have enabled him to conclude his term of office as President. All of the de facto powers in Honduras and some important sectors of the international community supported Micheletti. Added to the proximity of the elections—which had been scheduled prior to the coup and were to be held five months after it—this made it possible for the de facto government to remain in power until the end of the term.

Today Honduras remains suspended from our Organization and we are still working to resolve the situation. President Porfirio Lobo has taken very important steps toward normalizing democratic life in the country. He has formed a broad government with representation from across the Honduran political spectrum; established the Truth Commission, as required in the San José–Guaymuras Agreement; issued an amnesty law for political crimes and related offenses committed during the period of crisis; allowed two visits by the Inter-American Commission on Human Rights; and in general shown a readiness to engage in dialogue with the international community and especially with OAS member governments regarding the country’s full reincorporation into the Organization. To that end, in fulfillment of the mandates of the special session of the General Assembly of July 4, 2009, this General Secretariat has maintained an ongoing dialogue with his government of President Lobo; has contributed to its efforts to normalize the situation in the country; and were also present at the inauguration of the Truth Commission, presided over by the distinguished former Vice President of Guatemala, Dr. Eduardo Stein.

We are all in agreement as to the advisability of Honduras’s prompt return to the Organization. The only difference is that some think it should take place without delay and others consider it necessary to demand additional conditions first. Central among these is the fact that former President Zelaya remains in exile, in violation of human rights norms and the country’s own Constitution.

I have stated that it would be beneficial for that country and for the OAS for Honduras to return, because it would support the efforts of those who desire full normalization, without exclusion or prosecutions, and would make it possible to better address human rights problems and other pending concerns. But, I do understand President Zelaya’s reluctance to return to his country to go before a prosecutor and a court of

justice, who number among those who pushed for his ouster and often condemned him publicly.

III. THE LIMITS OF MULTILATERALISM

But beyond the specific situation of Honduras, what is important is the lesson it teaches us about the limits of multilateralism. During recent months, we have witnessed and been protagonists in the tension prevailing between the cornerstone of multilateralism, i.e., the existence of principles shared collectively—in this case, democratic principles—and the basic foundation of international relations, namely the principle of sovereignty and noninterference in the internal affairs of other states. Both principles are clearly established in our basic legal documents, from the founding Charter of the Organization to the Inter-American Democratic Charter. I believe that the time has come to move forward in terms of how to reconcile them and to make them complementary.

In particular, I believe that we must examine how to continue using our legal instruments to promote peace, peaceful coexistence, and democracy. But we must be able to do so proactively rather than reactively, with a view to preventing [breaks in democracy] rather than trying to fix them. In recent years, we have seen various successful cases of the application of our Inter-American Democratic Charter to avert institutional crises. We have also had examples of ineffectiveness in both instances—Venezuela in 2002 and Honduras in 2009—in which action was taken after a crisis had occurred. What this shows us is that, instead of amending the Charter, which I consider dangerous and impractical, we should focus on improving it and expanding its application. I have recently made some proposals to the Permanent Council to stimulate discussion on this important topic.

IV. HAITI

However, the start of 2010 will probably be remembered not so much for the economic and political events that I have just outlined, but rather for the natural disasters that have occurred with alarming frequency, leaving enormous destruction in a number of our countries. The earthquakes in Haiti and Chile, which occurred on January 12 and February 27 respectively; the flooding in Brazil and Bolivia in March; and the recent damage left by the “Agatha” storm in Guatemala, El Salvador, and Honduras; the enormous dimensions of the ecological disaster caused by the ongoing oil spill in the Gulf of Mexico; in addition to the potentially devastating hurricane season that is being predicted for the Americas, paint a heartbreaking picture.

Even acknowledging the unpredictable nature of these dramatic events, there is no doubt that our preparedness to handle them, reduce their impact, and mitigate their effects is still inadequate. The international response to such events is especially ineffective, as it combines an

overwhelming outpouring of support with serious shortcomings in terms of coordination.

The January 12 earthquake in Haiti is the most serious human tragedy in our Hemisphere in more than a century. Days after the disaster, the OAS Permanent Council adopted a declaration entitled, "Support for the People and Government of Haiti in the Aftermath of the January 12 Earthquake," in which it reiterated its commitment "to support the efforts of the Haitian authorities to maintain political stability, democracy, good governance and the rule of law, and to strengthen institutions, and promote socioeconomic development."

