# OAS REFORMS AND THE FUTURE OF PACIFIC SETTLEMENT*

*Mary Jeanne Reid Martz*
*Clemson University*

As in the case of Mark Twain, the reports of the death of the Organization of American States (OAS) are greatly exaggerated. Certainly it is not operating at peak performance. However, neither is it the moribund institution that the mass media would have us believe—although some recent reports of the General Assembly meeting in Santiago have given us glimmerings of hope for a rebirth. It is the purpose of this report to investigate the status of one of the major aspects of the contemporary OAS reform efforts—the peaceful settlement of disputes within the organization's structure. The indefinite postponement of this particular issue cannot belie the fact—amply demonstrated in the debates of the Special Committee to Study the Inter-American System and Propose Measures for Restructuring It, the Conference of Plenipotentiaries to Amend the Inter-American Treaty of Reciprocal Assistance, and the Permanent Council—that the resolution of disputes is of fundamental importance to the nations of the hemisphere and that there is some degree of relative satisfaction over past OAS performance in that area. It would thus be appropriate for students of inter-American relations to take a greater scholarly interest in the OAS than is now the case.

Works dealing with the OAS are few in number and now largely dated. The two traditional standard texts in the field are at least thirteen years old. Thus, a volume by Charles G. Fenwick[1] and one by Ann Van Wynen Thomas and A. J. Thomas, Jr.[2] are carefully documented juridical treatments of the inter-American system and of the OAS during its first dozen or so years. A third general work is a highly detailed chronological discussion of hemispheric security affairs by J. Lloyd Mecham,[3] published in 1961, which concentrates on the OAS. Two other brief works in the early 1960s, by John C. Dreier[4] and William Manger,[5] examined crises within the OAS.

In 1966 the Inter-American Institute of International Legal Studies[6] presented a dry if comprehensive publication embracing the OAS within the context of the entire inter-American system. The same year British historian Gordon Connell-Smith[7] came out with a piece on the inter-American system which focused on the regional organ and North American motives and actions therein.

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A 1967 work by Jerome Slater[8] looked at the OAS within the milieu of United States foreign policy and interests.

None of the preceding are sufficiently contemporary to deal with the Amended Charter of the organization, which was written in the mid- to late 1960s and entered into force in February 1970. Only a massive tome by M. Margaret Ball[9] published in 1969 concerns these interesting reforms that indicated a trend toward Latin preoccupation with economic affairs. Since that date no major works on the OAS have been printed in English. Aside from an occasional very short and general article on the latest OAS reforms in the *Américas* magazine issued by the Pan American Union Secretariat,[10] journal pieces have been almost nonexistent in the 1970s.[11] Today, published book-length works in the inter-American field deal almost exclusively with U.S.-Latin American relations.[12] A few other recent books concern Latin America's new international role.[13]

The ink had scarcely dried on the 1970 Amended Charter of the OAS when the General Assembly ordered a study of the restructuring of the inter-American system. All of the aspects concerning political, economic, social, scientific, technological, and cultural cooperation among the American states were to be reconsidered. Established by the OAS General Assembly at its third session, the Special Committee to Study the Inter-American System and Propose Measures for Restructuring It (CEESI) began work in Lima, Peru on 20 June 1973, presided over by Ambassador Carlos García Bedoya, the Secretary General for Foreign Affairs of Peru.

The CEESI completed its tasks on 20 February 1975 after twenty months of discussion. On 19 May 1975 the General Assembly considered the Final Report of the Committee[14] and adopted a resolution convoking a Conference of Plenipotentiaries to Amend the Inter-American Treaty of Reciprocal Assistance (Rio Treaty). In effect, the General Assembly appeared to agree with the CEESI that, although the inter-American system required improvement and updating, "the existence of an inter-American system constitutes a real need for hemispheric relations" while "the necessary peaceful relations between Latin America and the United States" gives "a real content to the existence of the system."[15] Thus, the Latin nations recognized the need for a regional organization together with United States membership. The Conference of Plenipotentiaries was held in San José, Costa Rica, 16–26 July 1976 in order to review the provisions of the 1947 Rio Treaty. Delegates utilized the CEESI recommendations and further observations made by the Permanent Council.[16]

Most of the major actions taken by the Conference were only peripherally related to the pacific settlement of disputes by the OAS. The fourth session of the General Assembly in 1974 had specifically instructed the Special Committee to give priority to inter-American cooperation for "integral development" and "collective economic security for development." As a result, of fundamental significance at the gathering was the completely new Article 11 of the Rio Treaty which—adamantly opposed by the United States—calls for "collective economic security" of the American states to be guaranteed "through suitable mechanisms to be established in a special treaty" for the "maintenance of peace and security

in the Hemisphere." Thus, peace would presumably be maintained, and the existence of controversies precluded, by the guarantee of collective economic security. This provision had been considered by the majority of CEESI members as one of their most important recommendations,[17] i.e., a preventive approach to the preservation of peace and order.

