Summer 1959

The Organization of American States: its relation as a regional organization to the United Nations

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THE ORGANIZATION OF AMERICAN STATES: ITS RELATION AS A REGIONAL ORGANIZATION TO THE UNITED NATIONS

by

Robert L. Peterson

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts, in the Department of Political Science in the Graduate College of the State University of Iowa

August, 1959

Chairman: Professor James N. Murray, Jr.
ACKNOWLEDGEMENTS

The writer wishes to express his sincere appreciation to Professor James N. Murray, Jr., for his expert supervision of this thesis. Special thanks also go to Professor Vernon Van Dyke and Professor Charles Gibson. Last but not least, much gratitude is expressed to my wife who has been a source of help in more ways than she knows during the long months of research and writing.
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INTRODUCTION

The purpose of this thesis is to describe and explain the relations of the Organization of American States and the United Nations in as clear and coherent a manner as possible. As such, it forms a case study in regionalism under the United Nations Charter.

This study is divided into four main parts. The first is a discussion of the development of the Organization of American States and its formal relationship to the United Nations. In reference to this latter part, rather than examine the provisions of the Charters of each organization, emphasis is put upon the place of regionalism at the San Francisco Conference, which drew up the United Nations Charter. The author feels that this is a much more meaningful approach to the subject than the normal procedure of reiterating Charter provisions.

The second chapter discusses the general subject of cooperation between the Organization of American States and the United Nations. Here the instances of cooperation between the two international organizations are examined in the maintenance of international peace and security, and in the economic and social fields. At the end of the chapter a summary is made of the relevant points of the chapter and a number of conclusions are drawn.
The third chapter presents the major problems which have occurred in the relations of the Organization of American States and the United Nations in relation to the more general question of opposing tendencies between regional and universal approaches to international organization. The procedure followed is the same as for the second chapter.

The last chapter attempts to evaluate the Organization of American States in light of regional-universal relationships. Based on this evaluation and the material presented in the first three chapters, an assessment is made of the Organization of American States, and recommendations are advanced for the more effective integration of the organization into the United Nations system and the strengthening of the regional body itself.

One of the most important purposes of a case study such as this is the assembling of a body of information from which one or more hypotheses may be formed. The hypothesis formed in this thesis concerns the experience of the Organization of American States as a guide for other regional systems, and may be found near the conclusion of the fourth chapter.

Throughout this thesis emphasis is put on the Organization of American States as a regional agency under the United Nations, rather than the world organization itself,
though a substantial amount of material deals especially with that body. This is, of course, in keeping with a case study on regionalism.

Specific mention should be made of the fact that this thesis deliberately attempts to avoid a legal presentation and interpretation of its subject matter. Many, if not most, writers on Latin American affairs, and in particular the Organization of American States, have utilized a strict legal approach to this subject. While this approach has made significant contributions to knowledge of Latin America, it is this author's opinion that there is need for more studies which emphasize the de facto Latin American situation. At the same time, however, it must be recognized that a topic such as this cannot be completely divorced from its legal aspects. Therefore, there is a discussion of pertinent legal matters whenever necessary.

A final word is in order about the use of the terms "regional organization," "regional body" and "regional agency," for a great deal of controversy has surrounded the meaning of these words. Does a regional organization have to encompass a geographically contiguous area, or only a certain section of the world? Are mutual defense agencies, such as NATO, true regional bodies?

For the purposes of this thesis and to avoid the
difficulties of these and similar questions, a regional organization, body or agency is defined as any organization which attaches itself to the United Nations under the provisions of Chapter VIII of the United Nations Charter.
Chapter I

THE ORGANIZATION OF AMERICAN STATES: ITS DEVELOPMENT AND RELATIONSHIP TO THE UNITED NATIONS

The Development of the Organization of American States

Writing at a low point in the struggles of the Latin American nations for independence from Europe, Simon Bolivar in his famous "Jamaica Letter" of September 6, 1815, voiced a dream which he shared with a number of his contemporaries and which has been a recurrent force in the Western Hemisphere.

How beautiful it would be (he said) if the Isthmus of Panama could be for us what the Isthmus of Corinth was for the Greeks! Would to God that some day we may have the good fortune to convene there an august assembly of representatives of republics, kingdoms, and empires to deliberate upon the high interests of peace and war with the nations of the other three quarters of the globe. This type of organization may come to pass in some happier period of our regeneration...Then will we march majestically toward that great prosperity for which America is destined. Then will those sciences and arts which, born in the East, have enlightened Europe wing their way to a free Colombia, which will cordially bid them welcome.¹

From the matrix of ideas and attitudes symbolized by the words of spokesmen of the American dream has emerged what Arthur Witaker has described as "The Western Hemisphere

Idea."  A series of political arrangements has been based on it that has given a peculiar cast to the state system in the New World throughout its modern history. Paradoxically, the Western Hemisphere idea has declined since World War II almost in proportion to the strengthening of the most recent inter-American organization, the Organization of American States.

What is the Organization of American States? How did it develop? Formally the Organization of American States (OAS) was established at the Ninth International Conference of American States held at Bogota, Columbia, in 1948. Practically, however, it represents the culmination of more than two centuries of cooperation, or at least attempts at cooperation, among the various states of the Western Hemisphere.

2 Arthur P. Whitaker, The Western Hemisphere Idea: Its Rise and Decline (Ithaca, New York: Cornell University Press, 1954), p. 4. Whitaker quotes Luis Quintanilla as stating the idea "in almost its pristine purity: "We, here in the Western Hemisphere, belong to a community of neighbors...Not only do geographical closeness and similar historical backgrounds bring us together, but we share in common an idea about the organization of society and of the world. In other words, to face the fact of America is to glance at any map. From pole to pole, from ocean to ocean, we are all in the same boat, we were created to live together." Ibid.

3 Ibid., p. 5. Whitaker states that the decline is due to the linking of the inter-American system with a worldwide system, whereas the essence of the Hemisphere idea is that of a special relationship apart from the rest of the world.
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was not microfilmed
conferences have been held, and since 1939 there have been four meetings of the foreign ministers of the republics. In 1910 the Pan American Union was created, with its seat in Washington. The successive conferences discussed and took action on a great variety of subjects, economic, cultural, judicial. But there was an increasing lack of enthusiasm on the part of the member states as the resolutions passed were not ratified by enough nations to give them force, Argentina being the chief delinquent on this score.

The Seventh Conference at Montevideo in 1933 marked a turning point in the fortunes of organized Pan Americanism. There the United States at last accepted the principles of non-intervention, and that step did more to create faith in the cooperative process than anything which had gone before. Three years later, at the special Inter-American Conference for the Maintenance of Peace in Buenos Aires, the delegates accepted the principle that any act imperiling the peace of any one state is a matter of concern to all. In 1938, at Lima, they went further by affirming the intention of the

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7Ibid., p. 25.


9Ibid.

American states to maintain their solidarity against all foreign intervention, with provision for consultation whenever a threat appeared.\textsuperscript{11} In 1945, at Mexico City, the Act of Chapultepec provided for joint defense of all the states in case of aggression against any one of them,\textsuperscript{12} a measure inspired by Uruguay's fear of Peron's Argentina. This principle was reaffirmed and enlarged in the Inter-American Treaty of Reciprocal Assistance, signed at Rio de Janeiro in 1947.\textsuperscript{13} By these successive enactments, all accepted by the United States, there was created a new sense of assurance that all the American states would stand together in guaranteeing the sovereignty of each state and the protection of that sovereignty against threats either from within or from without the Western Hemisphere.

Meanwhile, there was growing dissatisfaction with the machinery for inter-American cooperation in the Pan American Union. During its earlier years, the Union had been headed by a United States director-general and had been largely staffed by United States' citizens; the Secretary of State had automatically served as chairman of the governing

\textsuperscript{11}Ibid.
\textsuperscript{12}Ibid.
\textsuperscript{13}Ibid., p. 8.
board, which was made of the various chiefs of missions from the several states in Washington. Some Latin American leaders derisively called the Union the "American Ministry of Colonies." At the Bogota Conference the Union was supplanted by the Organization of American States. At that meeting and in succeeding conferences, provision was made for the election of officials other than citizens of the United States, and for a governing board whose members would be appointed by the various states solely as representatives to the OAS. The present inter-American organization, then, is definitely more representative of all the American republics than in earlier days.

The Charter of the OAS provides six organs to carry forward the international responsibilities contracted by the member states. In fact, each of these organs -- three assemblies of representatives, three permanent agencies -- extended and regularized mechanisms already functioning and placed them, at least in form, in proper relation to one another. The plenary organ is the Inter-American Conference, which normally meets at five-year intervals to determine ma-

14Ibid., p. 40.

15Duggan, op. cit., p. 114.

The Meeting of Consultation of Ministers of Foreign Affairs is an emergency organ, called together only when matters of great urgency demand that the governments consult and agree upon immediate action. A third organ is formed by the irregularly called Specialized Conferences, at which technical information is exchanged among representatives of the American states, each Conference being devoted to a specialized field of science, law, commerce, industry, public welfare, culture and education, and the like.

The permanent day-to-day organs of the OAS are its Council, the governing body; the Pan American Union, which acts as Secretariat for nearly all other organs, and the several Specialized Organizations which carry forward continuing programs of a specialized nature of common interest to the member states under the guidance of three major councils.

17 Charter of the Organization of American States, Article 32.
18 Ibid., Article 39.
19 Ibid., Article 93.
20 Ibid., Articles 50, 78, and 95. For a detailed description of these organs, see the appendix.
The Relationship of the Organization of American States to the United Nations

Article 1 of the Charter of the Organization of American States declares "Within the United Nations, the Organization of American States is a regional agency." What is the formal nature of this relationship? How is it to operate?

At the United Nations Conference on International Organization held in San Francisco from April 25 to June 26, 1945, the question of regional versus international organizations was debated at great length; indeed, it "was one of the knottiest questions" with which the Conference wrestled.21 Especially was this true in regard to the determination of the Latin American states, who openly declared that they had not come to the Conference simply to rubber stamp the proposals for regional arrangements which had been made by the United States, Great Britain and the Soviet Union at Dumberton Oaks. Since they felt no responsibility for the Dumberton Oaks plan, which precluded regional action in the maintenance of international peace and security without the express authorization of the Security Council of the new international organization, they had no scruple about trying

The difficulty which the Latin Americans felt in adjusting to the atmosphere of the Conference did not make them more tractable. At the international meetings which had established the United Nations Relief and Rehabilitation Administration, the Food and Agricultural Organization, and the World Bank, they had played a part which corresponded to their own concept of their place in world affairs. At San Francisco, they found themselves lumped together with the numerous "small countries" whose views on many vital issues were at odds with those of the Big Three. They found the United States ranged against them more frequently than with them. This was disconcerting. So was the company in which they found themselves. The Europe which they knew so well had disappeared. More than half of Europe -- enemy countries and neutrals -- was unrepresented. Many countries which were represented sent exiled statesmen who could not be sure whether they spoke for their people. Other delegates represented new leadership sprung from the underground fight against the Nazis. The Latin American delegates found to

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22See, for example, the position of Bolivia, The United Nations Conference on International Organization, San Francisco, April 25-June 26, 1945. Submitted to the Governing Board of the Pan American Union by the Director General, Cong. and Conf. Series No. 48 (Washington: Pan American Union, 1945), pp. 5.
their discomfort that the Europeans believed the war had been an unmixed economic blessing to Latin America. They also found resentment at their numerical importance (40 per cent of the votes at the Conference) and a tendency for Europe to regard them as mere satellites of the United States.