In this context, the OAS participated intensely in the massive emergency relief effort in Haiti, both directly and through our humanitarian arm, the Pan American Development Foundation (PADF), and also in the preparations to launch a reconstruction plan to respond adequately to the reality created by new challenges that must be faced by the Haitian people and Government.

I just recently participated in a Summit on Haiti convened by the Dominican Republic, which in the post-earthquake period has demonstrated great solidarity with the people and government of its neighbor, Haiti. I am pleased to report that the International Haiti Reconstruction Committee, jointly chaired by the Prime Minister of Haiti, Jean Max Bellerive and former President Bill Clinton of the United States is already starting to operate and that the corresponding fund has already been set up by the World Bank, with Brazil as its first major donor. Considering the priority areas defined by the Haitian authorities in the Reconstruction Plan and the offers of support for specific areas from a wide range of actors, this Commission will coordinate all reconstruction efforts, to ensure that they are transparent and avoid waste and duplication.

The OAS will take the lead in those programmatic areas in which it has a comparative advantage thanks to our recognized experience and know-how. Our institutional strategy recognizes the vital importance of maintaining political stability in the country, by virtue of which the people and Government of Haiti must address recovery and reconstruction as challenges that require transparent and effective management as well as sound national institutions. Based on consultations with the Haitian authorities, the OAS strategy emphasizes institutional strengthening, capacity building, and good governance, in three well-defined and functionally interrelated areas of specialization: strengthening of the electoral process; ongoing modernization and integration of the Civil Register; and modernization of the cadastre system and the land ownership infrastructure.

V. MIGRATION

We are greatly concerned by recent protests against migrants in countries of Europe and the Americas. Migration is an American phenomenon par excellence. Our nations are products of the blending of

populations that originated in successive waves of migrants who arrived, voluntarily or forcibly, to their coasts over centuries. Today, whereas the population of Latin America and the Caribbean comprises about eight percent of the world population, migrants from our shores constitute sixteen percent of the world's immigrants. Migration is clearly a hemispheric issue insofar as the first place to which migrants head is the United States; but there is also significant internal migration, especially within South America. Thinking these issues can be tackled separately is to miss the real problem.

Our member states are especially concerned about measures like the European Union Return Directive, and more recently the passage of Arizona Senate Bill 1070, which attempts to artificially control natural processes that relate to employment prospects in different countries and regions of the world. Bill SB 1070 is also undeniably discriminatory against that region's Latino, immigrant, and non-immigrant populations.

The mission I have set for myself during my new term of office is to promote constructive dialogue among the countries of the region to help us move toward the establishment of basic agreements, guidelines, and lines of action for future regional cooperation efforts. Such agreements are necessary in order to promote controlled, orderly, and safe migration; and to help harness the capabilities of migrants as political, economic, cultural, and scientific actors. This is essential to furthering human and economic development processes in societies of origin and destination.

VI. PEACE, SECURITY AND COOPERATION IN THE AMERICAS

You have called on us to address the issue of "Peace, Security, and Cooperation in the Americas" as the core theme of this meeting. That vindicates one of the founding principles of our Organization. Respect for the standards and institutions developed by the inter-American system over its now century-long existence explains why the 20th century, one of the bloodiest in the history of mankind with two conflicts that had to be characterized as "world" wars, was at the same time one of the most peaceful in the history of the Americas. This also explains why those standards and institutions generated by our system served as a model for institutions that emerged over the course of the century in other world regions that also look for peaceful ways to solve problems between countries.

This is the tradition that you are calling on us to reiterate and that is why the governments of the region have unanimously welcomed your proposal at this General Assembly to look for ways to allow a more effective application of those standards and procedures that have hitherto governed our peaceful coexistence.

At this Assembly, the Ministers of Foreign Affairs of the Americas will have an opportunity to examine and reiterate their commitment to peace,

security and cooperation to face up to both the traditional and new threats to the region.