For some time there has been concern, at least on the part of a minority, that the Rio Treaty has been employed for pacific settlement purposes when that was not a part of its original intent. The Peruvian delegate to the CEESI manifested the feelings of some that collective security instruments ought to be clearly distinguished from those relative to the peaceful solution of controversies: "Collective security refers to the critical situations in international relations, signifying a breach or at least a threat to the maintenance of peace and to the good order of these relations. Pacific settlement implies that the existence of political factors make viable the submission to international instances of controversies among states that cannot be resolved by direct negotiation."[18] It was contended that, although both are complementary, a distinction should be discernably maintained.

Pacific settlement has now, however, been recognized as a positive function of the collective security treaty in Article 8, which stipulates that "without prejudice to such conciliatory or peace-making steps as it may take, the Organ of Consultation may" adopt certain designated sanctions. This provision, in effect, recognizes the past relatively successful efforts at peaceful settlement undertaken under the Rio Treaty.

A major task relative to the lessening of tension (if not the settlement of a dispute) was performed at the San José Conference. At the request of eleven states, an Extraordinary Session of the Permanent Council convoked the Sixteenth Meeting of Consultation of Ministers of Foreign Affairs on 25 July. The latter, sitting in continuous day and night sessions on 29 July, adopted the Freedom of Action resolution which leaves "the States Parties to the Rio Treaty free to normalize or conduct in accordance with the national policies and interests of each their relations with the Republic of Cuba at the level and in the form that each State deems advisable."[19] Approved by a vote of sixteen (including the U.S.) in favor, three (Chile, Paraguay, and Uruguay) against, and two (Brazil and Nicaragua) abstaining, the document does not formally lift or refer to the sanctions imposed by the earlier 1964 Meeting of Consultation. Nevertheless, it should provide the impetus for the normalization of hemispheric relations.

One significant change in the Rio Treaty dealt with the grey area where pacific settlement shades into collective security with the imposition of sanctions short of the use of force. Such measures have been taken and considered as extensions of the peaceful settlement function. Article 20 of the Amended Rio Treaty would now allow an "absolute majority" (then twelve votes), rather than a two-thirds vote (then fourteen votes), to rescind the collective measures taken by the organization. The CEESI had approved the provision with no opposing votes while the San José Conference nearly unanimously supported it. The majority felt the change to be necessary in order to prevent a tyranny of a minority. As Gonzalo J. Facio, Foreign Minister of Costa Rica, noted: "The

obligation of taking measures against a state as being qualified as an aggressor is so serious that such measures should be maintained only as long as two-thirds of the States whose votes were required to impose them still favor their maintenance."[20]

Concerning the imposition of sanctions by the Meeting of Consultation, there were several efforts to remove the teeth from relevant treaty provisions. In meetings of the CEESI Peru had attempted, with Mexican support, to require the inter-American system to demonstrate solidarity only "in the competent world forums" such as the U.N. Security Council.[21] At the San José Conference, Peru made an effort to restrict coercive measures to those occasions when no amount of persuasive measures could resolve the difficulty. Similarly, Mexico proposed that "collective measures, given their coercive nature" as referred to in Article 8, "cannot be applied in mandatory form without authorization" of the U.N. Security Council according to Article 53 of the U.N. charter.[22] Many OAS members, however, felt that such a stipulation would leave all mandatory measures subject to a permanent member veto in the Security Council. Thus, Peru's proposal was defeated, with the majority abstaining.

There was no attempt to dilute the pacific settlement functions of the Permanent Council in its capacity as the Provisional Organ of Consultation. Neither was dissatisfaction expressed over the fact that the Council in the past set the place and date on only six of the sixteen occasions that the Meeting of Consultation of Ministers of Foreign Affairs has been convoked under the Rio Treaty.[23] This maneuver has allowed the Council, acting as Provisional Organ of Consultation, to operate in a highly flexible manner in controversies that required urgency or in less serious situations.