These psychological hazards created acrimony even when the Latin Americans raised a valid point. Such was the case with their sound criticism that under the Dumberton Oaks plan a regional system could not act on a threat to the peace until it had obtained permission from the Security Council. If the Security Council were deadlocked on whether to take action, it would probably also deadlock on whether to give the regional system permission to act, and neither the United Nations nor the regional system would be able to do anything. The difficulty was finally met by extending to regional systems the theory of self-defense (Article 51 of the United Nations Charter). Regional systems were permitted to take emergency action pending steps by the Security Council to restore peace.

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23 Cf., the position of the European states given in Ibid.

Before this point had been settled, however, it had led to a controversy on regionalism vs. universalism which rocked the Conference. The original issue became clouded in a fireworks of oratory. This squabble probably could have been avoided if the United States and the other American republics had, prior to San Francisco, discussed the question openly but constructively, and agreed on a formula to present to the Conference.

The majority of delegates to the Conference argued, convincingly, that the world organization must have authority superior to any regional arrangement. Otherwise, large powers would be tempted to organize clusters of small countries into regional systems for "defense" against other regional systems, and the stage would be set for interregional rivalries and eventually interregional wars. At the same time, regional systems possessing greater flexibility and familiarity with local situations, should be given as much scope as is consistent with the overriding authority of the world organization. An issue arises only when a regional system wants its operations to be superior to the authority of the world order.

This distinction was well understood in Latin America. The Latin American countries themselves made it when
they joined the League of Nations.\textsuperscript{25} Article 21 of the
League Covenant stated in part:

\begin{quote}
Nothing in this covenant shall be deemed to affect
the validity of...regional understandings like the
Monroe Doctrine, for securing the maintenance of
peace.
\end{quote}

At that time, the Latin American states made very clear their
view that the Monroe Doctrine was not a "regional under-
standing" but an unilateral expression of United States
policy, and also that the League of Nations should have
supreme authority over any regional understanding or arrange-
ment.\textsuperscript{26} The Latin American republics thus saw in the League
a barrier against United States interference, and they were
determined not to be prevented from calling on League assis-
tance on the ground that a pseudo-regional understanding
eliminated Latin America from its jurisdiction.\textsuperscript{27}

Most of these Latin American countries which had
argued a generation before for the paramount authority of
the League went all out at San Francisco for a regional sys-
tem not subject to review by the world organization. In
voices vibrant with emotion they even invoked the Monroe

\textsuperscript{25}Warren H. Kelchner, Latin American Relations with
the League of Nations (Boston: World Peace Foundation, 1930),

\textsuperscript{26}Ibid.

\textsuperscript{27}Ibid.
Doctrine, charging that if the Security Council had supreme authority, "foreign powers could intervene to extend their political systems in this hemisphere." 28

The argument, of course, was patently absurd. By using its veto in the Security Council, the United States could prevent the Council from taking any action in the Western Hemisphere. The tender solicitude for the Monroe Doctrine was indeed incongruous, coming from nations which had spent many years kicking it around, and for good reasons.

It is significant that the Latin American republics did not base their objection to the Big Power Veto on the grounds that the United States might use it to re-establish exclusive hegemony in this hemisphere. This possibility was discussed sotto voce within at least one Latin American delegation, 29 but the public objection was that others might use the veto to prevent the United States from taking a hand in European difficulties, the ones most likely to lead to major wars. 30

As shown above, psychological reasons in part led the Latin American delegates into a more extreme defense of

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29 Duggan, op. cit., p. 120.
30 See the remarks of the Cuban delegate, UNCIO Documents, XII, pp. 457-60.
regionalism than they intended when they first brought up their objection to the possibility that a regional system might be paralyzed by a deadlock in the Security Council. An even more important reason for their stand was the confidence in the United States and the inter-American system which had been inspired by the Good Neighbor policy. The recent waywardness of the United States had injured this confidence, but they preferred to trust inter-American cooperation rather than venture into the uncertainties of world organization.

Many of the United States delegates favored the Latin American demand that regional systems receive greater autonomy, but not all for the same reasons. Some of them accepted, sincerely but uncritically, the premise that the Dumberton Oaks plan would prevent an inter-American system from functioning as projected at Mexico City,\textsuperscript{31} as well as the conclusion that the Dumberton Oaks plan must be revised to give greater latitude to regional organizations.\textsuperscript{32} The emotional tension of the debate prevented them from coolly

\textsuperscript{31}For a description of the Mexico City Conference, see \textit{Inter-American Conference on Problems of War and Peace, Mexico City, February 21-March 8, 1945. Submitted to the Governing Board of the Pan American Union by the Director General, Cong. and Conf. Series No. 47} (Washington: Pan American Union, 1945).

\textsuperscript{32}Duggan, \textit{op. cit.}, p. 123.
analyzing the issue.

Others, however, were beginning to feel distrust of the Soviet Union. They thought that a closely-knit autonomous regional system might be a good insurance policy in case the world organization broke down. The Congres­sional members of the United States delegation were especially partial to this approach.

The Soviet delegation was not unaware of the mean­ing of the demand for regionalism. The satellite position of the Latin American republics was confirmed in Soviet eyes when the United States marshalled a unanimous bloc of twenty American republic votes to force the admission of Argentina against Soviet protests.33

Within two years after the San Francisco Confer­ence, the Inter-American Treaty had been signed at Rio de Janeiro, the first regional treaty within the provisions of Chapter VIII of the United Nations Charter. In Article 3 of the Rio Treaty was contained the provisions set out in Article 51 of the United Nations Charter.

Further integration of the inter-American system into the United Nations came with the drafting of the OAS Charter. Article 4 of that Charter, stating the essential purposes of the Organization, recognizes "its regional

33UNCIO Documents, I, p. 357.
obligations under the Charter of the United Nations..." One of the duties of the Council of the Organization, according to Article 53, is "to promote and facilitate collaboration between the Organization of American States and the United Nations, as well as between Inter-American Specialized Organizations and similar international agencies..." Finally, Article 102 dispels, at least formally, any doubts about the relationship between the Organization of American States and the United Nations by stating that "none of the provisions of this Charter shall be construed as impairing the rights and obligations of the Member States under the Charter of the United Nations."

It should be noted that the regional arrangements discussed and finally accepted by the framers of the United Nations Charter at San Francisco, pertained solely to the maintenance of international peace and security. No mention was made of the possible activities of regional organizations in the economic and social fields. Nevertheless, the

34G.D.H. Cole gives the following reason for this: "The United States, while reserving its right to enter into any arrangements it may please with its neighbors on the American continent -- or indeed elsewhere, witness the economic arrangements made with the Philippines -- has been endeavoring to get the rest of the world to organize its economic affairs on the principle of 'no discrimination,' which means, in practice, mainly the right of the free entry for American private enterprise into the markets of the world. The United States delegates were most unlikely, at the time
regional principle is applied in practice through the establishment by the Economic and Social Council of the United Nations of regional economic commissions, such as the Economic Commission for Latin America, in accordance with Article 68 of the United Nations Charter.

Moreover, under Article 53 of the OAS Charter, the Council of the OAS has completed agreements with the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (Unesco), and the Food and Agricultural Organization (FAO).

when the drafting was done, to include in The United Nations Charter anything that might be interpreted as giving encouragement to regional arrangements... Nor was the Soviet Union likely to wish to advertise in the United Nations Charter its far-reaching plans for replacing Nazi Germany as the controlling power in East European economic relations. As for Great Britain, its delegates knew very well that nothing suggestive of the maintenance of the 'sterling area' or of empire preference would find favor with the United States. Accordingly, when the U.N. Charter was being drafted, the entire problem was passed over in silence."

Chapter II

INSTANCEs OF COOPERATION BETWEEN THE ORGANIZATION OF AMERICAN STATES AND THE UNITED NATIONS

The purpose of this chapter is to examine those instance of cooperation which have occurred in the relations of the Organization of American States and the United Nations. In making this examination attention will first be focused on relations of the two international organizations in the maintenance of international peace and security. Thereafter, the welfare activities of the OAS and the United Nations will be dealt with. Finally, on the basis of the two preceding sections a summary will be made of those factors and conditions which appear to be conducive to cooperation between the world and regional organizations.

Cooperation in the Maintenance of International Peace and Security

Essentially, three inter-American conflicts have been illustrative of the cooperative relations of the Organization of American States and the United Nations in the maintenance of international peace and security. These are: the Costa Rica-Nicaragua dispute, 1948-1949; the Haiti-Dominican Republic dispute, 1949-1950; and the Costa Rica-Nicaragua dispute of 1955.

Before discussing these disputes, however, it is
necessary to point out that, strictly speaking, none of these disputes were settled by the joint effort of the Organization of American States and the United Nations. Rather, each was settled solely within the regional organization. Nevertheless, perhaps more important than a strict definition of "cooperation", is the fact that, at least in form, in each of these instances the OAS operated as a supplement to the United Nations functioning in the role assigned it by the world organization.


The Costa Rica-Nicaragua dispute of 1948 and 1949 was the first test of the effectiveness of the Inter-American peace machinery to handle "regional conflicts within the Western Hemisphere." On December 22, 1948, the Costa Rican representative to the Council of the OAS charged that "the territory of Costa Rica had been invaded by armed forces proceeding from Nicaragua," and requested that the provisions of Article 6 of the Inter-American treaty of Reciprocal Assistance be invoked.¹

¹Organization of American States, Applications of the Inter-American Treaty of Reciprocal Assistance, 1948-1956 (Washington: Pan American Union, 1957), p. 19. Article 6 of the Rio Treaty simply requires a meeting of the "Organ of Consultation" in case of aggression and should be distinguished from Article 3 which states that an armed attack by any state against an American state should be considered as an attack against all the American states.
In considering the Costa Rican complaint, the Council of the OAS was to establish a number of precedents which have been observed in subsequent disputes. On the day following the presentation of the Costa Rican complaint to the OAS, a meeting of the Council of the Organization was held and, as there was a complete lack of accurate information, it was decided to adjourn for forty-eight hours to allow each nation to obtain the necessary facts to present its case.² After receiving this information on December 14, the Council called for a Meeting of Consultation of Ministers of Foreign Affairs, although not setting any date for that meeting, and declared itself to be acting provisionally on the Organ of Consultation.³ The Council also appointed a committee of its members to investigate the alleged acts of the Nicaraguan government and requested that Costa Rica and Nicaragua give their fullest cooperation to the Committee.⁴ Nine days later on December 23, the Committee reported back to the Council finding that:

...the revolutionary movement that erupted in Costa Rica was organized in Nicaraguan territory...There

²Ibid.
⁴Ibid.
is not the slightest doubt of the failure of the Nicaraguan Government to take adequate measures to prevent revolutionary activities directed against a neighboring and friendly country from being carried out.\(^5\)

On the basis of this report, the Council ordered that both Costa Rica and Nicaragua, in accordance with the principles of nonintervention and continental solidarity, abstain from further hostilities; called upon each government to eliminate those conditions which led to the dispute; and made certain specific recommendations for the settlement of the dispute.\(^6\) In order to guarantee the fulfillment of these obligations, the Council dispatched a commission of military experts to the scene of the conflict.\(^7\) After a great deal of negotiation between the governments of Costa Rica and Nicaragua, all of which was undertaken by the Council itself, the controversy was settled at least temporarily on February 21, 1949 when a Pact of Amity was signed between the two nations.\(^8\) The Council Chairman then informed the members of the OAS that the dispute had been terminated and,


\(^6\)Ibid., pp. 27-29.

