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PUNTA DEL ESTE CONFERENCE

January 1962

REPORT

OF

Senators WAYNE MORSE and
BOURKE B. HICKENLOOPER

4 TO THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE



MARCH 1962

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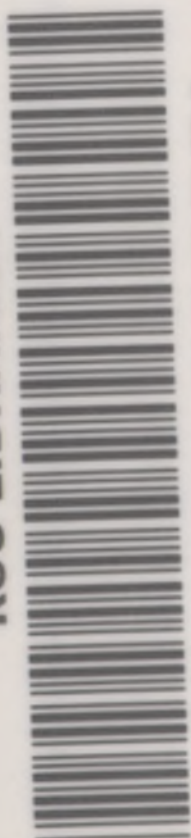
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II

LETTER OF TRANSMITTAL

MARCH 5, 1962.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We transmit herewith our report on the Second Punta del Este Conference, January 22-31, 1962, which we attended as congressional advisers at the request of the President and which is formally styled the Eighth Meeting of Consultation of Ministers of Foreign Affairs Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance.

There is appended to the report the full text of the final act of the Conference, which was signed January 31, 1962, by 19 foreign ministers, the Cubans having voluntarily absented themselves.

We want to take this opportunity to restate publicly our admiration for the way Secretary Rusk conducted the negotiations under sometimes difficult and trying circumstances. Through his patience, his tact, and his negotiating skill, he has achieved more than many observers had thought possible. He did it in a way which won the respect even of those who disagreed with the U.S. position.

Finally, we take this occasion to thank you for arranging with the Institute of Current World Affairs to make Mr. Pat Holt, who is presently on leave from the committee staff, available as our adviser during the Conference.

Sincerely,

WYNE MORSE.

BURKE B. HICKENLOOPER.

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PUNTA DEL ESTE CONFERENCE

The problem which confronted the Organization of American States at the Punta del Este Conference in late January was whether to sacrifice the unity of the hemisphere for the sake of strong action against the Castro government of Cuba or whether to sacrifice strong action for the sake of unity.

As it turned out, the Conference steered a middle course and achieved a result with which the United States, as well as most of the rest of the hemisphere, can be reasonably well satisfied. If there was less unity than might have been wished on the question of the exclusion of Cuba from the OAS, there was more unity than could reasonably have been expected on other questions. If the action taken stopped short of what some might have wanted, it went far beyond what many had predicted.

On the principal issues—

Twenty nations voted to declare the present Government of Cuba incompatible with the inter-American system.

Twenty nations voted to exclude the Castro government from the Inter-American Defense Board.

Nineteen nations voted to create a Special Consultative Committee of Experts on Security Matters to combat Cuban subversive efforts.

Seventeen nations voted to suspend immediately trade with Cuba in arms and implements of war.

Sixteen nations voted to follow this up with studies of the feasibility and desirability of extending the suspension to other items, with special attention to items of strategic importance.

Fourteen nations voted to exclude Cuba from participation in the inter-American system.

With the exception of Cuba, no nation voted against any of these measures; those who did not vote for them abstained. Furthermore, again with the exception of Cuba which by that time had withdrawn from the Conference, every nation voted for the final act which includes all the measures listed above.

It is, of course, to be regretted that the six nations which abstained on the question of exclusion included the biggest in Latin America—Brazil, Mexico, and Argentina, as well as Chile, Bolivia, and Ecuador. But this need not be fatal. On the contrary, it can reasonably be argued that the OAS emerged from Punta del Este stronger than before. As Secretary Rusk pointed out, the Punta del Este Conference was not a meeting of the Warsaw Pact. The open airing of honest differences of opinion was a healthy thing.

The legal argument which took place in Punta del Este requires a brief explanation because it revealed a fundamental difference in juridical approach. On the one hand, the United States and 13 other nations took the view that the Charter of the OAS is a vital,

living instrument capable of historical growth and inherently containing the power of survival in a dynamic world. This is the same view which the courts and the Congress have traditionally taken of the United States Constitution, not always without controversy, and it is the same view which the United Nations General Assembly has taken of the U.N. Charter.

The contrary view, which was ably espoused by the six nations which abstained on the question of exclusion, takes a literal approach to the Charter of the OAS. Unlike the U.N. Charter, the OAS Charter contains no provision for expelling a member, and the six nations were unable to see the difference between expelling a member and excluding a government. This distinction is an important one, from both a legal and a political point of view. The Cuban state is not expelled from the OAS; the present Government of Cuba, which has demonstrated its incompatibility with and its contempt for the principles and objectives of the OAS, is simply excluded from further participation in the Organization. When happier circumstances return to Cuba, that country will be welcomed back into full participation in the American community of nations. Meanwhile, the OAS is simply exercising its inherent right of self-defense.

OAS PROVES ITSELF CAPABLE OF EFFECTIVE ACTION

The action to exclude the present Government of Cuba is significant on two counts. First, it marks a great constitutional advance for the OAS. A precedent has been set in charter interpretation which may come to rank with the landmark decisions of the Supreme Court under Chief Justice Marshall and with the Uniting for Peace Resolution of the U.N. General Assembly.