A considerable alteration in the Rio Treaty can be found in Article 5, which could be significant for the future of pacific settlement. Recourse to the initial Rio Treaty for peaceful settlement purposes in the past has been made under Article 6, which deals with "the inviolability or the integrity of the territory or the sovereignty or political independence" of a state being affected by "an aggression which is not an armed attack or by an extra-continental or intracontinental conflict, or any other fact or situation that might endanger the peace of America."[24] An aggression not taking the form of armed attack and facts possibly endangering peace have been considered to be situations of indeterminant and ambiguous meaning. Such language, according to Peru and Mexico, had allegedly induced the invocation of the Rio Treaty by mighty nations against differing ideologies or political structures.[25]

When the Protocol of Amendment of the Rio Treaty enters into force, collective action will require "an act of aggression" or "a conflict or serious event that might endanger the peace of America." It is understood that such precision should deter the repetition of another Cuban-style situation. According to Article 9, aggression entails the "use of armed force . . . against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with" the U.N. or OAS Charters, or the Rio Treaty. This definition is based on one adopted by the United Nations. Some specific acts such as invasion, bombardment, blockade, and the sending of mercenaries are

listed. Nevertheless, the fact that "the Organ of Consultation may determine that other specific cases submitted to it for consideration, equivalent in nature and seriousness to those contemplated in this article, constitute aggression" under provisions of the abovementioned Charters and Treaty, suggests that possibilities for loose interpretations still exist. This seems especially clear when one notes that in spite of much rhetoric concerning "ideological pluralism," the Preamble to the Protocol of Amendment continues to note that "peace is founded on . . . the effectiveness of democracy."

Article 10 of the original Rio Treaty had reaffirmed "the rights and obligations of the High Contracting Parties under the Charter of the United Nations." Moreover, Article 2 required the parties to try "to settle any such controversy among themselves . . . *before* [emphasis mine] referring it to the General Assembly or Security Council of the United Nations." But the majority of the members in the CEESI and the Permanent Council had made an attempt to give the contracting parties "the right to refer such disputes or situations to the attention of the [U.N.] General Assembly or Security Council," without first having to consult the OAS. Thus, the CEESI and Permanent Council drafts had excluded the word "before."[26] At the San José Conference it was decided to reincorporate "before" with the further stipulation that rights and obligations under Articles 34 and 35 of the U.N. Charter shall "not be interpreted as impaired." Now it seems to be agreed that each country individually must decide *if* it has resorted to the OAS before reference to the U.N. This is an important clause which, in effect, covers reservations that such nations as Mexico had entertained.

One completely new and important addition to the Rio Treaty is Article 6, providing that "any assistance the Organ of Consultation may decide to furnish a State Party may not be provided without the consent of that state." This proviso continues an unfortunate trend on the part of the hemispheric organization that precludes the rendering of pacific assistance in disputes where one of the parties refuses such aid.

With regard to the mechanisms for the pacific settlement of disputes, nothing was changed in the Rio Treaty. The agencies remain the same—the Meeting of Consultation of Ministers of Foreign Affairs and the Council acting as Provisional Organ of Consultation—with more or less the same functions. This reflects in part the view that, as Costa Rican President Daniel Oduber Quirós observed at the San José inaugural session,[27] in many ways the Rio Treaty has assisted in the maintenance of peace. It is true that Costa Rica has been one of the prime beneficiaries of the organization's most successful efforts. In a more fundamental sense, however, the lack of revision in the pacific settlement arena is a result of the fact that delegates regard it as too delicate a matter with which to tamper.

The reservation of El Salvador to the effect that "its articles contain no commitment by the Parties to use compulsory methods or procedures for the settlement of disputes, which El Salvador cannot accept," attests to the weakness and failure of the organization in application of the Rio Treaty to resolve the problems leading to the El Salvador-Honduras conflict, and demonstrates the sensitivity of the subject. Although the OAS arranged a ceasefire in 1969 to

terminate overt hostilities,[28] the disputants have failed to resolve their frontier, population, and Common Market difficulties. As a result, the Thirteenth Meeting of Consultation remains in session despite OAS requests to the disputants that the gathering be brought to a close. This insistence on the part of El Salvador and Honduras bears witness to the fact that the intervention of the OAS has been considered by the parties involved to be at least partially efficacious.