\(^7\)Ibid.

to no one's surprise, that the circumstances which had given rise to the calling of the Meeting of Consultation of Ministers of Foreign Affairs no longer existed.\(^9\)

During the time that the OAS Council was considering this dispute, the individual members were careful to cite the basis given by the United Nations Charter, particularly Article 33, to the OAS for its handling of the case. Outside of this formal recognition of the United Nations, however, the only other action undertaken by the OAS in regard to the world organization was the transmission of information concerning the dispute. Nevertheless, the successful termination of the dispute made any further action by the United Nations unnecessary and showed that the regional organization was able to take prompt action on a minor hemispheric controversy and prevent it from taking on a more dangerous character.\(^10\)

The Haiti-Dominican Republic Dispute, 1949-1950. --

While the Costa Rica-Nicaragua dispute was still being discussed in the Council of the OAS, the Council was again re-


quested to act as the Organ of Consultation under Article 6 of the Rio Treaty. In a letter to the Chairman of the Council on February 15, 1949, the Haitian government charged the Dominican Republic with "moral aggression" and requested an immediate convocation of the Council. More specifically, the letter alleged that the Dominican government had given asylum to and was supporting the activities of Astrel Roland, a former colonel in the Haitian government.

In a special session held on February 23, the Council heard statements from the representatives of the Dominican Republic and Haiti, as a result of which it was decided that the dispute could be settled through the procedures of peaceful settlement available within the OAS, and that there was no need to bring the case to the United Nations for consideration by the Security Council, an action that had been implicit in the Haitian letter. On February 25, the Council decided not to convocate the Organ of Consultation (i.e., the Meeting of Ministers of Foreign Affairs) and expressed the hope that the "friendly relations between Haiti and the

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13Ibid.
Dominican Republic might be strengthened and that an amicable means of settling the controversy might be found.\textsuperscript{14} The two governments then placed the matter before the Inter-American Peace Committee for settlement.\textsuperscript{15} Action by the Peace Committee resulted in the Dominican and Haitian governments adhering to a Joint Declaration on June 10, 1949, in which they pledged:

...not to tolerate in their respective territories the activities of any individuals, groups, or political parties, whether national or foreign, that have as their object the disturbance of the domestic peace of either of the two neighboring Republics or of any friendly nation.\textsuperscript{16}

In spite of this pledge, however, the Dominican Republic permitted the continuation of activities aimed at the overthrow of the Haitian government. As the result of an abortive plot to overthrow the Haitian government on January 3, 1950, the Haitian representative to the Council of the OAS again invoked the Rio Treaty against the Dominican Republic declaring that officials of the Dominican

\textsuperscript{14}Ibid., pp. 23-24.

\textsuperscript{15}Ibid., p. 24.

Republic had been involved in the plot and that "the territorial integrity, sovereignty, and political independence of Haiti had been threatened"; and that, consequently, "the peace of the Americas was endangered." In reply to these charges, the Dominican Republic, on January 6, requested that the Rio Treaty be applied against Haiti and other Caribbean nations because of "activities hostile to the Dominican government."

Acting under the precedents which had been established in the Costa Rica-Nicaraguan dispute, the Council of the OAS constituted itself as the Provisional Organ of Consultation; called for a Meeting of Consultation of Ministers of Foreign Affairs without setting a date for the meeting; and authorized the Chairman to appoint an investigating committee to determine the facts upon which subsequent decisions of the Council would be based.

The Council, acting as the Organ of Consultation, met on January 11, 1950, and decided that it should take up the Haitian and Dominican charges as separate cases. The investigating committee heard evidence in Washington; then

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18 Ibid., p. 81.

19 Ibid.
visited the Dominican Republic, Haiti, Cuba, Guatemala, and Mexico, the last three states being also cited in the complaint of the Dominican Republic. In accordance with the Council's decision of January 11, the investigating committee divided its report into two parts, one dealing with Haiti's charges and the other with the charges of the Dominican Republic.

In support of the charges made by Haiti, the committee found that the failure of the Dominican Republic to prevent activities aimed at the overthrow of the Haitian government within its territory "constituted a violation of the Joint Declaration of the Governments of Haiti and of the Dominican Republic..." 21

In regard to the complaint made by the Dominican Republic, the Committee found that the governments of Cuba and Guatemala had tolerated, and in some instances supported, activities in their territories which were aimed at the overthrow of the government of the Dominican Republic. 22 The Committee also stated that various groups of political exiles were engaged in revolutionary activities, the nature of which

20 Ibid., p. 96.
21 Ibid., pp. 96-109.
22 Ibid.
constituted "a threat to the peace of the Americas."  

On April 3, 4, and 5, the Council gave formal consideration to the report of the Committee and on April 8 delivered its decision on the matter in a series of resolutions which (1) requested the Dominican Republic "to take immediate and effective measures to prevent...subversive or seditious movements against other Governments."  

(2) Requested both the Dominican and Haitian Governments to comply strictly with the Joint Declaration of June 9, 1949, and to make every effort "to avoid the continuation of any systematic and hostile propaganda...against each other or against other American countries."  

(3) Asked the governments of Cuba and Haiti to take measures that would prevent the existence in their territories of armed groups conspiring against other nations and which would prevent acquisition of war materials by such groups.  

(4) Requested that the governments of Cuba, Guatemala, Haiti, and the Dominican Republic adhere to the principles of nonintervention and "to make every effort...to avoid any systematic and hostile propaganda..."  

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23 Ibid., pp. 124-25.  
24 Ibid., pp. 124-25.  
against one another..." (5) Provided for the appointment of a special provisional committee of five members which "would place itself at the service of the interested parties to facilitate compliance with the Resolutions." (6) Recommended that the Council undertake studies on the possibilities of stimulating and developing effective exercise of representative democracy and on rules for political exiles and refugees. (7) Cancelled the convocation of the Meeting of Ministers of Foreign Affairs.

As in the 1948 Costa Rica-Nicaraguan dispute, the United Nations played no part in the settlement of this controversy. Dutiful references were again made to the principles and purposes of the United Nations Charter, and the Secretary-General of the OAS supplied the President of the Security Council with copious details of the actions undertaken by the OAS, for which the President was "extremely grateful," but which was not discussed by the Security Council." Again, however, the Organization of American States,

27 Ibid., p. 128.
28 Ibid., pp. 129-33.
29 Ibid., p. 133.
30 Ibid., pp. 133-34.
at least apparently, had served successfully in accordance with its functions as a regional organization in the United Nations system.

The Costa Rica-Nicaragua Dispute, 1955. -- In January, 1955, hostilities again broke out between the states of Costa Rica and Nicaragua. On January 8, Costa Rica addressed a note to the Chairman of the OAS Council in which he requested an immediate Meeting of Consultation of Ministers of Foreign Affairs, claiming that the independence of Costa Rica was seriously threatened by acts of the government of Nicaragua.32 The Council met to consider the note on January 10 and decided to defer its decision on the matter until January 12.33 In the meantime, however, a de facto invasion of Costa Rica took place and the Council was called into special session on January 11.34

According to the formula which had been worked out in previous disputes, the Council called for a Meeting of Consultation of Ministers of Foreign Affairs but again failed


33Ibid., p. 161.

34Ibid., pp. 161-62.
to fix a date for the actual meeting of that body.\textsuperscript{35} Also, in exercise of its competence to act provisionally as the Organ of Consultation, the Council appointed an investigating committee to proceed to the scene of action and to report upon the facts of the situation.\textsuperscript{36}

On January 12, the Council met again at the request of Costa Rica to consider the bombing of Costa Rican cities by the insurgents.\textsuperscript{37} At that time, the Council requested the governments "who were in a position to do so," to place at the disposal of the investigating committee aircraft which would make pacific observation flights over the regions affected, after receiving the consent of the governments whose territories were to be traversed.\textsuperscript{38}

On February 18, the investigating committee presented its report to the Council.\textsuperscript{39} The committee found

\textsuperscript{35}Charles G. Fenwick states that the calling of the meeting is a form of insurance in case the parties prove recalcitrant. See Charles Fenwick, "The Meeting of Consultation of Foreign Ministers as a Procedure of Inter-American Collective Security," The American Journal of International Law, Vol. 49 (April, 1955), p. 236.

\textsuperscript{36}Organization of American States, Applications of the Inter-American Treaty of Reciprocal Assistance, op. cit., p. 162.

\textsuperscript{37}Ibid., p. 163.

\textsuperscript{38}Ibid.

\textsuperscript{39}Ibid., p. 178.
that there had been foreign intervention with respect to
equipment and transportation of the invading forces, that a
substantial number of the insurgents had entered Costa Rica
across the Nicaraguan frontier, that aircraft "proceeding
from abroad" had bombed and machine-gunned Costa Rican
towns, that in consequence the territorial integrity, sov-
eignty, and political independence of Costa Rica had been
violated and that while a large number of attacking forces
were of Costa Rican nationality the fact remained that Costa
Rica had been the victim of outside intervention.\(^{40}\)

The committee recommended that the Pact of Amity
signed by Costa Rica and Nicaragua in February, 1949 be
strengthened; that a bilateral agreement be signed by the
two parties looking to the more effective application of the
Havana Convention on the Duties and Rights of States in the
Event of Civil Strife; and that a bilateral Commission of
Investigation and Conciliation be appointed to serve as the
permanent guarantee of the settlement of any future diffi-
culties.\(^{41}\)

On February 24 the Council, still acting as the Pro-
visional Organ of Consultation, adopted four final resolu-
tions: the first declaring that since both Costa Rica and

\(^{40}\)Ibid., p. 179.

\(^{41}\)Ibid., pp. 187-88.
Nicaragua had agreed to pacific settlement of their dispute, the situation rendered unnecessary any additional measures provided for in the Rio Treaty; the second resolution calling upon the governments of Costa Rica and Nicaragua to implement the provisions of the Pact of Bogota by utilizing the Commission of Investigation and Conciliation provided for in the treaty, and at the same time to enter into the bilateral agreement contemplated in their Pact of Amity of 1949 for the better supervision and control of their respective frontiers; and the third resolution proclaiming the termination of the activities of the investigating committee, but at the same time creating a Special Commission of the Council to "cooperate" with the governments of Costa Rica and Nicaragua in carrying out the provisions of the second resolution and to continue in the function of military observers as long as would appear to be necessary; and a last resolution of thanks to the investigating committee for services rendered.42

Almost mechanically, the members of the Organization of American States again pledged their allegiance to the United Nations, and the Secretary General of the OAS "cooperated" with the United Nations by providing the President of the Security Council with a great deal of informa-

42Ibid., pp. 194-99.
tion about the dispute, for which the President was again "extremely grateful," but which was not acted upon. 43

Despite the absence of any United Nations action in these cases, however, the Organization of American States did act within the limit of its functions. More importantly, the OAS acted as a complement to, and not a substitute for, the United Nations. Thus the lack of United Nations effort in these disputes may be explained, at least in part, by the success of the regional organization in handling the three controversies.

Cooperation in Welfare Activities

The United Nations and the Organization of American States have cooperated in a number of activities which can broadly be classified as "welfare". Because of the great number of these activities, however, it is impossible to examine each specific instance of cooperation between the OAS and the United Nations. Thus it is necessary to limit this section to a broad, general survey of the work of the regional and world organizations in the economic, social, and cultural fields.

As was noted in Chapter I, the Charter of the

United Nations makes no provisions for regional arrangements in the welfare field. Nevertheless, in practice and through various formal arrangements between the technical organs of the OAS and the specialized agencies of the United Nations, both organizations have attempted to coordinate their welfare activities in the Western Hemisphere. In this regard, Article 61 of the OAS Charter provides that:

The organs of the Council of the Organization shall, in agreement with the Council, establish cooperative relations with the corresponding organs of the United Nations and with the national and international agencies that function within their respective spheres of action.

Perhaps the most noticeable area in which the Organization of American States has closely collaborated with the United Nations has been in the program of technical cooperation which it has undertaken. Stated briefly, the technical cooperation program of the OAS operates regional centers to give technical training to technicians of the member states, nearly always in their native languages, in institutions located in a cultural and social environment familiar to them. The basic philosophy in each center is that the training shall take place at the operating level with emphasis on field-training activities.