Likewise they will be able to reaffirm the importance of promoting an environment favorable to arms control, limitation of conventional weapons, and nonproliferation of weapons of mass destruction, as well as declare their commitment to fomenting transparency in arms acquisitions, in keeping with the relevant UN resolutions and our resolutions in this area. They will also be able to underscore the importance of continuing progress in bilateral, subregional and regional efforts toward cooperation on security matters and implementation of the conventions, declarations, and understandings adopted on peace, stability, confidence building, and security.

Joint action on these matters requires the existence of stable and shared mechanisms to monitor what each country does with respect to control and transparency in defense policy and spending. In this regard, it is important to recall that transparency in military spending as a confidence-building measure is an important part of the disarmament agenda of the OAS and relies on three main mechanisms. The first is the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, which has been signed by twenty states and ratified by thirteen. The second has to do with the confidence-and security-building measures agreed to in the Declaration of Santiago, the Declaration of San Salvador, and the Miami Consensus. The third mechanism comprises white papers and national defense reports.

In short, at this Assembly we would like states to adopt three main commitments: first, that those that have not yet signed or ratified the agreements do so at their earliest convenience, in order to make the above mechanisms more comprehensive. Second, that they all submit on time their annual reports on arms acquisitions to the United Nations General Secretariat, and their compliance reports on security building measures as set out in the 2009 consolidated list to the OAS General Secretariat. And third, that those countries that have not yet done so disclose their defense objectives and policies through the white papers system and bring them to the attention of the General Secretariat.

With these three instruments: a complete record of arms purchases, information on confidence building measures, and white papers on defense strategies, it will be easier for us to perform our task of monitoring and bring greater transparency to military spending, goals that have so far only partially been achieved.

I believe that the time is ripe for moving forward in this area, a circumstance helped by certain specific developments in recent years which, in themselves, are as significant as the formal measures to which I have referred, if not more so. These are:

- a. The joint action in Haiti on the part of the armed forces of eleven member countries, eight of them in South America and one in Cen-

- tral America, in the United Nations Stabilization Mission in Haiti (Minustah), as well as Canada and, more recently, the United States.
- b. The involvement of armed forces personnel in the region in the OAS demining program—making it possible, a few days ago, to declare Central America free of anti-personnel landmines—is another instance of cooperation and joint work that enables our armed services to work together more closely in technical activities.
 - c. The creation of the South American Defense Council and its Declaration of South America.

VII. TREATY OF TLATELOLCO FOR THE PROHIBITION OF NUCLEAR WEAPONS

Mr. Chairman:

No discussion of our disarmament policies would be complete without reference to a key instrument which is still held up as an example and option for other regions of the world: the Treaty of Tlatelolco for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. In that document, the countries of Latin America and the Caribbean undertook to use nuclear material and facilities under their jurisdiction for exclusively peaceful ends and to prohibit and prevent in their respective territories the testing, use, manufacture, production or acquisition of nuclear weapons; and the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the parties themselves, by anyone on their behalf or in any other way; and to manufacture such weapons or assist third parties in any of these activities.

The level of prohibition contained in the Treaty and the signing of other additional protocols by the nuclear powers have allowed Latin America and the Caribbean effectively to be the only nuclear-free zone. It is as well to recall this when there is talk for the first time of discussing other nuclear-free zones in much more conflict-ridden parts of the world. The example of Tlatelolco shows us that such radical disarmament agreements are possible, especially where strategic weapons are concerned, when the political will to adopt them exists.

Disarmament and cooperation for peace are not, however, the greatest security concern felt by the people living in the countries of the region. A look at recent opinion polls shows that public insecurity is seen as the one of the biggest threats to stability in our countries, to strengthening our democracy, and to the development of our economies. It is among the priorities on the agendas of all our governments and, without question, one of the greatest sources of concern for our citizens.

VIII. PUBLIC SECURITY

Consistent with the vision set out by the Special Conference on Security in 2003, we created, in 2005, the Secretariat for Multidimensional Security and in 2006 we amended the Statutes of the Inter-American

Defense Board as an OAS entity. Today our Organization is the Technical Secretariat for the Inter-American Convention against the Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials; the Inter-American Convention on Transparency in Conventional Weapons Acquisitions; the Hemispheric Plan of Action on Transnational Organized Crime; the Inter-American Drug Abuse Control Commission and its instrument, the Multilateral Evaluation Mechanism; and the Inter-American Committee against Terrorism. It also manages the Comprehensive Anti-Personnel Mine Action Program. To increase and strengthen cooperation on public security, we promoted the holding in 2008 of the first meeting in Mexico of Ministers of Public Security of the Americas, whose second meeting was held in the Dominican Republic in 2009.