The Protocol of Amendment to the Inter-American Treaty of Reciprocal Assistance has not yet come into effect. It is to enter into force when two-thirds of the signatory states have deposited their ratifications. This will undoubtedly entail several years. Moreover, the United States has formally filed a reservation accepting "no obligation or commitment to negotiate, sign, or ratify a treaty or convention on the subject of collective economic security" as provided for in the Amended Treaty.

On 8 September 1975 the General Committee of the Permanent Council decided to begin study of reforms to the OAS Charter and the Inter-American Treaty on Pacific Settlement (Pact of Bogotá). The San José Conference had entrusted the Permanent Council with the review and coordination of the texts of amendments previously approved by the CEESI. In 1975 the CEESI had postponed consideration of the Pact of Bogotá and peaceful settlement provisions in the Charter due to the "vastness and complexity of the topic."[29] As of summer 1976, the entire issue of pacific settlement had been deferred indefinitely. While many of the Charter reforms have been directed toward giving the Permanent Council increased authority to deal with political problems, Latin Americans have traditionally been reluctant to give the Council more specific authorization to settle controversies lest it transform the regional organ into a supranational authority. Thus, those articles of the Draft OAS Charter Amendments dealing with pacific settlement of disputes—the role of the Organ of Consultation, the Permanent Council, and the Inter-American Committee on Peaceful Settlement— have not been basically changed from those of the 1970 Amended Charter.

Both Mexico and the United States suggested in meetings of the Special Committee that Article 87 of the Charter was too restrictive for the functioning of the Inter-American Committee on Peaceful Settlement. That article provides that if one of the parties of a dispute should refuse the offer of good offices by the Committee upon appeal by one of the parties, the Peace Committee "shall limit itself to informing the Permanent Council, without prejudice to its taking steps to restore relations between the parties, if they were interrupted, or to reestablish harmony between them." Pointing out that, as a result, the Committee had not been utilized in recent years, the U.S. argued that in the future this circumstance was likely to prompt an overreliance on the Rio Treaty. Ecuador had proposed an amendment to the effect that any state with "a special interest" in an affair could turn to the Council. The original U.S. proposal would have allowed either party to bring a dispute to the Permanent Council for good offices and would have made it possible to go directly to the Peace Committee rather than to the Council "where it might become involved in highly politicized" situations. However, in order to gain wide acceptance, and at the urging of Mexico, the U.S. amended its proposal[30] so that the good offices would have to

be "accepted by those parties" before assistance by the Council could begin.[31] The U.S. draft also provided that the Peace Committee could take the initiative in offering good offices if the peace and security of the hemisphere were endangered and no pacific settlement procedures were being utilized. All of the U.S. proposals were rejected with most countries abstaining in the votes. Similarly, the CEESI discarded an Ecuadoran amendment to give the Permanent Council more power under the Charter to keep vigilance over peace. The same fate applied to Ecuador's suggestions that if the recommendation of the Council or Peace Committee were rejected, the Council would refer the matter to the General Assembly.

As a consequence of its historical boundary controversy with Peru, Ecuador has long been a staunch advocate of the reform of the OAS peaceful settlement system. A 1973 draft proposal by Ecuador for the revision of the Pact of Bogotá[32] would have made it possible for either party to refer a dispute to the Permanent Council. Hamstrung by a lack of ratifications and crippled by a plethora of reservations, the Treaty on Pacific Settlement has never been used.

Often with the support of Guatemala,[33] the Ecuadoran delegation to the CEESI contended that when the Pact was elaborated there had not yet been a case to which the Rio Treaty could be applied. Now, however, after the many successful operations of the Rio Treaty, it would appear convenient that the Permanent Council and the Peace Committee participate more actively in assisting parties to a dispute. The implication was that the Council acting as Provisional Organ under the Treaty had proved its worth and that the time had come for less reliance on the Rio Treaty. It was contended that justification is found in Article 23 of the Charter which contemplates a Treaty assuring the final and definitive resolution of disputes.[34]

Rather than constructing an entirely new pacific settlement structure, Ecuador's project would have strengthened the role of the Permanent Council without discarding the much criticized "automatic compulsion" aspect. It is instructive to study the apparent dialogue between Ecuador and Peru with regard to the amendment of the Pact of Bogotá. While the inquietudes of the dispute with Ecuador always remained below the surface, it is of interest that Peru strongly opposed any changes in the pacific settlement edifice either in the Pact or the Charter. Ecuador would like to reopen the border controversy but is reluctant to take the problem to the OAS until settlement procedures are recast in more favorable terms. It is unlikely, however, that the Pact will be amended in the near future.