45 Ibid.
Administratively, the Inter-American Economic and Social Council (IA/ECOSOC) is the legislative and policy-making body in the program. Each regional training center is assigned to one of the member agencies of the inter-American system for direct administration. Prior to the reorganization of the program in 1956, the heads of these agencies served as members of the Coordinating Committee for Technical Assistance (CCTA), of which the Secretary General was Chairman. In 1956, however, dissatisfaction with the administration of the program prompted the Inter-American Economic and Social Council to reconstruct the CCTA as the Technical Cooperation Board (TCB), to be headed by an executive director appointed by the Secretary General and responsible for seeing that the policies of the program were carried into effect, the prime purpose of this reconstruction thus being to give the program a full-time, high-level executive director.

At first glance, this reorganized structure appears

\[46\text{Ibid., p. 6.}\]
\[47\text{Ibid., pp. 6-7.}\]
\[49\text{IA/ECOSOC Resolution 29/56, approved September 28, 1956.}\]
similar to the structure of the United Nations program with the specialized agencies grouped in a technical assistance board.\textsuperscript{50} Any analogy, however, is misleading. In the United Nations system the specialized agencies have large areas of autonomy, and the Technical Assistance Board of the United Nations has been, at least prior to the reorganization which took place in 1954 and 1955, only an interagency consultative committee.\textsuperscript{51} Even the reorganization of 1954 and 1955 left the specialized agencies largely autonomous, although TAB's role as coordinator of the program was strengthened. In the OAS, the Technical Cooperation Board directs the entire program, under the auspices of IA/ECOSOC, while the member agencies administer individual projects.\textsuperscript{52}

In order to bring about collaboration in the two programs of technical cooperation the OAS and the United Nations have established mutual reporting procedures to keep each other informed.\textsuperscript{53} The knowledge produced by these interchanges is valuable because of the cooperative results

\textsuperscript{50}Glick, \textit{op. cit.}, p. 93.

\textsuperscript{51}Ibid., pp. 93-94.

\textsuperscript{52}Ibid.

which can be achieved -- not necessarily on single projects, for as Philip M. Glick aptly points out, "too many administrations can spoil the broth," but toward a common goal. In the development of the Atribonite Valley in Haiti, for example, a United Nations comprehensive survey report listed the basic assets and liabilities of the region; the Export-Import Bank lent the money for the construction of irrigation works and land leveling, a private engineering firm constructed the system, the Institute of Inter-American Affairs, one of the member agencies within the OAS program, provided the assistance in water operation and land use, the Pan American Sanitary Bureau undertook the problem of eradicating yaws, and the Servicio Cooperativo Interamericano de Salud Publica, a health servicio, dealt with the problem of malaria in the region, providing safe water supplies and administering health centers. (Interestingly enough, no one, as of the date of this writing, had worked on the problems of elementary education, supervised agricultural credit, industrial vocational training, transportation, and other urgent

54 Glick, op. cit., p. 344.

55 The servicio is a rather unique OAS innovation. It is specifically established by the host government, in this case, Haiti, to administer jointly with an OAS agency a group of projects in a major functional field, such as agriculture or public health.

56 Ibid.
needs of this region, but that is beyond the illustration of cooperation.)

Despite a significant amount of cooperation, however, the programs of the OAS and the United Nations have not been without problems. Neither of the programs, for example, is doing such a satisfactory job in training technicians that they would not benefit from more effective collaboration on this matter.\(^5^7\) On the other hand, such problems as are present in coordinating the two programs do not appear to be major ones and have not hindered the effective implementation of specific programs. The problem of duplication, for the most part, has been solved, unlike some other areas of economic activity. On the whole, therefore, it may be said that the OAS and the United Nations have been quite successful in coordinating their technical assistance programs.

Closely related to the technical cooperation programs are a number of formal arrangements which have been concluded between the agencies of the OAS and the specialized organizations of the United Nations. Probably the best example of such an arrangement is the close relationship which

has been established between the Pan American Health Organization (PHO) and the World Health Organization (WHO). The Pan American Health Organization, which has been in existence for more than half a century, is one of the Inter-American Specialized Organizations provided for in the Bogota Charter. Under the terms of an agreement signed on May 23, 1950 between the Directing Council of PHO and the Council of the OAS, the Pan American Health Organization is to act as the regional organization of the World Health Organization. The relations between PHO and WHO are governed by an agreement concluded between the two organizations on May 24, 1949, in accordance with the provisions of Article 54 of the Constitution of the World Health Organization.

Under this agreement PHO and WHO have undertaken joint efforts in a number of fields such as communicable diseases, public health administration, and education and

58 The name of the Pan American Sanitary Bureau was changed, on October 8, 1958, to the Pan American Health Organization.


training in the field of public health.\textsuperscript{61} For example, the development of a systematic program for the eradication of smallpox in the Western Hemisphere was achieved by close collaboration between the two organizations. As a result of this program, the nations of Latin America are assisted in planning, organizing, and carrying out eradication campaigns.\textsuperscript{62} Advice on smallpox vaccination and the preparation of dried vaccination has been given, and equipment for vaccine production, as well as the vaccine itself, has been supplied to the Latin American States under this program.\textsuperscript{63}

Less formal arrangements have been made between the Inter-American Institute of Agricultural Sciences and the Food and Agricultural Organization (FAO). These make available to FAO the benefits of the research work undertaken by the Institute, and furnish the Institute with assistance from FAO.\textsuperscript{64}

In addition to these types of arrangements, the International Labour Organization, the Food and Agricultural


\textsuperscript{62}Ibid., p. 90.

\textsuperscript{63}Ibid.

Organization, and the United Nations Educational, Scientific, and Cultural Organization have entered into general agree­ments with the OAS which, without being very specific, pro­vide for cooperation, mutual consultation, exchange of in­formation and documents and, in some cases, joint action on matters of mutual interest. Such cooperation as has taken place under these arrangements has proven to be of invaluable help in the solution of a great number of economic, social and cultural problems ranging from agricultural development to the training of rural midwives.

Mention should also be made of the newly estab­lished (April 8, 1959) Inter-American Development Bank which has for its purpose "the acceleration of the process of economic development of the member countries, individually and collectively." The type of relation which the bank is

65 For the complete text of these agreements see Org­anization of American States: Agreement Between Unesco and the OAS (Washington: Pan American Union, 1951); Agreement Between the OAS and the International Labour Organisation (Washington: Pan American Union, 1951); Agreement Between the OAS and the Food and Agriculture Organization of the United Nations (Washington: Pan American Union, 1953).

66 For a complete listing of these activities see Organization of American States, Report of the Secretary-­General to the Council of the Organization, 1957-1958, op. cit., pp. 31-118.

to have with similar international organizations, such as the International Bank for Reconstruction and Development and the International Monetary Fund is as yet unclear. Nevertheless, according to the Charter of the Inter-American Development Bank, the bank is required to "cooperate as far as possible with...international institutions...supplying investment capital," and to "enter into arrangements with other organizations with respect to the exchange of information" or for other reasons consistent with its purpose.68

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To a good extent, therefore, cooperation between the OAS and the United Nations in welfare activities has consisted of the exchange of information and mutual consultation. This exchange and consultation should not be underestimated for it has produced some very significant results, particularly in the field of public health. At the same time it is important not to overemphasize this cooperation, for there are still formidable problems which not only hinder cooperation but, at times, the purposes of the organizations themselves.

Summary and Conclusion

What conclusions may be drawn from this examination

68Ibid., Article 1, Section 2(b) and Article 14, Section 2.
of the cooperative relations of the OAS and the United Nations? More specifically, what are the factors and conditions which appear to be conducive to cooperation between the regional and world organization?

As for the maintenance of international peace and security, several factors appear to be important. First as to administration: It is significant that within a few years after the establishment of the OAS as a regional agency within the United Nations system, the American States could have succeeded not only in formulating a regional framework for the peaceful settlement of disputes, but also in operating within it. Further, these procedures have, in part, been ad hoc, viz., the establishment of special investigating committees for specific disputes.

Mechanisms and procedures, however, are meaningless without the willingness to accept and apply them. Nevertheless, the three disputes which have been discussed indicate a triple acceptance of the responsibilities of a regional organization. First, in the prompt appeals to the Council of the OAS; secondly, in the acceptance of responsibility by the Council for action. Finally, willingness was shown by the accuser and defendant alike to accept the Council's decisions.

In a very real sense, though, there were two speci-
fic conditions which were responsible in large part for the success of the regional organization. First, all of these disputes were between small American states. Secondly, all these states were located in the immediate vicinity of the United States. The will of these states to resist any of the recommendations of the OAS was, therefore, neutralized by both their weakness and the position of the dominant member of the organization. Significantly, when the United States was directly involved in a hemispheric dispute in 1954, the whole structure of cooperation between the OAS and the United Nations broke down because of the insistence by the United States that the matter be solved according to its desires.

Perhaps the most ironic factor in all three of the disputes was the fact that they were solved quite independently of the United Nations. As will be shown in the next chapter, one of the problems which has been present in the relations of the two inter-national organizations has been the tendency of the OAS to act independently of outside interference, including interference by the world organization. Thus, the assumption to be drawn from these disputes is that cooperation is possible between the OAS and the United Nations when the regional body is given not only primary, but complete concern with hemispheric disputes. If this is
true, then the value of the Organization of American States in the maintenance of international peace and security is severely limited.

More encouraging has been the relations of the OAS and the United Nations in the welfare field. Here the intense desire of the Latin American states for economic and social improvement has contributed to a serious consideration of the means best suited to achieve the desired goals. The intenseness of this desire has also, of course, led to unrealistic solutions at times; but, in the main, the economic activities of the OAS and the United Nations have been well-planned, systematically coordinated, and applied with the least amount of effort and money. Nevertheless, it is necessary to point out that the amount of cooperation which has taken place, while significant, has been small in relation to what could be done. The profusion of subjects under consideration by both organizations is, for the most part, highly technical. There are many more important fields for which the possibilities of fruitful cooperation has not even been explored. One of these is low-cost housing developments for the exploding population of Latin America. The establishment of an inter-American bank for economic development may arouse interest in such topics, but it is doubtful under present circumstances whether the multiple economic and
social activities of the OAS and the United Nations will be significantly increased beyond the arena of technical problems. In view of the splendid record of success in the welfare field, it is indeed unfortunate that the OAS and the United Nations insist upon limiting themselves in their activities.
Chapter III

OPPOSING TENDENCIES BETWEEN REGIONAL AND UNIVERSAL APPROACHES TO INTERNATIONAL ORGANIZATION IN THE RELATIONS OF THE ORGANIZATION OF AMERICAN STATES AND THE UNITED NATIONS

In the preceding chapter an examination was made of the instances of cooperation between the Organization of American States and the United Nations. The purpose of this chapter is just the opposite. In this chapter an examination is made of those instances of conflict which have occurred in the relations of the Organization of American States and the United Nations. In making this examination, attention will first be focused on the problems which have arisen in the maintenance of international peace and security. Secondly, the question of opposing tendencies will be discussed in relation to the welfare activities of the OAS and the United Nations. Finally, a summary of factors brought out in the first two sections will be made.

Problems of International Peace and Security

Since the establishment of the Organization of American States as a "regional agency" within the United Nations, a number of problems have arisen which have pointed to opposing tendencies in the universal and regional approaches to the maintenance of international peace and security. Since
discussion of these problems could feasibly include every instance of conflict between the two organizations, however, it is necessary to center attention on those that comprise the most important ones.