Second, the exclusion action is a very strong sanction indeed against the Castro regime—stronger even than a break in diplomatic relations by the states which still maintain them. A break in diplomatic relations is a sanction which has been applied before, but no government has ever been excluded from participation in the Organization. Furthermore, there is considerable force in the argument that a break in diplomatic relations tends to be self-defeating in that it closes down listening posts, cuts off lines of communication, and deprives refugees of points of asylum.

Two other actions taken in Punta del Este deserve emphasis. The resolution on economic relations follows substantially the pattern adopted with respect to the Dominican Republic in the San Jose Conference of 1960. Its immediate effect will be less, because hemispheric trade was much more important to Trujillo's Dominican Republic than it is to Castro's Cuba. Indeed, Cuba's foreign trade is now 80 percent with the Soviet bloc, 15 percent with Canada and Western Europe, and 5 percent with other American Republics. It is to be hoped that our friends in Canada and in Western Europe will take to heart the OAS action with respect to Cuban trade and will act unilaterally to establish a closer surveillance of their own trade with Cuba.

HEMISPHERE DEFENSE ACTION

In terms of practical effect, it may be that the most important action of the Punta del Este Conference was the establishment of the Special Consultative Committee on Security. It was apparent from

the beginning that even in the best of circumstances there was nothing the OAS could do, short of the use of armed force (which nobody suggested) to overthrow the Castro regime. The real problem was how to protect the rest of the hemisphere from the covert aggressions of that regime. The exclusion of Cuba from the OAS and the limitations on trade will contribute to this end, but the greatest and most practical contribution may well be made by the Security Committee. This is dependent, of course, upon how vigorously and effectively the Committee functions and upon the cooperation it receives from governments in the area affected—mainly the Caribbean and northern South America. There is a great need in this area for improved intelligence and countersubversive measures; and the Security Committee can meet this need, if it will and if governments permit it to do so.

* * * * *

The Punta del Este Conference was a historic one for the OAS. It made political decisions of the first importance. But most of these decisions were necessarily left for implementation to the Council or to other organs of the OAS. The real test will come in the vigor with which the Punta del Este decisions are followed up.

This should be done promptly. The Cuban representatives in Punta del Este confirmed that they have a subversive apparatus at their command throughout Latin America. President Dorticos repeatedly spoke of "popular" protests against the Conference, leaving a clear implication that these protests were inspired from Havana. He likewise warned that the "Socialist" revolution of Cuba would "continue its forward march," that it would triumph sooner or later, and that America would become "a continent of liberty," with Cuba not the only "Socialist" country. This is a plain warning that any delay in implementing the decisions of Punta del Este will be used by the Cubans to promote the maximum possible agitation and unrest wherever they can.

PROBLEMS POSED FOR UNITED STATES

Although the formal actions of the Punta del Este Conference are cause for satisfaction, there were several undercurrents which we found disturbing and which U.S. policy should take into account in the future.

One of these is a kind of jealousy which has long existed among Latin American countries but which came to the surface in the hard negotiating of the Conference in a more concrete way than usual. From among the 13 countries which voted with the United States to exclude Cuba from the OAS, there were some representatives who made private statements to members of the American delegation to the effect that, "Now you know who your real friends are. Now you know where your aid money does the most good."

In some instances, this line was pursued so far as to give rise to the suspicion that some governments would not only welcome, but are even seeking to encourage, a split in the hemisphere that would lead to a reduction in U.S. aid to big countries so that smaller countries would get a bigger piece of the pie.

The United States has frequently been accused throughout the world of trying to put political strings on its aid, and a favorite theme

has been that these strings are tied to votes in the U.N. or the OAS. Here we have the reverse—that is, strings which other countries attempt to put on their votes.

The cynicism which is involved here is as distressing as it is appalling. But there is more to it than cynicism. In some cases, it appears to be a genuine and enormous lack of understanding of what the real objectives of the U.S. policy are.

There was, of course, a direct relationship between the Alianza para el Progreso and the Second Punta del Este Conference. Indeed, one of the noncontroversial resolutions of the Conference reiterated support for the Alianza. But the relationship was more subtle than that described above.

In private talks which we had with some delegates at the request of the Secretary of State, we tried to make it clear that the U.S. public, whose support is essential for any long-term foreign policy, views the political, economic, and social problems of the hemisphere as interrelated and that the U.S. public, in our judgment, would not support a program devoted to only one aspect of this overall problem while other aspects were ignored.

There is also a case to be made for discrimination in U.S. aid programs. In fact, the Alianza para el Progreso is discriminatory by its own terms: aid is to go where it will be coupled with social and other reforms in a way that will make the total effort effective.

An even stronger case for discrimination can be made with respect to aid outside the framework of the Alianza para el Progreso proper—that is, aid for budgetary support or to meet balance-of-payments deficits. Since the end of the Marshall plan, this type of aid has been the source of most of the criticisms, complaints, and occasional scandals besetting the U.S. aid program. It has rarely been really effective; and it has never been so unless accompanied by vigorous political measures on the part of the recipient government to remove the causes of the conditions which the aid is designed to correct.