The Draft OAS Charter Amendments appear to be more intent on setting up rights over which controversies may arise in the future than in attempting to reinforce existing settlement mechanisms. The Amendments—substantially the result of a report of an ad hoc Special Commission of the Permanent Council headed by Ecuador's Raúl Leoro F.—incorporate such concepts as "international social justice" (chapter 1), "collective economic security" (chapters 1 and 2), and aid that is not unilaterally conditioned (chapter 2). Since the preparations for the 1970 Amended Charter, it has been evident that OAS members have been increasingly concerned with economic principles.

In practice, since the inception of the 1970 Charter, the only controversies with which the OAS has dealt were not investigated extensively. Thus, the Fourteenth Meeting of Consultation merely discussed the U.S.-Ecuador territorial waters fishing controversy; the Fifteenth and Sixteenth dealt with the lifting of sanctions against Cuba rather than with a specific dispute. Neither has the Permanent Council really handled any disputes in recent years, whether in its role as Provisional Organ of Consultation or in its capacity as an express agency of pacific settlement authorized by the 1970 Charter. Of late the Council has been increasingly concerned with the hemispheric ramifications of the 1974 U.S. Trade Act, but as yet this has not taken the form of a specific controversy. The meetings of the Inter-American Committee on Peaceful Settlement (reconstituted from the old Inter-American Peace Committee in 1970) have been held merely for the appointment of members and have not considered substantive questions at all.

The United States and Panama report to the General Assembly on the progress of Canal negotiations, but the OAS has not taken an active role in this continuing problem since 1964. In the early 1970s the General Assembly took a narrowly circumscribed interest in the Belize controversy. An ad hoc observer and technical mission was sent there with highly restrictive instructions to report only on the weapons situation. This represented a very unusual step, since the action appears to have no legal basis. Nevertheless, it is impossible to label it a pacific settlement function.

There is a theory in vogue among OAS delegates and secretariat staff members that the sheer existence of the organization's settlement machinery deters disputes and thus the efficacy of the mechanisms is not necessarily measured by the use thereof. Perhaps there is much truth in this sentiment. Nevertheless, there exist a number of potentially volatile controversies which for political reasons are unlikely to be brought before the agencies of the OAS. For example, it is doubtful that the Venezuelan border controversies with Colombia and Guyana, the Argentine claim to the Malvinas Islands (which the Inter-American Juridical Committee supports), or the Guatemalan claim to Belize will be taken to the regional organization. But this does not necessarily indicate the termination of the OAS settlement function.

The lack of interest in OAS actions and reforms evidenced by U.S. scholars today is unwarranted. The OAS is alive, but experiencing new growing pains in attempting to adapt to the realities of the 1970s. The cold hard fact is that even a modified concept of supranationalism is at least temporarily waning, and economic nationalism is widespread in Latin America. OAS reforms reflect this situation, together with the circumstance of the increased economic and technical interdependence of the present world. This recognition is appropriate—the question is how it can be handled.

In terms of pacific settlement what this seems to portend for the future is a considerably more cautious organization than existed in the 1950s and 1960s, and a system which, in accepting "ideological pluralism," does not want another Cuban exclusion. Nevertheless, the principle of nonintervention, always a thorny problem within the inter-American system, may well present increasing

difficulties under a restructured organization. On the one hand, the concept of nonintervention in the OAS today seems to imply that the consent of both parties to a dispute is required before an OAS agency may initiate good offices. On the other, the new phraseology that has been written into the OAS Charter, incorporating such terms as "integral development" (indicating the development of the whole human being) and "international social justice," could be linked not only to such actions as increased economic aid but also to protection of basic human rights. New areas of conflict could be engendered. The indefinitely postponed subject of pacific settlement could be pushed to the forefront somewhat sooner than expected. As a result, it is imperative that scholars of inter-American affairs focus, not only on U.S.-Latin American relations, but also on the role the Organization of American States will play in the latter quarter of the twentieth century.