In recent months there has been a marked increase in public alarm regarding the activities of organized criminal groups and especially their most prominent manifestations: trafficking in drugs, persons and arms. To combat those forms of trafficking successfully, we must place much more emphasis on consumption. So long as drug markets are open for business in the consumer countries, nothing is to be gained by our stepping up interdiction. The drugs will still get through, at a higher price. Likewise, we need to engage in a head-on attack against trafficking in the other direction: weapons and drug money continue to flow from north to south, arming veritable armies of criminals waging battles against our police forces and the military.

This General Assembly will consider adopting the new Hemispheric Strategy on Drugs approved in early May, 2010 by the Inter-American Drug Abuse Control Commission, CICAD. A year ago I had asked CICAD to revise the old Strategy, so that I am gratified by this new development.

The arduous task of devising the new strategy, masterfully led by Brazil, involved all the member states. Of all the new ideas contained in this new Strategy, I would like to underscore three:

First, respect for human rights in the implementation of drug policies. The global drug problem has undergone considerable change and CICAD deemed it essential to frame the new Strategy in the context of the Universal Declaration of Human Rights, whether in relation to coercion and due process of law or with regard to health and treatment. The valuable report of our Inter-American Commission on Human Rights on Citizen Security and Human Rights is another major contribution in this field.

Second, drug policies need to be based on scientific evidence. In the past, many public policies on drugs were founded upon well-intentioned voluntarism, more than on scientific evidence. Nowadays, our member states are fully aware that effective policies and actions to combat drug trafficking have to be rooted in science. They also realize that, for that to

be possible, they need to establish agencies capable of generating objective, credible, reliable, and comparable information.

Third, dependence on drugs is a chronic and recurrent disease that must be treated as a public health issue. That statement will have an impact on the public health policies and actions of our member states and on the way drug-dependent delinquents are treated. The new Strategy declares that drug addiction must be addressed by the public health services, with provisions for appropriate care, rehabilitation, and reintegration into society.

Our countries need to introduce strict controls to prevent illicit drug trafficking and to take steps to curb the serious threats to security posed for the State itself, as we witnessed recently, by organized crime. But our member states must also begin by preventing the consumption of such substances by their citizens. They must also take steps to help those caught up in drug abuse to return to a healthy and productive life style, freed from their addiction. What the OAS is trying to do is to focus on the need to address the demand for drugs and rehabilitation on a par with interdiction.

Mr. Chairman:

The way to make headway in these matters is to develop cooperation, in the conviction that we share a common future, based on solidarity. It is therefore incumbent upon the Organization of American States to continue contributing to efforts to overcome tense situations, solve crises, and support bilateral, subregional, regional, and international efforts, agreements, and mechanisms for preventing conflicts and resolving disputes by peaceful means.

I have no doubt, Mr. Chairman, that those objectives will be achieved and that they will constitute an authentic and irrefutable reaffirmation of our peoples' and our governments' vocation for peace and yearning for security.

Mr. Chairman, Ministers and Heads of Delegation:

The work we do collectively to forge cooperation, solidarity, and peace is immense and it grows vaster with each year that elapses. The agreements you seek to conclude on arms reduction, control, and transparency and any agreements you may reach on stepping up your cooperation in every facet of multidimensional security, can and must be followed by this Organization. It is the depository of the Hemisphere's legal system, the venue in which the principles governing all states in our region, from the richest and mightiest to the most vulnerable and frail, are generated and kept in force. This is the home of the Inter-American Democratic Charter, the American Convention on Human Rights, the Convention against Corruption; of a common approach to the drug problem, and of many other conventions, agreements, and treaties that constitute the

mainstay of our hemispheric institutions. The decisions adopted by this Assembly will become part of that century-old legacy, which is our Organization's *raison d'être*.

Thank you very much.