The Problem of Jurisdiction. -- Perhaps the most important problem which has been encountered by the OAS and the United Nations has concerned the jurisdiction of the two organizations. Formally, the United Nations Charter allows settlement of controversies between the American states by the various procedures available in the Inter-American organization. The Security Council of the United Nations, however, may intervene in any inter-American dispute or situation under the circumstances specified in Chapters VI and VII of the United Nations Charter. Moreover, with regard to enforcement action, the American states are precluded from taking such action on their own initiative, except when it is a consequence of the right of collective self-defense recognized in Article 51 of the Charter.

As a practical matter, however, the division of jurisdiction between the OAS and the United Nations is unclearly defined. Further, in certain cases the jurisdiction of the two international organizations may actually be overlapping. It is not surprising, then, that conflict occurs between the regional and universal organizations. The
problem is also complicated by the fact that legal arguments usually conceal political purposes on the part of the members of the two organizations, though most writers on Latin America have yet to discover it. Finally, confusion is added by the fact that the members of the OAS are also members of the United Nations.

The Guatemalan dispute of 1954 offers the best illustration of this problem. The background of the dispute is not complicated. Since March, 1951, Guatemala had been under the tutelage of Jacobo Guzman Arbenz who, until his ouster in July, 1954, was quite sympathetic to Communist activities in Guatemala. In the fall of 1953, the government of the United States began to express concern over what it termed "the wholesale infiltration of Communist elements into the Guatemalan Government." In March, 1954, at the Tenth Inter-American Conference at Caracas, Venezuela, the United States strongly urged the adoption of a resolution which declared that:

The domination or control of the political institutions of any American State by the international Communist movement, extending to this hemisphere the political system of an extracontinental power, would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America, and would call for a meeting of

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consultation to consider the adoption of appropriate action in accordance with existing treaties.²

As is usually the case in matters of this sort, the United States resolution was adopted at the same meeting, though not without difficulties. Not unexpectedly, Guatemala cast the only negative vote, a sure indication, according to one American spokesman, "of the Soviet attempt to win Central America," though how this conclusion was reached is inexplicable.³ Two states, Mexico and Argentina, did not vote on the resolution. Mexico, in explanation of its abstention, claimed, not illogically, that the terms in which the resolution was framed would permit the collective intervention of the American states on the alleged ground that it was dominated by a foreign nation.⁴

On June 18, 1954, a band of Guatemalan insurgents, led by an exiled Guatemalan, Carlos Castillo Armas, invaded Guatemala from Honduras with the purpose of overthrowing the government. Guatemala immediately accused the governments


of Honduras and Nicaragua of assisting the rebels; and on the grounds of "an act of criminal aggression" brought the case before the Security Council of the United Nations.\(^5\) Obviously, by bringing its case before the Security Council, Guatemala sought to avert regional action and to restrict consideration of the case to the United Nations.\(^6\) On the other hand, the United States and the two Latin American members of the Security Council, Brazil and Colombia, sought to remove the case from the Security Council and bring it under the regional procedures of the Organization of American States.

This question was the subject of a prolonged debate at two meetings of the Security Council held on June 20 and June 25, 1954. At the June 20 meeting, the Council debated a joint draft resolution submitted by Brazil and Colombia which proposed that the Security Council:

Conscious of the availability of inter-American machinery which can deal effectively with problems concerning the maintenance of peace and security in the Americas, refer the complaint of the Government of Guatemala to the Organization of American States for urgent consideration...\(^7\)


As expected, the Soviet Union vetoed the resolution maintaining that "The Security Council has no right to wash its hands of its primary responsibility for the maintenance of international peace and security." The United States representative, Henry Cabot Lodge, vigorously attacked this position, claiming that "the situation does not involve aggression but is a revolt of Guatemalans against Guatemalans," and gravely warned the Soviet Union to "stay out of this hemisphere and do not try to start your plans and your conspiracies over here." The final action of this meeting consisted of the adoption of a French resolution which simply called for "the immediate termination of any action likely to cause bloodshed" and requested "all members of the United Nations to abstain, in the spirit of the Charter from giving assistance to any such action."

The June 25 meeting of the Council considered the adoption of a provisional agenda listing the Guatemalan complaint. As at the June 18 meeting, a heated debate took place between Henry Cabot Lodge of the United States and

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8 Ibid., p. 35.
9 Ibid., p. 29.
10 Ibid., p. 32.
11 Ibid., p. 38.
Semyon Konstantinovich Tsarapkin of the USSR. Mr. Tsarapkin claimed that while "the capital of Guatemala is being bombed, procedural ruses are being used here to prevent the Security Council from discussing this question." In an angered reply, Mr. Lodge asserted that the request of Guatemala for United Nations assistance was "an effort to create international anarchy, rather than international order," and accused Guatemala of being the "tool" of international communism. He then warned that consideration of the Guatemalan complaint by the Security Council would turn back "the clock of peace" and "disorder will replace order." The final vote of the Council on the adoption of the provisional agenda was four in favor (Denmark, Lebanon, New Zealand and the USSR), and five against (Brazil, Nationalist China, Colombia, Turkey and the United States), with two abstentions (the United Kingdom and France). Essentially the position of Denmark, Lebanon, and New Zealand was that the Security Council had a duty to take up any complaint submitted to it by a member state of the United Nations concern-

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13 Ibid., p. 23.
14 Ibid., p. 31.
15 Ibid.
16 Ibid., p. 34.
ing a situation taking place in that state's territory. The British and French abstentions were explained by the British delegate, Sir Pierson Dixon who stated that "while it is clear that there is a state of affairs to which the Security Council cannot remain indifferent" a vote in favor of the adoption of the provisional agenda "would be tantamount to a vote of no confidence in...the Organization of American States." Seemingly, therefore, the issue raised in the Security Council was consent to regional action. "Do members of the United Nations have the right to insist on action by the United Nations in case of aggression, or can that body refer the case to a regional organization?" Probably more fundamental, however, was, to put it bluntly, the question of United States domination in the Western Hemisphere. Quite obviously, consideration of the Guatemalan complaint by the OAS would, and as far as any action taken by that did, result in the adoption of resolutions supporting the United States position.

17Ibid., p. 17.
19Ann V. and A.J. Thomas, Jr., Non-Intervention: The Law and its Import in the Americas (Dallas: Southern Methodist University Press, 1956), p. 161. Taking the conventional legal approach to Latin American issues, the authors naively assert that this was the "underlying issue."
20Houston, op. cit., p. 111.
As far as the United Nations was concerned, William Frye, the Christian Science Monitor's United Nations reporter, concluded that:

The reputation of the United Nations as a primary resort of victims of aggression has been beclouded. Here at United Nations headquarters the United States' reputation as a stout champion of collective security has been severely tarnished.²¹

After June 25, no further action was taken by the Security Council on the Guatemalan question. In the OAS, the Inter-American Peace Committee was dispatched to Guatemala but was called back in consequence of the success of the revolt. Plans were also formulated of a Meeting of Consultation of Ministers of Foreign Affairs but, again, the success of the revolt made such a meeting unnecessary. Thus, the Guatemalan case was finally settled outside both the United Nations and the Organization of American States.

"The revolution against the Arbenz regime was successful and the OAS and the United Nations were presented with a fait accompli."²² In fact, the whole situation, as Clement Attlee so aptly put it, "left a rather unpleasant taste in one's


The Problem of Regional Irresponsibility. -- A second problem which has hampered cooperative relations between the OAS and the United Nations has been the refusal of the regional organization to act on questions not strictly pertaining to the Western Hemisphere. According to E.G. Miller, this arises from the fact that:

...the Latin Americans look with apprehension upon the growing commitments (of the United States) in other areas in which they are therefore involved through their commitments to us. At the same time, the lop-sided balance of military power in our favor tends to create irresponsibility in Latin America with respect to problems of world security, and this mood is intensified when we participate in common defense arrangements with countries which are much stronger than they, but which nevertheless receive great amounts of military assistance from us. In some countries of Latin America -- or at least, in important sectors of public opinion -- these factors (often, of course, combined with others) produce neutralism very much akin to the neutralism of some of the Asiatic countries.

This problem has been particularly evident in situations involving political and military cooperation between the OAS and the United Nations, and was especially pronounced during the Korean conflict. In that conflict, many of the

23Quoted in Ibid., p. 802.


Latin American states, while quick to condemn the North Koreans as aggressors within the United Nations, were hesitant in supporting the action undertaken by the United Nations in the Organization of American States. This attitude was expressed at the Fourth Meeting of Consultation of Ministers of Foreign Affairs which took place in Washington from March 26 to April 7, 1951. At this meeting, Brazil, Colombia, Cuba, Paraguay, the United States and Uruguay were co-sponsors of a resolution which, in view of the United Nations action in Korea, recommended:

That each of the American Republics should immediately examine its resources and determine what steps it can take to contribute...to the United Nations collective security efforts...26

In the debate on this resolution, however, many of the Latin American states complained that the resolution overemphasized the United Nations aspect of what was supposedly an Inter-American meeting.27 The Argentine delegate, Dr. Hipolito J. Paz, stated that the action contemplated in the resolution was not "a matter of regional concern."28

Notes:


27 The New York Times, April 1, 1951, p. 35.

28 Organization of American States, Fourth Meeting of Consultation of Ministers of Foreign Affairs, op. cit., p. 191.
representative, Dr. Manuel Galich, opposed the resolution on the grounds that armed participation in operations outside the Western Hemisphere was a matter for "our respective governments." Nevertheless, the resolution was finally adopted by an unanimous vote; those states which had opposed it explaining their vote in terms of the "solidarity of the Western Hemisphere." As is so often the case in international organizations, however, the act of passing the resolution did not ensure the armed participation of the Latin American states in the United Nations action in Korea. Only one Latin American state, Colombia, actually sent troops to Korea.

Josef L. Kunz, in summing up the attitude of many of the Latin American states at the Fourth Meeting of Consultation, has concluded that:

The representatives of many Latin-American Republics looked at the Organization of American States primarily as a regional organization; the hemispheric, not the global aspects interested them; they were rather unhappy to see this regional system involved in United Nations affairs.

The Problem of Regional Autonomy. -- Implicit in the preceding problems is a third problem which concerns the

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29Ibid., p. 193.

30Kunz, op. cit., p. 742.
status of the OAS in relation to the United Nations. Formally, of course, the Organization of American States is a "regional agency" within the United Nations. However, as Inis Claude has observed:

...regional security agencies have acquired a more nearly autonomous status, and a much more prominent status, in relation to the United Nations than was envisaged at San Francisco.31

Applying this generalization to the Organization of American States, Howard Cline has stated that "the members of the OAS do not feel that it is merely a regional organization, and have been determined to maintain their ancient autonomy."32

The Koran situation was, of course, an overt manifestation of this attitude. As noted previously, many of the Latin American states, in the discussions of Korea within the OAS, protested the use of that organization in a United Nations action, thus indicating the extreme consciousness which they possessed of their regional interest vis a vis the world organization.