In all of this, short-term political considerations are entitled to due weight, but nothing could be more shortsighted than to make them the single or the predominant determining factor. There are also long-term political considerations to be taken into account, and finally there are the self-help economic and social reform measures of the recipient country itself.

This question of discrimination in aid is related to another disturbing overtone and aftermath of the Conference. There is scattered evidence throughout the hemisphere that the forces of the extreme right in Latin America may try to use U.S. preoccupation with Castro as a means to consolidate themselves in power or to restore themselves to power. In this endeavor, they will present themselves as more anti-Castro than anybody, and they will use anti-Castroism as a cloak for failure to institute liberal social reforms and perhaps as an excuse for repressive measures.

One of the reasons U.S. prestige has increased in Latin America in the last 18 months is that, beginning with President Eisenhower's statement of July 11, 1960, foreshadowing the Act of Bogotá and the Alianza para el Progreso, the United States has moved to disassociate itself from the extreme conservatives at the top of the Latin American oligarchies. This element is out of sympathy with every current U.S. policy except anti-Castroism. Its days as a political influence

in Latin America are numbered. It will either be overthrown by a Castro-type revolution, or it will be pushed aside by the kind of peaceful revolution envisaged by the Alianza para el Progreso. Although the members of this element proclaim themselves the real friends of the United States, they are not in fact. If the United States once again identifies itself with these elements, it will lose the good chance it now has to win the friendship of the rising liberal forces who are going to determine the future of Latin America, either through democratic processes or through a Castroist perversion.

GENERAL TREND FAVORABLE TO UNITED STATES

It is apparent that the trend in Latin America is favorable to the United States and adverse to Castro. The measure of the distance this trend has covered is a comparison of the actions taken by the Foreign Ministers Conference in San José in August 1960 and those taken by the Conference in Punta del Este in January 1962. In San José, the Foreign Ministers applied diplomatic and economic sanctions against the Trujillo regime of the Dominican Republic but they could not bring themselves even to mention Cuba by name in a resolution condemning Communist intervention in the hemisphere. In August 1960, 15 American Republics, including the United States, maintained diplomatic relations with the Castro regime. By January 1962, this figure had dwindled to seven, and one of these—Bolivia—maintained relations in a technical sense only, having neither ambassador, minister, nor chargé d'affaires in Havana.

This is symptomatic of a broader process which has been going on in Latin American attitudes toward the Castro regime. The stages in this process have been enchantment with the originally professed objectives of the Castro regime and its accomplishment of overthrowing an unpopular dictator; disillusionment with executions, regimentation, and general communization of the country; and, finally, outright opposition to it. This process has moved at different speeds in different countries and among different groups in the same country. But almost everywhere, with the exception of avowed Castro supporters and front organizations, it has moved beyond the stage of enchantment.

Further, the problem of Castro, which Latin Americans at first tended to view as primarily a bilateral problem of United States-Cuban relations, is coming more and more to be seen as a multilateral problem for the whole hemisphere. There is still a reluctance in some quarters to face the implications of this multilateral view, but the important point is that this reluctance is less now than it was a year ago. Given wise and patient policies on the part of the United States, there is good reason to expect that it will be less a year hence than it is now.

This Latin American trend of stiffening opposition to Castro has been accompanied by a trend of greater sympathy for the United States. The chief ingredient in this latter trend has been the Alianza para el Progreso, not only for the greater aid it has promised but also for the fact that it has divorced the United States from the traditional oligarchs and has put it on the side of the masses. For once, the United States, which since World War II has seen the Communists

steal all the good symbols—"peace," "democracy," etc.—has itself preempted the best symbols in Latin America—"social reform" and "economic progress."

At the same time, in part because of the sharpening conflict over Castro—which in turn is due at least partly to his own subversive efforts—and in part for other, unrelated reasons, most countries of Latin America are in a state of political instability ranging from mild to acute, and from prospective to urgent. If Latin American political institutions should completely break down in one or more countries, over the next year, then the hemisphere would obviously be confronted with a wholly new situation.

There is little the United States can do, by itself, to prevent this. Every country has to work out its own political problems. But where there is a cooperative response, the United States can work with other countries along two parallel lines, each of which is equally important and urgent. One is to promote a peaceful, democratic revolution through the measures for economic development and social reform envisaged by the Alianza para el Progreso. The other is to take political and, if need be, paramilitary antiguerrilla measures to protect this revolution from the scavengers of Havana.

APPENDIX

ORGANIZATION OF AMERICAN STATES

EIGHTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS, SERVING AS ORGAN OF CONSULTATION IN APPLICATION OF THE INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE

Punta del Este, Uruguay, January 22-31, 1962

FINAL ACT

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FINAL ACT OF THE EIGHTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS, SERVING AS ORGAN OF CONSULTATION IN APPLICATION OF THE INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, was held in the city of Punta del Este, Uruguay, from January 22 to 31, 1962.