## NOTES

1. Charles G. Fenwick, *The Organization of American States: The Inter-American Regional System* (Washington, D. C.: Kauffman Printing Co., Inc., 1963).
2. Ann Van Wynen Thomas and A. J. Thomas, Jr., *The Organization of American States* (Dallas: Southern Methodist University, 1963).
3. J. Lloyd Mecham, *The United States and Inter-American Security* (Austin: University of Texas Press, 1961).
4. John C. Dreier, *The Organization of American States and the Hemisphere Crisis* (New York: Harper and Row, Publishers, 1962).
5. William Manger, *Pan America in Crisis: The Future of the OAS* (Washington, D.C.: Public Affairs Press, 1961).
6. Inter-American Institute of International Legal Studies, *The Inter-American System: Its Development and Strengthening* (Dobbs Ferry, New York: Oceana Publications, Inc., 1966).
7. Gordon Connell-Smith, *The Inter-American System* (London: Oxford University Press, 1966).
8. Jerome Slater, *The OAS and United States Foreign Policy* (Columbus: Ohio State University Press, 1967). Slater also published a short monograph: *A Revaluation of Collective Security: The OAS in Action* (Ohio State University Mershon Center for Education in National Security, Social Science Program, Pamphlet Series No. 1, Ohio State University Press, March 1965).
9. M. Margaret Ball, *The OAS in Transition* (Durham, N.C.: Duke University Press, 1969).
10. See, e.g., George Meek, "Revising the Rio Treaty," *Américas* 27 (October 1975):16–19. Such articles are short and neither detailed nor footnoted.
11. The only scholarly article in English on OAS reform efforts since 1970 appears to be Henry H. Han, "The San José Conference 1975: The Forces of Change and the Question of Cuba," *South Eastern Latin Americanist* 19, no. 4 (March 1976):1–5. This piece considers only a few major aspects of Rio Treaty changes. There is little on the 1970 amended charter. These articles include M. Margaret Ball, "New Format, Old Problems: The OAS Under the Revised Charter," *Annals of the South Eastern Conference on Latin American Studies* 3 (March 1972):24–36; William Manger, "Reform of the OAS: The 1967 Buenos Aires Protocol of Amendment to the 1958 Charter of Bogotá; An Appraisal," *Journal of Inter-American Studies* 10 (January 1968):1–14; and César Sepúlveda, "The Reform of the Charter of the OAS," Hague Academy of International Law *Recueil des cours* 3 (1972):82–140. There have been a few articles on the role of the OAS in specific controversies published since 1970. These include: Martin Ira

Glassner, "The Rio Lauca: Dispute Over an International River," *Geographic Review* 60 (April 1970):192–207; Mary Jeanne Reid Martz, "OAS Settlement Procedures and the El Salvador-Honduras Conflict," *South Eastern Latin Americanist* 19, no. 2 (September 1975):1–7. The PAU has a new edition of Pan American Union, Department of Legal Affairs, *Inter-American Treaty of Reciprocal Assistance: Applications, 1948–1970*, 2 vols., 3rd ed. (Washington, D.C.: Pan American Union, 1974).