Jurisdictional question may also be indicative of this tendency toward autonomy. In the case of Guatemala, for example, it was apparent in the position of the United

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Henry Cabot Lodge was quite specific on this point:

The United Nations should be supplementary to and not a substitute for or impairment of the tried and trusted regional relationships...33

This tendency toward autonomy is unfortunate. As Robin A. Humphrys has pointed out:

Pan Americanism, no doubt, is not enough. The problems of the New World and the problems of the Old cannot be solved in isolation and what happens in Latin America certainly in part depends on what happens in the rest of the world.34

Logically, the solution to this problem would lie in placing the OAS under the exclusive authority of the world organization and endowing that organization with enough power so that it is able to assert its superiority. But a strict centralization, even if attainable, would be hardly desirable.35 Despite the increasing "universality" of many interests which require consideration and decision by a world organization, their implementation can, at times, be conveniently left to subordinated regional bodies. Like other problems, then, the management of this one requires the


maintenance of an equilibrium between regional and world organizations. This requirement is not an easy one to meet, for as Inis L. Claude has observed:

The maintenance of equilibrium between opposing tendencies operating in a dynamic context is a task requiring great skill and statesman-like capacity for judging the circumstantial requirements for and the possibilities of adaptation. Beyond this, it requires an intelligent evaluation of the merits and demerits of the opposing tendencies which has not been notably present in the management of the shifting balance between regional and universal approaches to international organization. 36

Problems Relating to the Welfare Activities of the OAS and the United Nations

As in the maintenance of international peace and security, the relations of the OAS and the United Nations in the welfare field have been beclouded by a number of problems. It should be noted, however, that the problems discussed below relate only to instances of conflict between the regional and universal organizations in their approaches to welfare, and do not include problems of intra-organizational conflict, unless, of course, such problems are also indicative of opposing tendencies between the OAS and the United Nations. In general, two major problems may be discerned.

The Problem of Duplication of Welfare Machinery.-- The first of these problems, and undoubtedly the most obvious

36 Claude, op. cit., p. 125.
one, has concerned the duplication of welfare machinery by the OAS and the United Nations. A case in point is the duplication which has occurred between the Economic Commission for Latin America (ECLA), a United Nations agency, and the Inter-American Economic and Social Council (IA/ECOSOC).

The establishment of ECLA in 1948 was itself accompanied by a great deal of debate within the United Nations Economic and Social Council concerning the necessity or lack of necessity for the new agency. A number of states, including the United States, stressed the importance of provisionally established Inter-American Economic and Social Council, pointing out that it was to be organized at Bogota as a permanent institution and that, at least implicitly, there was little, if any, need for an economic commission for Latin America. An even more fundamental objection was advanced by the delegates from Canada and New Zealand. John Houston has summarized the Canadian and New Zealand arguments by stating that:

They emphasized the dangers inherent in the regional approach to economic problems, which could easily violate the "spirit of world wide functional approach" and contribute to nationalism and multi-lateralism.


38 Houston, op. cit., pp. 224-25.

39 Ibid., p. 225.
The final report of the Ad Hoc Commission established by the United Nations Economic and Social Council attempted to meet these objections. In regard to the question of functionalism, the Commission stated that the establishment of ECLA

...could not impede but would undoubtedly facilitate further work by the Specialized Agencies to forward the policies of the Latin American countries looking toward the raising of the level of economic activity.\textsuperscript{40}

On the question of coordination with the Inter-American Economic and Social Council, the Commission simply pointed out that IA/ECOSOC had passed a resolution favoring the establishment of ECLA and had agreed to coordinate its work with the United Nations agency.

The first meeting of ECLA, which took place at Santiago in June, 1948, dealt with the problem of duplication and attempted to define the jurisdiction of the two economic agencies. However, according to Simon G. Hanson, the Conference "came up with a meaningless delineation of functions":

...the work of ECLA would be directed 'more especially toward the extracontinental aspects of Latin American economic problems and to aspects related to urgent problems arising out of the world and the world economic maladjustments' while the Inter-American Economic and Social Council would work towards 'maintaining and strengthening economic

relations of the Latin American countries both with countries of the world and among themselves." This gibberish was accompanied by instructions to the two groups to 'maintain continuous liaison, avoid prejudicial duplication, obtain maximum collaboration, exchange officers on a mutual basis.' Significantly, the effort to set up distinct functions was so pathetic that it broke down at the very same meeting ...when the delegates undertook to work on various problems...41

The problem of duplication between ECLA and IA/ECOSOC has remained a continuing one. Numerous attempts have been made to resolve the problem, but these efforts have not been very successful; the most recent of these attempts having been made in 1957 at the OAS Economic Conference at Buenos Aires.42 Significantly, however, even this Conference could do no more than simply declare:

That coordination and cooperation between the Inter-American Economic and Social Council and the Economic Commission for Latin America is advisable from every point of view, in order to avoid duplication of work and expense, as well as the dissipation of effort...43

The important contributions which both ECLA and IA/ECOSOC have made to economic and social progress in the


43Ibid., Resolution XL.
Americas does not diminish the importance of this problem. Rather, as the 1957 OAS Economic Conference correctly diagnosed, the continuance of economic and social progress with the least amount of work, expense and effort is dependent upon the solution to the question of the avoidance of duplication between these two agencies.

The Problem of Political Colonialism in the Western Hemisphere. -- The second issue to arise in the relations of the OAS and the United Nations in the welfare field has centered on the question of which organization is best equipped to deal with political colonialism in the Americas. This problem has been complicated by the fact that it has taken several different aspects which, to an extent, have been determined by various political factors. In general, however, three different categories of colonial questions can be distinguished: 44 (1) the remaining European possessions in the Western Hemisphere, the European titles to which are not generally questioned. These include the British, French, and Dutch possessions in the West Indies and in northeastern South American (British Guiana, French Guiana, and Dutch Surinam). (2) The United States' dependency, Puerto Rico. (3) Territories in dispute between one or more Latin Ameri-

can states and one or more European powers or the United States. These are British Honduras, or "Belize" (claimed wholly by Guatemala and in part by Mexico), the Falkland Islands (in the possession of Great Britain but claimed by Argentina), and Antarctica.

The question of which international organization, the OAS or the United Nations, was to be primarily concerned with the undisputed European possessions in the Americas arose as early as the Bogota Conference in 1948 during the debates on the establishment of a regional committee to deal with dependent territories in the Western Hemisphere. Those opposing the measure, particularly Brazil and the United States, argued that jurisdiction over such questions belonged to the United Nations, not to a regional body. Proponents of the measure, however, based their case on the Havana Convention of 1940, claiming that the rejection of their proposal would, in effect, constitute a retreat from the anticolonial position allegedly adopted at that time.

46 Ibid.
47 The Havana Convention of 1940 was a Meeting of American Foreign Ministers which was held shortly after Hitler's conquest of France and the Netherlands. At this meeting, a resolution was adopted in an attempt to prevent any European possessions from falling into German hands. This "Convention for the Provisional Administration of
It was further argued that the existence of European colonies in the Americas constituted a danger to the hemispheric defense system which had been permanently established by the Rio Treaty of 1947, thus reinforcing demands of "justice" with those of "security." This point of view was upheld by the Venezuelan representative, Romulo Bentacourt, when he declared that:

There exists a close link between the problem of liberty in America and the irritating survival of the colonial system on our soil. The fact that the domination of colonizing powers over vast regions of the Hemisphere should have been permitted to subsist weakens the collective faith in the efficiency of the Pan-American system. And this feeling is accentuated when one observes that the colonial status of America has not been modified, whereas the Phillipines, India, and Burma, already free, have become a part of the international community.

These arguments were accepted and the proposal for the committee was adopted with seventeen favorable votes and four abstentions (the United States, Brazil, Chile, and the Dominican Republic).

The American Committee on Dependent Territories met only once, however, from March 15 to July 21, 1949, at

European Colonies and Possessions provided that any American possessions, if threatened, might be taken over and administered under inter-American authority and should then be prepared for either ultimate autonomy or restored to their previous status. Ibid., pp. 156-57.

Ibid., pp. 157-58.

Quoted in Ibid., p. 158.
Havana. The actions taken at this meeting concerned all three categories of political colonialism, but were rather anticlimatic in view of the debate at Bogota. The resolution of undisputed European territories stated that:

...the appropriate body of the Organization of American States (either a meeting of American foreign ministers or an inter-American conference) should seek the cooperation of the European colonial powers either in giving their American colonies independence or else in placing them under United Nations trusteeship with a view to their eventual independence.50

With the exception of the reference to the possibility of placing these colonies under United Nations trusteeship, the Committee made no attempt to define the role to be played by the United Nations in the matter. On the contrary, on the basis of the resolution which was passed, the appropriate body of the OAS would directly seek cooperation with the European colonial powers. Presumably, the United Nations would have been informed of the OAS activities in this regard, but its role, at best, would have been secondary to that of the regional organization. Fortunately, from the point of view of the effectiveness of the United Nations in the colonial realm, the resolution was not implemented.

The Committee's meeting at Havana was not only its

50 Ibid., p. 160.
first but, to date, its last. Nevertheless, a number of subsequent inter-American meetings have considered this issue. At the Fourth Meeting of Consultation of Ministers of Foreign Affairs in 1951, a number of earlier anticolonial principles were reaffirmed and a resolution was passed which simply requested that:

...the interest of the inhabitants of these territories should be taken into account, so that the gradual development of their political, economic, social, and educational life may be promoted.51

The Tenth Inter-American Conference (Caracas, 1954) considered the question of undisputed European colonies in some detail. After considerable debate on the subject, much of it distinguished for its superficiality, three resolutions were adopted. The strongest, introduced by Argentina, declared that "it is the will of the peoples of the Americas that colonialism maintained against the desires of peoples, and the occupation of territories, be definitely ended."52 A second resolution, proposed by Brazil, requested the "extra-continental powers" not to delay applying those provisions of the United Nations Charter which would enable the

51 Organization of American States, Fourth Meeting of Consultation of Ministers of Foreign Affairs, op. cit., Resolution VI.

52 Organization of American States, Tenth Inter-American Conference, op. cit., Resolution XCVI.
inhabitants of their colonies to "exercise fully the right of self-determination."53 By passing this resolution the OAS put itself in the rather odd position of requesting non-members to undertake specific action. The third resolution recommended that the report of the American Committee on Dependent Territories be submitted to the United Nations and asked the OAS Council to summon another meeting of this Committee "when circumstances made this desirable."54 As of the present writing, however, the Council has not acted upon this request.

The role of the OAS in the supervision of undisputed European colonies is vague. The question of whether the OAS or the United Nations is to have primary responsibility in the supervision of these colonies has, for the most part, been ignored. While the refusal to deal with this question has not, as yet, presented great difficulties in the relations of the OAS and the United Nations, it remains a potential source of conflict.

Probably less important than the above question has been the issue of Puerto Rico. To a considerable extent this problem has presented less difficulty in the relations of the OAS and the United Nations than within the organiza-

53 Ibid., Resolution XCVII.
54 Ibid., Resolution XCVIII.
tions themselves. Essentially, the interorganizational conflict about Puerto Rico has concerned the jurisdiction of the regional organization and which organization is best equipped to handle the situation. Not unexpectedly, Latin American anticolonialists and anticolonial nations in other parts of the world have considered the question a matter for the General Assembly for, as Arthur Whitaker has observed, "The Council and conferences of the Organization of American States do not provide so good a forum for this purpose." On the other hand, a number of the less vehemently anticolonial Latin American states have favored regional consideration of the subject, though not denying the competence of the United Nations in the matter. The situation has been complicated by the position taken by the United States, particularly since it granted home rule to Puerto Rico in 1953. This position can probably be best described as one reflecting the desire of the United States to have the matter dropped from consideration in both the United Nations and the OAS. On occasion, some of the Latin American states favoring regional action have supported the United States position in the United Nations; the best example of this being

56Ibid.
57Ibid.
the proposal that the United States be "relieved" of the obligation of reporting on Puerto Rico as a non-self-governing territory, which came up before the General Assembly in 1953. 58

As for the disputed territories in the Western Hemisphere, it would logically be expected that such disputes would lie outside the jurisdiction of the OAS, if only for the fact that the parties to the dispute are not all members of that organization. Instead, the United Nations would normally be considered to be the proper forum for these disputes. However, the OAS has, on occasion, taken upon itself the consideration of this question. The American Committee for Dependent Territories, for example, adopted a resolution which expressed "sympathy with every just and legitimate claim of any American nation," reaffirmed "the principles relative to the emancipation of America" and adopted "as its rule of conduct the pacific settlement of all disputes in accordance with justice and international law." 59

It is probable that a number of factors underlie the tendency of the Organization of American States to consider questions relating to colonialism in the Americas.