The Meeting was convoked by a resolution of the Council of the Organization of American States adopted on December 4, 1961, the text of which is as follows:
The Council of the Organization of American States,

Considering:

The note presented by the Delegation of Colombia, dated November 9, 1961, in which it requests the convocation of a Meeting of Consultation of Ministers of Foreign Affairs, in accordance with Article 6 of the Inter-American Treaty of Reciprocal Assistance, to consider the threats to the peace and to the political independence of the American states that might arise from the intervention of extracontinental powers directed toward breaking American solidarity,

Resolves:

1. To convoke a Meeting of Consultation of Ministers of Foreign Affairs to serve as Organ of Consultation, in accordance with Articles 6 and 11 of the Inter-American Treaty of Reciprocal Assistance, in order to consider the threats to

the peace and to the political independence of the American states referred to in the preamble of this resolution, and particularly to point out the various type of threats to the peace or certain acts that, in the event they occur, justify the application of measures for the maintenance of the peace and security, pursuant to Chapter V of the Charter of the Organization of American States and the provision of the inter-American Treaty of Reciprocal Assistance, and to determine the measures that it is advisable to take for the maintenance of the peace and security of the Continent.

2. To set January 10, 1962, as the date for the inauguration of the Meeting.

3. To authorize the Chairman of the Council to present to the Council, at the appropriate time, after consultation with the representatives of the member states, a recommendation on the site of the Meeting of Consultation.

On December 22, 1961, the same Council modified the provisions as to site and date of the meeting by a resolution that reads as follows:

The Council of the Organization of American States

Resolves:

1. To thank the National Council of the Government of Uruguay and accept its generous offer to be host, in Punta del Este, Uruguay, to the Eighth Meeting of Consultation of Ministers of Foreign Affairs to Serve as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, which was convoked by a resolution of December 4, 1961, of the Council of the Organization.

2. To set the date of January 22, 1962, for the opening of the Meeting.

The Members of the Meeting, in the order of precedence determined by lot, are listed below:

PANAMA: His Excellency Galileo Solís, Minister of Foreign Affairs;

PARAGUAY: His Excellency Raúl Sapena Pastor, Minister of Foreign Affairs;

CUBA: His Excellency Osvaldo Dorticós Torrado, Minister of Foreign Affairs;

NICARAGUA: His Excellency René Schick, Minister of Foreign Affairs;

HONDURAS: His Excellency Andrés Alvarado Puerto, Minister of Foreign Affairs;

EL SALVADOR: His Excellency Rafael Eguizábal Tobias, Minister of Foreign Affairs;

ARGENTINA: His Excellency Miguel Angel Cárcano, Minister of Foreign Affairs;

PERU: His Excellency Luis Alvarado G., Minister of Foreign Affairs;

CHILE: His Excellency Carlos Martínez Sotomayor, Minister of Foreign Affairs;

COLOMBIA: His Excellency José Joaquín Caicedo Castilla, Minister of Foreign Affairs;

BOLIVIA: His Excellency José Fellman Velarde, Minister of Foreign Affairs;

COSTA RICA: His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs;

MEXICO: His Excellency Manuel Tello, Secretary of Foreign Affairs;

VENEZUELA: His Excellency Marcos Falcón Briceño, Minister of Foreign Affairs;

HAITI: His Excellency René Chalmers, Secretary of State for Foreign Affairs;

GUATEMALA: His Excellency Jesús Unda Murillo, Minister of Foreign Affairs;

DOMINICAN REPUBLIC: His Excellency José Antonio Bonilla Atilés, Minister of Foreign Affairs;

ECUADOR: His Excellency Francisco Acosta Yépez, Minister of Foreign Affairs;

UNITED STATES OF AMERICA: His Excellency Dean Rusk, Secretary of State;

BRAZIL: His Excellency Francisco Clementino de San Tiago Dantas, Minister of Foreign Affairs;

URUGUAY: His Excellency Homero Martínez Montero, Minister of Foreign Affairs

The Meeting was also attended by His Excellency José A. Mora, Secretary General of the Organization of American States.

His Excellency Eduardo Víctor Haedo, President of the National Council of Government of Uruguay, opened the Meeting on the afternoon of January 22, 1962. At the inaugural session the speakers were: His Excellency Homero Martínez Montero, Minister of Foreign Affairs of Uruguay; His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs of Costa Rica; and His Excellency José A. Mora, Secretary General of the Organization of American States. The Government of the Republic of Uruguay designated His Excellency Homero Martínez Montero, Minister of Foreign Affairs of that country, as Provisional President of the Meeting. Mr. Martínez was elected Permanent President at the first plenary session, held on January 23. At the same session His Excellency

Galileo Solís, Minister of Foreign Affairs of Panamá, was elected Vice President of the Meeting.

Pursuant to the Regulations of the Meeting, the Government of the Republic of Uruguay appointed Mr. Gustavo Magariños, as Secretary General of the Meeting.

The Meeting was governed by the Regulations of the Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, approved by the Council of the Organization of American States at its meeting of July 29, 1960.

In accordance with the Regulations, the Meeting designated a Credentials Committee composed of El Salvador, Mexico, and Uruguay. A Style Committee composed of Colombia, Haiti, United States of America, and Brazil was also appointed.