12. See, e.g., Gordon Connell-Smith, *The United States and Latin America: An Historical Analysis of Inter-American Relations* (New York: Wiley & Sons, 1974); Julio Cotler and Richard Fagen, *The U.S. & Latin America* (Stanford, California: Stanford University Press, 1974); Federico G. Gil, *Latin American–United States Relations* (New York: Harcourt Brace Jovanovitch, Inc., 1971); Commission on United States-Latin American Relations, *The Americas in a Changing World: A Report of the Commission on United States-Latin American Relations*, with a preface by Sol M. Linowitz and selected papers (New York: Quadrangle, 1975).
13. See, e.g., Harold E. Davis et. al, *Foreign Policies of Latin America* (Baltimore: Johns Hopkins Press, 1975); Herbert Goldhamer, *The Foreign Powers in Latin America* (Princeton: Princeton University Press, 1972); Ronald G. Hellman and H. Jon Rosenbaum (ed.), *Latin America: The Search for a New International Role* (New York: John Wiley & Sons, 1975); F. Parkinson, *Latin America, The Cold War, and The World Powers, 1945–1973* (Beverly Hills: Sage, 1974).
14. Special Committee to Study the Inter-American System and Propose Measures for Restructuring It (CEESI), *Final Act* 12 (OEA/Ser. P/CEESI/doc. 26/75, rev. 1; 20 February 1975).
15. Ibid., pp. 2–3.
16. Organization of American States (OAS), Permanent Council, Committee on Juridical and Political Affairs, *Report of the Chairman of the Working Group* (OEA/Ser.K/XXIII.1.1.CPTIAR/doc.9/75; 8 July 1975). For the comparative documents of the Rio Treaty including the original, the CEESI proposals, and the permanent council draft, see Conference of Plenipotentiaries to Amend the Inter-American Treaty of Reciprocal Assistance, *Actas y documentos* (OEA/Ser.K/XXII.1.1/CPTIAR/doc.5/75; 3 July 1975).
17. CEESI, *Final Report* 12 (OEA/Ser.P/CEESI/doc.26/75, rev. 1; 20 February 1975), p. 4.
18. CEESI, *Actas y documentos*, 12 vols., 8, no. 1 (OEA/Ser.P/CEESI/Subcom.I/doc. 56/74; 22 March 1974), p. 613.
19. Meeting of Consultation, Sixteenth, *Final Act* (OEA/Ser.F/II. 16/doc.9/75, rev. 1; 29 July 1975).
20. See Conference of Plenipotentiaries, *Actas y documentos* (OEA/Ser.K/XXIII.1.1./CPTIAR/doc.57/75; 26 July 1975), p. 6 for this closing address of the conference.
21. Comparison of amendments in CEESI, *Actas y documentos* 4, no. 2 (OEA/Ser.P/CEESI/Subcom. I/doc. 13/73, rev. 7; 31 October 1973), p. 52.
22. Ibid. (OEA/Ser.P/CEESI/Subcom. I/doc.12/73; 4 September 1973), p. 28.
23. Although the organ of consultation has been convoked sixteen times under the Rio Treaty, in ten cases it never met. However, there have also been ten other meetings held. These include the three held prior to 1947 and also seven held under the OAS charter rather than under the Rio Treaty. Thus the sixteenth convocation of the Rio Treaty actually coincides with the sixteenth meeting of consultation held in San José in 1975.
24. No controversy has been considered under article 7 which specifically concerns pacific settlement.
25. CEESI, *Actas y documentos* 1 (OEA/Ser. P/CEESI/Subcom.CG/doc.7/73; 6 July 1975), p. 5.
26. See the comparative documents in Conference of Plentipotentiaries, *Actas y documentos* (OEA/Ser.K/XXIII.1.1/CPTIAR/doc.5/75; 3 July 1975), p. 3.
27. Ibid. (OEA/Ser.K/XXIII.1.1/CPTIAR/doc.15/75; 16 July 1975), pp. 12–13. See also the statement of the Costa Rican delegate to the CEESI that the Rio Treaty is "the principal element of its national defense" for a country without an army of its own. CEESI,

*Actas y documentos* 5, no. 1 (OEA/Ser.P/CEESI/Acta 7/73, corr. 1; 1 October 1973), pp. 8–16.

28. The arrangement of the ceasefire was, of course, a peacekeeping function. However, this task has been considered a part of the over-all OAS pacific settlement effort which has included good offices, mediation, and conciliation.
29. CEESI, *Final Act* 12 (OEA/Ser.P/CEESI/doc.26/75, rev.1; 20 February 1975), p. 7.
30. For text see CEESI, *Actas y documentos* 11, no. 2 (OEA/Ser.P/CEESI/Subcom.I/doc. 110/75, rev.1; 4 February 1975), pp. 149–50.
31. Ibid. 11, no. 1 (OEA/Ser.P/CEESI/Subcom.I/Acta 92/75, corr.1; 27 January 1975), pp. 199–211; and 11, no. 1 (Acta 78/75; 4 February 1975), pp. 389–90.
32. For text see ibid. (OEA/Ser.P/CEESI/Subcom.I/doc.30/73, corr.1; 24 October 1973).
33. Ibid. 8, no. 2 (OEA/Ser.P/CEESI/Subcom.I/Acta 59/74; 14 March 1974), p. 173.
34. Ibid. 8, no. 2 (OEA/Ser.P/CEESI/Subcom.I/Acta 62/74; 19 March 1974), pp. 216–18.