58 Ibid., p. 165.
59 Ibid., p. 160.
Arthur Whitaker has identified one of these as

...the tendency of many Latin Americans to put a loose and broad construction upon the term "colonialism", so that either this term or its twin, "imperialism" will serve to describe almost any act of which one does not approve... 60

In this sense, then the OAS has served as a much better forum than the United Nations for the passing of resolutions voicing these grievances.

Summary and Conclusions

The fact that a number of problems have arisen in the relations of the Organization of American States and the United Nations indicates the existence of a number of factors which promote conflict between the two international organizations. Certainly the most obvious one has been the lack of any systematic formulation of these relations. This has been especially true in the economic and social field where certain conditions, such as the existence of low levels of economic development in Latin America, have prompted duplication in economic agencies in an effort to obtain the best which each organization has to offer. The lack of systematic formulation, however, instead of producing the avowed goals, has led to serious inconsistencies, as illustrated by the relationship between the Economic Commission

60Ibid., p. 169.
for Latin America and the Inter-American Economic and Social Council.

Probably more important, though, has been the priority which members of the OAS have often given regional over universal obligations. This priority, in the words of John A. Houston, "cannot be entirely reassuring to those bearing the principal responsibility for making the United Nations function effectively as a guarantor of security." As in the case of Korea, such an attitude can provide a rationale for non-compliance with action undertaken by the world organization.

Another factor has been the position which, at least on one occasion, has been exhibited by the dominant member of the regional organization, the United States. This position, of course, was the one taken by the United States in the Security Council of the United Nations during the debates on the Guatemalan situation. While it may be argued that Guatemala was an isolated phenomena, it must be realized that a precedent was established to justify exclusion of the United Nations from an examination of a threatening situation until its resolution by the dominant member of the regional system. Under analogous conditions, conditions which may

61 Houston, op. cit., p. 146.
62 Ibid., p. 112.
well arise in the present state of Latin American affairs, the result could well be the same, the price of which being the effectiveness of both the OAS and the United Nations.

Perhaps the importance of these factors could be conveniently summed up by noting the increased reluctance of the members of the OAS to utilize the United Nations as an instrument for the solution, pacific or otherwise, of important international problems. In the area of the maintenance of international peace and security this reluctance reflects, among other things, the inadequacy of the United Nations as an agency for the peaceful settlement of disputes and the accomplishment of peaceful change. At the same time, the inadequacies of the United Nations are also those of the OAS. Neither organization, for example, has developed sufficient legislative powers to cope successfully with the all important problem of peaceful change. As for the welfare activities of the OAS and the United Nations, reluctance to use the United Nations has been exhibited in the attempts by the regional organization to consider questions, such as colonization in the Western Hemisphere, which reasonably fall within the purview of the world organization. Obviously, there is no one solution which will suffice for the eradication of conflict between the OAS and the United Nations. Rather, the management of the shifting balance between the regional
and world organization is certainly the most important question which must be faced.
Chapter IV

AN EVALUATION OF THE ORGANIZATION OF AMERICAN STATES
IN LIGHT OF REGIONAL-UNIVERSAL RELATIONSHIPS

The issue which is frequently posed in terms of "regionalism vs. universalism" is not a new one. From one point of view it is the old issue of centralization vs. decentralization that has been prevalent within states; of how much power and responsibility should be concentrated at the center, and how much should be left or allocated to local organs and authorities. The issue at the international level is how far obligations assumed by states and the functions and powers of international agencies should be global in extent.

Examinations of this problem on the basis of the experience of the Organization of American States and the United Nations have yielded different, and often contradictory, conclusions. On the one hand it has been argued that the OAS has strengthened rather than weakened the forces for peace; that it lessens the burden which must be carried by the United Nations by allowing it to devote its attention to

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major areas of tension, such as Palestine and Lebanon, rather than Costa Rica and Nicaragua. On the other hand it has been maintained that the OAS has not served its essential function as a regional security agency of the United Nations, and that collective security under the Uniting for Peace resolution in the United Nations offers a better guarantee for the security interests of the United States and for the concern of the Latin American States in preserving their independence. Neither of these arguments appear entirely correct, for each tends to overlook those aspects of the OAS which do not fit within the general pattern of the argument. Particularly has this been true in the welfare activities of the OAS. In view of the incompleteness of these arguments, then, it is necessary to attempt an evaluation of the Organization of American States in light of regional-universal relationships. In this way, it will be possible to make an assessment of, and some recommendations for, the organization; and to form a hypothesis about the experience of the OAS as a guide for other regional systems.

As we have seen in the practice of the OAS to date, or perhaps better, in the conduct of the members of the OAS,

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the regional principle has found wide applications. Not only has it been the basis of various arrangements for the maintenance of international peace and security within the Western Hemisphere, but it has also been widely applied in the economic, social, and cultural fields. Furthermore, in these latter fields it has been applied with generally good results, both from the point of view of the member states and the effective functioning and reputation of the OAS and the United Nations. Collaboration, taking the form of consultation, exchange of information and experience, and joint review of data, has shown that the regional approach is well adapted to the performance of such long range functions as the handling of health problems in the Western Hemisphere and the development of national resources. The practice of convening periodically for serious consideration of common problems has helped to establish standards, ethics, and patterns of performance for the various cooperative undertakings of the agencies of the OAS and the specialized organizations of the United Nations. This is not to say that problems do not remain. The record of the OAS and the United Nations certainly leaves much to be desired in achieving the specialization and cooperation necessary for effective international action, and contributing to economic and social progress in the Americas. Nevertheless, given the extra-
ordinary complexity of the issues involved, the brief period during which economic and social problems have shared the limelight with political problems, and the paralyzing effect of the strife between East and West, the sum total of concrete achievements should afford a basis for qualified optimism about the future.

It is the application of the regional principle to the peace and security of the Western Hemisphere that has raised the most serious questions. While the OAS has been successful in handling a number of regional disputes, there are a number of considerations which point to the need for caution in adopting the regional approach. The inadequacy of regionalism becomes especially apparent when it is used as the basis for dealing with problems that are essentially nonregional in character, or when the activities of the regional body seem to infringe upon and seriously threaten the interest of states within the organization.

Foremost among these considerations has been the position of the United States in the regional organization. Within the OAS, experience so far has indicated that there have been fears among many of the Latin American states that the "Colossus from the North" will dominate the weaker states or interfere in their internal or external affairs. Until the United States vigorously pressed its Good Neighbor policy and
pledged itself in formal compacts not to intervene in the affairs of others, suspicions of "Yankee imperialism" were rife within the Americas and there was considerable opposition to United States leadership in a strong inter-American system. Even today, after more than twenty years of the Good Neighbor policy and assiduous cultivation of the principle of "continental solidarity," suspicions linger.\(^4\)

Equalization of "respect" for the sovereignty of all republics has taken place, but differentiations of power remain and have increased.

The protection which the United States provides the structure of the OAS, then, is the most important factor governing inter-American relations. Action or inaction by the United States has determined, to a good extent, the effectiveness of the Rio Treaty and the Bogota Charter. The United States could also be responsible for their disintegration. Two-thirds of the members of the OAS could vote for sanctions against an aggressor. If the one-third minority included the United States, is it conceivable that the matter would ever come to a vote? Even if it did, is it conceivable that the other American republics could supply the force necessary for deterrence without the assistance of

At Rio de Janeiro, the American states drew in exact geographic terms the line of the inter-American security zone. It stretches from the North Pole to the South Pole and includes Canada and Greenland, in addition to a segment of Antarctica. According to the Rio Treaty, a power attacking the hemisphere from outside that line has to reckon with the combined might of all the American Republics.\(^5\) This diabolical schemer for world domination, so far hypothetical, would, in assessing his chances for success, however, evaluate the strength, not of El Salvador and Uruguay, nor even of Argentina and Brazil; but, having committed his fortunes to the struggle, would attach all importance to the actions of the United States. Clearly, the United States alone has the ability to promote the success of the OAS. It alone has the great military strength to preside over the arbitration of inter-American conflicts of serious proportions and to discourage foreign aggression. In a very real sense, then, it is not simply the relations of the OAS and the United Nations which account for the success, or lack of success, of regional organization in the Western Hemisphere; for the position of the United States within each of the organiza-

\(^5\)Inter-American Treaty of Reciprocal Assistance, Article 3.
tions is usually the dominate one.

How competent, then, has the OAS been in guaranteeing the fundamental purposes of both the Bogota Charter and the Charter of the United Nations? Perhaps most noticeable is the fact that the American governments have exercised great caution in employing collective intervention to insure respect for international law when the dispute or situation cannot be considered under the Rio Treaty. Moreover, as we have seen, even in those disputes which were considered under the Rio Treaty, the OAS Council limited itself to securing respect for the nonintervention principle. The enforcement of international law in the Americas thus has been dependent upon the effective support which has been given to this principle.

There is even less regional agreement on the desirability of collective intervention in the event of the domination, whether real or apparent, of an American government by the so-called international communist movement. Obviously, the United States' position has reflected its global responsibilities for the containment of communism; in its view, hemispheric stability depends not only on the curtailment of adventurous filibustering raids, but more importantly on the frustration of a communist beachhead
which would unsettle an already unstable area. As with Nazi propaganda in Latin America during World War II, the United States has come to view subversive communism as a particular threat to the Monroe Doctrine.

Simultaneously, the Latin-American position on ideological intervention has changed with the world situation and the ideological orientation of their respective governments. In United States sponsored resolutions in the OAS in 1948 and 1951 the American States, for the most part, vigorously condemned the communist movement in the Western Hemisphere. When the Caracas Conference met in 1954, however, a resurgent nationalism in Latin American was replacing the cooperation motivated by the shared fear of communist aggression. It was a year after the death of Stalin, and two years after the Korean armistice, besides, Secretary of State John Foster Dulles was now requesting that they agree to the collective enforcement of the anticommunist policy in a situation which reeked of United States intervention to them. Their eventual support of the United States resolution was given reluctantly and with the knowledge that the United States, in return, would approve resolutions relating

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7 Ibid.
to economic assistance.

Cohesion in the OAS, therefore, is far from striking. A judicious process of balancing keeps the organization effective in terms of presenting a united front, but it requires continuous effort by the United States to retain the almost solid OAS-bloc vote in favor of its interpretations and conceptions of global collective security, i.e., permissive enforcement.

Assessment and Recommendations for the Organization of American States

If Latin American suspicions of the United States are to be resolved and a viable OAS developed, both from the point of view of the organization itself and its position within the United Nations system, agreement must be reached on inter-American objectives; the question of existing power differentials will then be viewed, as it was under the Good Neighbor Policy, in terms of its contribution to mutual assistance. First of all, the United States must exercise restraint in pursuing its security policies in the Western Hemisphere. An important step in this direction would be to recognize the proper competence of the United Nations in regional affairs. Since 1936, the Monroe Doctrine has been unleashed from its traditionally unilateral and isolationist moorings; regional consultation and the
Bogota Charter have collectivized the Doctrine, the Truman and Eisenhower "doctrines" have denuded it of its isolation, and it is now imperative that the United States internationalize this historic policy by permitting the Latin American governments to submit what they feel are major disputes to the United Nations for determination. Thus, at any time when a Latin American state feels that a dispute is an immediate threat to its territorial integrity and political independence, and fears the dispute would not receive objective consideration by the Organization of American States, it should be free to appeal to the United Nations where the floodlight of world opinion and the balancing of world interest would ensure a hearing, though, it must be recognized, in view of the present limitations of the United Nations, settlement might not be forthcoming.