In conformity with the provisions of Article 20 of the Regulations, a General Committee, composed of all the Members, was established to consider the topics of the Meeting and to submit its conclusions to a plenary session of the Meeting for approval. The General Committee appointed His Excellency Marcos Falcón Briceño, Minister of Foreign Affairs of Venezuela, and His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs of Costa Rica, as Chairman and Rapporteur, respectively. When the Minister of Foreign Affairs of Costa Rica found it necessary to return to his country, His Excellency Rafael J. Oreamuno, Special Delegate from the same country, was elected to serve as Rapporteur.

At the closing session of the Meeting, which took place on January 31, this Final Act was signed. At that session addresses were given by His Excellency Homero Martínez Montero, Minister of Foreign Affairs of Uruguay, and His Excellency Luis Alvarado G., Minister of Foreign Affairs of Peru.

As a result of their deliberations, the Eighth Meeting of Consultation of Ministers of Foreign Affairs approved the following resolutions:

I. COMMUNIST OFFENSIVE IN AMERICA

1. The Ministers of Foreign Affairs of the American republics, convened in their Eighth Meeting of Consultation, declare that the continental unity and the democratic institutions of the hemisphere are now in danger.

The Ministers have been able to verify that the subversive offensive of communist governments, their agents and the organizations which they control, has increased in intensity. The purpose of this offensive is the destruction of democratic institutions and the establishment of totalitarian dictatorships at the service of extracontinental powers. The outstanding facts in this intensified offensive are the declarations set forth in official documents of the directing bodies of the international communist movement, that one of its principal objectives is the establishment of communist regimes in the underdeveloped countries and in Latin America; and the existence of a Marxist-Leninist government in Cuba which is publicly aligned with the doctrine and foreign policy of the communist powers.

2. In order to achieve their subversive purposes and hide their true intentions, the communist governments and their agents exploit the legitimate needs of the less-favored sectors of the population and the just national aspirations of the various peoples. With the pretext of defending popular interests, freedom is suppressed, democratic institutions are destroyed, human rights are violated and the individual is subjected to materialistic ways of life imposed by the dictatorship of a single party. Under the slogan of "anti-imperialism" they try to establish an oppressive, aggressive, imperialism, which subordinates the subjugated nations to the militaristic and aggressive interests of extracontinental powers. By maliciously utilizing the very principles of the inter-American system, they attempt to undermine democratic institutions and to strengthen and protect political penetration and aggression. The subversive methods of communist governments and their agents constitute one of the most subtle and dangerous forms of intervention in the internal affairs of other countries.

3. The Ministers of Foreign Affairs alert the peoples of the hemisphere to the intensification of the subversive offensive of communist governments, their agents, and the organizations that they control and to the tactics and methods that they employ and also warn them of the dangers this situation represents to representative democracy, to respect for human rights, and to the self-determination of peoples.

The principles of communism are incompatible with the principles of the inter-American system.

4. Convinced that the integrity of the democratic revolution of the American states can and must be preserved in the face of the subversive offensive of com-

munism, the Ministers of Foreign Affairs proclaim the following basic political principles:

a. The faith of the American peoples in human rights, liberty, and national independence as a fundamental reason for their existence, as conceived by the founding fathers who destroyed colonialism and brought the American republics into being;

b. The principle of nonintervention and the right of peoples to organize their way of life freely in the political, economic, and cultural spheres, expressing their will through free elections, without foreign interference. The fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit;

c. The repudiation of repressive measures which, under the pretext of isolating or combatting communism, may facilitate the appearance or strengthening of reactionary doctrines and methods which attempt to repress ideas of social progress and to confuse truly progressive and democratic labor organizations and cultural and political movements with communist subversion;

d. The affirmation that communism is not the way to achieve economic development and the elimination of social injustice in America. On the contrary, a democratic regime can encompass all the efforts for economic advancement and all of the measures for improvement and social progress without sacrificing the fundamental values of the human being. The mission of the peoples and governments of the hemisphere during the present generation is to achieve an accelerated development of their economies and to put an end to poverty, injustice, illness, and ignorance as was agreed in the Charter of Punta del Este; and

e. The most essential contribution of each American state in the collective effort to protect the inter-American system against communism is a steadily greater respect for human rights, improvement in democratic institutions and practices, and the adoption of measures that truly express the impulse for a revolutionary change in the economic and social structures of the American republics.

II. SPECIAL CONSULTATIVE COMMITTEE ON SECURITY AGAINST THE SUBVERSIVE ACTION OF INTERNATIONAL COMMUNISM

Whereas:

International communism makes use of highly complex techniques of subversion in opposing which certain states may benefit from mutual advice and support;

The American states are firmly united for the common goal of fighting the subversive action of international communism and for the preservation of democracy in the Americas, as expressed in Resolution XXXII of the Ninth International Conference of American States, held in Bogotá, in 1948, and that for such purpose they can and should assist each other, mainly through the use of the institutional resources of the Organization of American States; and

It is advisable, therefore, to make available to the Council of the Organization of American States a body of an advisory nature, made up of experts, the main purpose of which would be to advise the member governments which, as the case may be, require and request such assistance.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,

Resolves:

1. To request the Council of the Organization of American States to maintain all necessary vigilance, for the purpose of warning against any acts of aggression, subversion, or other dangers to peace and security, or the preparation of such acts, resulting from the continued intervention of Sino-Soviet powers in this hemisphere, and to make recommendations to the governments of the member states with regard thereto.

2. To direct the Council of the Organization to establish a Special Consultative Committee of experts on security matters, for the purpose of advising the member states that may desire and request such assistance, the following procedures being observed:

a. The Council of the Organization shall select the membership of the Special Consultative Committee on Security from a list of candidates pre-

sented by the governments, and shall define immediately terms of reference for the Committee with a view to achieving the full purposes of this resolution.

b. The Committee shall submit reports to such member states as may request its assistance; however, it shall not publish these reports without obtaining express authorization from the state dealt with in the report.

c. The Special Consultative Committee on Security shall submit to the Council of the Organization, no later than May 1, 1962, an initial general report, with pertinent recommendations regarding measures which should be taken.

d. The Committee shall function at the Pan American Union, which shall extend to it the technical, administrative, and financial facilities required for the work of the Committee.

e. The Committee shall function for the period deemed advisable by the Council of the Organization.

3. To urge the member states to take those steps that they may consider appropriate for their individual or collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance.

III. REITERATION OF THE PRINCIPLES OF NONINTERVENTION AND SELF-DETERMINATION

Whereas:

This meeting has been convoked by a resolution of the Council of the Organization of American States that invoked Article 6 of the Inter-American Treaty of Reciprocal Assistance;

It is necessary to maintain the principles of nonintervention and self-determination set forth in the Charter of the Organization of American States, because these principles are a basic part of the juridical system that governs relations among the republics of the hemisphere and makes friendly relations among them possible;

In the Charter of the Organization of American States and in the Declaration of Santiago, signed in August 1959, all the governments of the American States agreed voluntarily that they should result from free elections;

The will of the people, expressed through unrestricted suffrage, assures the formation of governments that represent more faithfully and without yielding to the interests of a privileged few the basic aspirations to freedom and social justice, the constant need for economic progress, and the call of brotherhood that all our peoples feel throughout the hemisphere;

Formation by free elections of the governments that comprise the Organization of American States is therefore the surest guarantee for the peace of the hemisphere and the security and political independence of each and every one of the nations that comprise it; and

Freedom to contract obligations is an inseparable part of the principle of the self-determination of nations, and consequently a request by one or more countries that such obligations be complied with does not signify intervention,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Resolves:

1. To reiterate its adherence to the principles of self-determination and non-intervention as guiding standards of coexistence among the American nations.

2. To urge that the governments of the member countries of the Organization of American States, bearing in mind the present situation, and complying with the principles and aims set forth in the Charter of the Organization and the Declaration of Santiago, organize themselves on the basis of free elections that express, without restriction, the will of the people.

IV. HOLDING OF FREE ELECTIONS

Whereas:

The preamble to the Charter of the Organization of American States proclaims that the true significance of American solidarity and good neighborliness can only mean the consolidation on this hemisphere, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man;

The same charter reaffirms, among its principles, the requirement that the political organization of the American states be based on the effective exercise of representative democracy, even as it reasserts the fundamental rights of the individual;

The Charter confirms the right of each state to develop, freely and naturally, its cultural, political, and economic life, while respecting in this free development the rights of the individual and the principles of universal morality;

The Inter-American Treaty of Reciprocal Assistance affirms as a manifest truth, that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security; and

According to the principles and attributes of the democratic system in this hemisphere, as stated in the Declaration of Santiago, Chile, the governments of the American republics should be the result of free elections, and perpetuation in power, or the exercise of power without a fixed term and with the manifest intent of perpetuation, is incompatible with the effective exercise of democracy,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Resolves:

To recommend that the governments of the American states, whose structure or acts are incompatible with the effective exercise of representative democracy, hold free elections in their respective countries, as the most effective means of consulting the sovereign will of their peoples, to guarantee the restoration of a legal order based on the authority of the law and respect for the rights of the individual.

V. ALLIANCE FOR PROGRESS

Whereas:

The American states have the capacity to eradicate the profound evils of economic and social underdevelopment;

Resolution XI of the Fifth Meeting of the Consultation of Ministers of Foreign Affairs and Resolution V of the Seventh Meeting of Consultation of Ministers of Foreign Affairs declare that economic cooperation among the American states is necessary for the stability of democracy and the safeguarding of human rights, and that such cooperation is essential to the strengthening of the solidarity of the hemisphere and the reinforcement of the inter-American system in the face of threats that might affect it; and

In view of the fact that all the nations of the Americas have recognized their urgent need for economic and social development, it is necessary that they intensify immediately their self-help and cooperative efforts under the Alliance for Progress and the Charter of Punta del Este, on the basis of the adoption of vigorous reforms and large-scale internal efforts by the developing countries concerned and a mobilization of all the necessary financial and technical resources by the highly developed nations,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Declares:

1. That the preservation and strengthening of free and democratic institutions in the American republics require, as an essential condition, the prompt, accelerated execution of an unprecedented effort to promote their economic and social development for which effort the public and private, domestic and foreign financial resources necessary to those objectives are to be made available, economic and social reforms are to be established, and every necessary internal effort is to be made in accordance with the provisions of the Charter of Punta del Este.