The security of the United States in the Western Hemisphere would not be jeopardized; Latin America, more than any other area of the world is immune from cold war conflicts, and the preponderance of United States power is sufficient to permit the time-consuming debates in the United Nations without serious risk to its continental position. A

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two-ocean navy has made the Panama Canal less necessary for strategic purposes at the same time the atomic-air age has made it less defensible. The recognition of United States responsibility for this limited area of regional disputes, furthermore, would bring United States policy into harmony with its legal obligations under the United Nations Charter, and with its position on questions in other parts of the world, particularly the Middle East. The United States

9New York Times, April 18, 1957, p. 3.

10CF. Ernst B. Haas, "Regional Integration and National Policy," International Conciliation, No. 513 (May, 1957), pp. 438-42. Haas concludes that the voting on cold-war issues is no more reliable in the Nations General Assembly than it is within regional groupings, and that the latter may be induced to support the United States position on cold-war issues in exchange for economic and colonial concessions. However, Quincy Wright has declared that regional defense systems tend to increase world tensions and provoke aggression. He is heartened by the development within these systems, since the death of Stalin, of built-in checks against aggression. For example, the decentralization of the Warsaw system, United States collaboration with the Soviet Union in checking Britain and France at Suez, and the British check on the aggressive policy of the United States in Formosa and Viet Nam in 1954. He concludes, "even if the great alliances continue, they may become systems of checks and balances, strong for defense but weak for aggression, rather than power blocs in which all will feel obliged to follow and support the most aggressive member in any initiative it may take. This course of development might proceed toward the elimination of the two great alliances altogether, thus establishing six major centers of power within the United Nations." Quincy Wright, "International Conflict and the United Nations," World Politics, Vol. 10 (October, 1957), pp. 49-63. Within the inter-American system, the economic and colonial inducements which Haas supports have been accompanied by political support of reliable dictatorial
would thereby eliminate the paradoxical position of demanding regional settlements for its own sphere of interests in the Western Hemisphere and simultaneously insisting, for example, that France and Britain submit their Middle Eastern disputes to the United Nations.

With regard to disputes handled within the regional system, the Council of the OAS could delegate its power of investigation of a violation of the non-intervention principle which is not serious enough to be considered under the Rio Treaty to the Inter-American Peace Committee for recommendation of settlement procedures. In the event of failure, the Council might itself adopt a recommendation regarding the merits of the case. Continuing disregard for its recommendations might prompt the Council to determine whether the situation violates the sovereignty of an American state, and would, therefore, be subject to consideration under the Rio Treaty; this, as we have seen, has already been done on occasion. Likewise, a rejection of its recommendation for the judicial settlement of a legal dispute might be so considered. While the guarantee of human rights has not been incorporated in the Inter-American treaties,

regimes. It would seem then an appreciation of the new international situation and the growing resentment of great-power intervention would suggest imposing limitations on the continuing effectiveness of regional military alliances both from the long and short-run points of view.
their flagrant abuse has been frequently accompanied by conspiratorial intervention, and as such as been subject to Council action. It is certainly no accident that every inter-American dispute handled by the OAS since 1948 has involved one or the other of two governments, distinguished for their authoritarian nature, and one of which is notorious for its abuse of human rights.

Any delay by the OAS Council in fulfilling these responsibilities imposed by the Bogota Charter imperils the continued existence of the inter-American system. It will become no more than a remembrance of the past if it permits the growth of a separatist movement among the Latin American governments which have become suspicious of its activities. But it is clear that the catalyst for this needed rejuvenation is the United States itself. In no other region could the United States, with so little risk to its security, afford to promote this kind of progressive order which it has so often endorsed.

Hypothesis: OAS Experience As A Guide for Regional Systems

There is much that is unique in the operation of any regional system, and the OAS is no exception. While culturally the American states are almost as heterogeneous as SEATO, and geographically they are united only by virtue
of the Mercator maps, they do possess a tradition of cooperation and dedicated leadership which has been reinforced by the special political and economic influence of the United States. For these reasons the effective action programs of the OAS are not easily transferable.

Nevertheless, cold war tensions and growing nationalism in the Middle East, Southeast Asia, Japan and Africa, suggest that other regional systems are being confronted by a political situation comparable to that in which the OAS operates.

The OAS experience, therefore, suggests that regional organizations elsewhere should shift their emphasis toward economic and social objectives. Regional cooperation then would be prompted by the state's interests in the welfare of its citizens. These objectives better accord with the desires of the smaller states, and are more immune from the threat of intervention by hegemonic members whose vital interests in self-preservation would be diverted to United Nations channels. This is not to say that the United Nations can magically be transformed into an effective instrument for bringing security to the cold war frozen world or even that the United Nations can suddenly be made the director of international cooperation. While this may have been the intention of the framers of the United Nations Charter
at San Francisco, the most casual observer of the current international scene can see that the problem of world order has not been solved. As exemplar of world cooperation, however, the United Nations cannot be strengthened significantly so long as a substantial share of international activity is deliberately placed outside its purview. The guide to long-range action might well be practically the reverse of that which has been followed in the relations of the OAS and the United Nations to date. Instead of: "how much does the operation of the United Nations endanger regional security vis-à-vis hostile security blocs?" it might become: "how many of the difficulties of limited, regional cooperation might be overcome by transferring them, in whole or in part, to the organization which was, after all, entrusted, presumably for some constructive purpose, with supervisory responsibility?"

Concentration on welfare activities by regional organizations, however, demands more than financial and technical assistance. It also demands respect for the evolving rules of international intercourse. Without this respect, guaranteed by conciliation and arbitration agreements, the host of intimate relationships between states will result inevitably in the undesired pattern of coercive interference by the most powerful. If, on the other hand, collec-
tive intervention on the regional level is reserved for the purpose of compelling respect for principles and procedures which the member states have endorsed and which are directed towards the welfare of its citizens, viable regional organizations may be expected to contribute to the long-run international objectives of peace with justice.
PURPOSES AND STRUCTURE OF THE ORGANIZATION OF AMERICAN STATES

The Organization of American States is founded upon the Charter signed at the Ninth International Conference of American States on April 30, 1948.¹ The membership of the OAS is presently composed of twenty-one nations of the Western Hemisphere. These are: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the United States, Uruguay, and Venezuela.

As outlined in Article 4 of the Charter of the Organization of American States, the purposes of the Organization are five fold: To strengthen the peace and security of the continent; to prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, judicial and economic problems that may arise among them; and to promote, by cooperative action, their economic social and cultural development.

Six main organs are established by the Charter of the OAS to accomplish these purposes.² These are: The

¹Annals of the Organization of American States.
²Charter of the Organization of American States, Article 32.
Inter-American Conference; the Meeting of Consultation of Ministers of Foreign Affairs; the Council of the Organization; the Pan American Union; the Specialized Conferences; and the Specialized Organizations.

The Inter-American Conference.--The Charter of the Organization of American States as "the supreme organ of the Organization of American States."³

It decides the general action and policy of the Organization and determines the structure and policy of its Organs, and has the authority to consider any matter relating to friendly relations among the American States.⁴

Each member state has "the right to be represented at the Inter-American Conference," and has "the right to one vote."⁵ Although the Charter contains no provisions on the number of votes required for a decision of the Conference, decisions have usually been made by a majority of those present and voting.⁶

The Conference is required to meet once every five years "at the time fixed by the Council of the Organization."⁷

³Ibid., Article 32.
⁴Ibid.
⁵Ibid.
⁷Charter of the Organization of American States, Article 35.
However, "in special circumstances and with the approval of two-thirds of the American Governments, a special Inter-American Conference may be held."8

The Meeting of Consultation of Ministers of Foreign Affairs.--According to the Charter, the Meeting of Consultation of Foreign Affairs is to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation."9 Each member state is represented by its highest ranking spokesman for foreign affairs, the foreign minister, or in the case of the United States, the Secretary of State.

Any member of the OAS may request that a Meeting of Consultation be held, but "in case of an armed attack within the territory of an American State or within the region of security delimited by treaties in force," a Meeting of Consultation is mandatory.10

The Charter also establishes an Advisory Defense Committee "to advise the Organ of Consultation on problems of military cooperation that may arise in connection with the application of existing special treaties or collective

8Ibid., Article 36.
9Ibid., Article 39.
10Ibid., Article 43.
security."¹¹ This Committee is composed of the highest military authorities of the members of the organization.

The Council of the Organization.--The Council of the Organization serves as the permanent executive body of the OAS and has its seat in Washington, D.C. with headquarters in the Pan American building. The Council has twenty-one members, one for each member of the OAS. Each member "has the right to one vote," and decisions of the Council are made by a majority of the member states.¹² All representatives to the Council hold the rank of Ambassador.

The Council of the OAS has a number of duties. It "considers any matter referred to it by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs."¹³ The Council is responsible for the proper functioning of the Pan American Union, which acts as the Secretariat of the Organization. In case of an armed attack upon any one of the American states, the Council is empowered to act as the provisional Organ of Consultation. Finally, the Council coordinates the activities of the Inter-American specialized organizations.

¹¹Ibid., Article 45.

¹²Regulations of the Council of the Organization of American States, Articles 35 and 36.

¹³Charter of the Organization of American States, Article 50.
The Charter also establishes three permanent organs of the Council of the Organization. These are: The Inter-American Economic and Social Council, which has the responsibility of promoting the economic and social welfare of the American states; the Inter-American Council of Jurists, which serves as an advisory body on judicial matters; and the Inter-American Cultural Council, which is responsible for the "promotion of educational, scientific and cultural exchange." These organs technically have autonomy within the limits of the Charter; but their decisions cannot "encroach upon the sphere of action of the Council of the Organization."

The Pan American Union.--The Pan American Union is the central and permanent organ of the OAS and the General Secretariat of the Organization. The Secretary General of the OAS is the director of the Pan American Union and its legal representative. Under the direction of the Secretary General, the Pan American Union works to promote economic, social, judicial and cultural relations among all the member states, and also renders such technical informational ser-

14Ibid., Article 57.
15Ibid., Article 73.
16Ibid., Article 58.
17Ibid., Article 78.
vices to private groups and individuals as will further the aims of the organization. As secretariat of the OAS, the Pan American Union prepares the agenda for meetings of the Council, makes reports and studies as required, and serves as the depository of the instruments of ratification of Inter-American agreements and treaties.

These duties are distributed among four departments: Economic and Social Affairs, International Law, Cultural Affairs, and Administrative Affairs.

The Specialized Conferences.--The Specialized Conferences are established by the OAS Charter "to deal with special technical matters or to develop specific aspects of inter-American cooperation." Such meetings may be called by the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization, "either on its own initiative or at the request of one of its organs or of one of the Specialized Organizations."

The Specialized Organizations.--The Charter defines Specialized Organizations as "intergovernmental organizations

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18 Regulations of the Pan American Union, Article 3.
19 Charter of the Organization of American States, Article 93.
20 Ibid.
established by multilateral agreements and having specific functions with respect to technical matters of common interest to the American States." At present there are five Specialized Organizations: The Institute of Geography and History; The Inter-American Child Institute; The Inter-American Commission of Women; The Pan American Health Organization; and The Inter-American Indian Institute. These organizations must periodically submit reports on their work and on their annual budgets and expenses to the Council of the Organization.

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21Ibid., Article 95.
BIBLIOGRAPHY

Public Documents

Charter of the Organization of American States.

Charter of the United Nations.


Inter-American Treaty of Reciprocal Assistance.


9th Yr., 675th Mtg., 20 June 1954.

9th Yr., 676th Mtg., 25 June 1954.

Books


Articles and Periodicals


Kunz, Josef L. "Fourth Meeting of Consultation of Ministers of Foreign Affairs," American Journal of International Law, XLV (October, 1951), 740-46.