2. That it is essential to promote energetically and vigorously the basic industries of the Latin American countries, to liberalize trade in raw materials by the elimination of undue restrictions, to seek to avoid violent fluctuations in their prices, to encourage the modernization and expansion of services in order that industrialization may rest on its own appropriate bases, to mobilize unexploited natural resources in order to increase national wealth and to make such increased wealth available to persons of all economic and social groups, and to satisfy quickly, among other aspirations, the needs for work, housing, land, health, and education.

VI. EXCLUSION OF THE PRESENT GOVERNMENT OF CUBA FROM PARTICIPATION
IN THE INTER-AMERICAN SYSTEM*Whereas:*

The inter-American system is based on consistent adherence by its constituent states to certain objectives and principles of solidarity, set forth in the instruments that govern it;

Among these objectives and principles are those of respect for the freedom of man and preservation of his rights, the full exercise of representative democracy, nonintervention of one state in the internal or external affairs of another, and rejection of alliances and agreements that may lead to intervention in America by extracontinental powers;

The Seventh Meeting of Consultation of Ministers of Foreign Affairs, held in San José, Costa Rica, condemned the intervention or the threat of intervention of extracontinental communist powers in the hemisphere and reiterated the obligation of the American states to observe faithfully the principles of the regional organization;

The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental communist powers, including even the threat of military intervention in America on the part of the Soviet Union;

The Report of the Inter-American Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs establishes that:

The present connections of the Government of Cuba with the Sino-Soviet bloc of countries are evidently incompatible with the principles and standards that govern the regional system, and particularly with the collective security established by the Charter of the OAS and the Inter-American Treaty of Reciprocal Assistance [page 39];

The abovementioned Report of the Inter-American Peace Committee also states that:

It is evident that the ties of the Cuban Government with the Sino-Soviet bloc will prevent the said government from fulfilling the obligations stipulated in the Charter of the Organization and the Treaty of Reciprocal Assistance [page 40];

Such a situation in an American state violates the obligations inherent in membership in the regional system and is incompatible with that system;

The attitude adopted by the present Government of Cuba and its acceptance of military assistance offered by extracontinental communist powers breaks down the effective defense of the inter-American system; and

No member state of the inter-American system can claim the rights and privileges pertaining thereto if it denies or fails to recognize the corresponding obligations,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Declares:

1. That, as a consequence of repeated acts, the present government of Cuba has voluntarily placed itself outside the inter-American system.

2. That this situation demands unceasing vigilance on the part of the member states of the Organization of American States, which shall report to the Council any fact or situation that could endanger the peace and security of the hemisphere.

3. That the American states have a collective interest in strengthening the inter-American system and reuniting it on the basis of respect for human rights and the principles and objectives relative to the exercise of democracy set forth in the Charter of the Organization; and, therefore,

Resolves:

1. That adherence by any member of the Organization of American States to Marxism-Leninism is incompatible with the inter-American system and the alignment of such a government with the communist bloc breaks the unity and solidarity of the hemisphere.

2. That the present Government of Cuba, which has officially identified itself as a Marxist-Leninist government, is incompatible with the principles and objectives of the inter-American system.

3. That this incompatibility excludes the present Government of Cuba from participation in the inter-American system.

4. That the Council of the Organization of American States and the other organs and organizations of the inter-American system adopt without delay the measures necessary to carry out this resolution.

VII. INTER-AMERICAN DEFENSE BOARD

Whereas:

The Inter-American Defense Board was established pursuant to Resolution 39 of the Third Meeting of Consultation of Foreign Ministers, held in Rio de Janeiro in 1942, recommending the immediate meeting of a commission composed of military and naval technicians appointed by each of the governments to study and to suggest to them measures necessary for the defense of the hemisphere;

The Inter-American Defense Board, on April 26, 1961, resolved that the participation of the Cuban regime in defense planning is highly prejudicial to the work of the Board and to the security of the hemisphere; and

The present Government of Cuba is identified with the aims and policies of the Sino-Soviet bloc,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance.

Resolves:

To exclude immediately the present Government of Cuba from the Inter-American Defense Board until the Council of the Organization of American States shall determine by a vote of two thirds of its members that membership of the Government of Cuba is not prejudicial to the work of the Board or to the security of the hemisphere.

VIII. ECONOMIC RELATIONS

Whereas:

The Report of the Inter-American Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs states, with regard to the intense subversive activity in which the countries of the Sino-Soviet bloc and the Cuban Government are engaged in America, that such activity constitutes "a serious violation of fundamental principles of the inter-American system"; and,

During the past three years 13 American states have found it necessary to break diplomatic relations with the present Government of Cuba,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Resolves:

1. To suspend immediately trade with Cuba in arms and implements of war of every kind.

2. To charge the Council of the Organization of American States, in accordance with the circumstances and with due consideration for the constitutional or legal limitations of each and every one of the member states, with studying the feasibility and desirability of extending the suspension of trade to other items, with special attention to items of strategic importance.

3. To authorize the Council of the Organization of American States to discontinue, by an affirmative vote of two thirds of its members, the measure or measures adopted pursuant to the preceding paragraphs, at such time as the Government of Cuba demonstrates its compatibility with the purposes and principles of the system.

IX. REVISION OF THE STATUTE OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

Whereas:

The Fifth Meeting of Consultation of Ministers of Foreign Affairs, by Resolution VIII, created the Inter-American Commission on Human Rights, and charged it with furthering respect for human rights in the American states;

Notwithstanding the noble and persevering effort carried on by that Commission in the exercise of its mandate, the inadequacy of the faculties and attributions conferred upon it by its statute have made it difficult for the Commission to fulfill its assigned mission;

There is a pressing need for accelerating development in the hemisphere of the collective defense of human rights, so that this development may result in international legal protection of these rights; and

There is an obvious relation between violations of human rights and the international tensions that work against the harmony, peace, and unity of the hemisphere,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

Resolves:

To recommend to the Council of the Organization of American States that it revise the Statute of the Inter-American Commission on Human Rights, broadening and strengthening the Commission's attributes and faculties to such an extent as to permit it effectively to further respect for these rights in the countries of the hemisphere.

STATEMENTS

STATEMENT OF HONDURAS

Honduras wishes to have the explanation of the position it adopted in voting for Resolution VI, Exclusion of the Present Government of Cuba from Participation in the Inter-American System, recorded in the Final Act.

With regard to the observations of a juridical nature made by several distinguished foreign ministers, Honduras maintains the existence of sufficient bases in the letter and in the spirit of the treaties and conventions of the regional system.

In the last analysis, however, in view of the threat to the peace and security of the hemisphere, in view of the threat to the dignity and freedom of the inhabitants of the Americas, and in view of the political presence of the Soviet Union in America, the Delegation of Honduras, aware of the juridical doubt that might arise, has not hesitated to give the benefit of the doubt to the defense of democracy in America.

STATEMENT OF ARGENTINA

In view of the statement made by the Representative of Uruguay at the second plenary session, held on January 31, 1962, the Delegation of Argentina wishes to record that it reiterates the juridical views expressed by Dr. Miguel Angel Cárcano, Minister of Foreign Affairs and Worship, at the ninth session of the General Committee, in explanation of his vote on Resolution VI of this Final Act.

STATEMENT OF COLOMBIA

The position of Colombia has been defined in the two statements that will be shown in the minutes of the second plenary session of this Eighth Meeting of Consultation, and that refer to general policy and to Resolution VI.

STATEMENT OF MEXICO

The Delegation of Mexico wishes to make it a matter of record in the Final Act of the Eighth Meeting of Consultation of Ministers of Foreign Affairs, that, in its opinion, the exclusion of a member state is not juridically possible unless the Charter of the Organization of American States is first amended pursuant to the procedure established in Article 111.

STATEMENT OF HAITI

My country is proud to have participated in these discussions, which have taken place in an atmosphere of calm, of courtesy, and of mutual respect.

Haiti came to Punta del Este with the firm intention of defending the principles of nonintervention and self-determination of peoples, with all that they imply. Haiti remains firmly attached to these intangible principles, which guarantee an order of mutual respect in relations among peoples of different languages and cultures.

Here Haiti has become persuaded that "the fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit."

This is the sole reason for the change in the position and attitude of my country, which is honored to have had a modest part in resolving a problem which jeopardized the peace, the solidarity, and the unity of the hemisphere.

STATEMENT OF ECUADOR

The Delegation of Ecuador wishes to state in the record that the exclusion of a member state from the inter-American system could only be accomplished through the prior amendment of the Charter of the Organization of American States to grant the power to exclude a state.

The Charter is the constitutional juridical statute that prevails over any other inter-American instrument.

STATEMENT OF ECUADOR ON RESOLUTION VIII

Ecuador abstained from voting, inasmuch as sanctions are being applied, by invoking the Treaty of Reciprocal Assistance, sanctions that begin with the suspension of traffic in arms with the possibility of being extended to other items, with special attention to items of strategic importance, a concept that might include basic necessities of which the Cuban people should not be deprived and thus make the present situation more critical.

Of course, Ecuador, as a peace-loving country, reaffirms its faith in peaceful methods to settle controversies between states and condemns illegal traffic in arms.

STATEMENT OF BRAZIL

In view of the statement made by the Representative of Uruguay at the plenary session held on January 31, 1962, the Delegation of Brazil reaffirms the validity of the juridical bases of the position taken by its country with respect to Resolution VI of the Eighth Meeting of Consultation, which position was explained at length by the Minister of Foreign Affairs of Brazil in statements made at the sessions of the General Committee held on January 24 and 30, 1962.

STATEMENT OF URUGUAY

The Delegation of Uruguay wishes to state in the record that, in adopting its position in the Eighth Meeting of Consultation, far from violating or forgetting the juridical standards applicable to the Cuban case, it adhered strictly to them, as befits its old and honorable tradition of being a defender of legality. The bases for this position were explained at the plenary session held on January 31, as will be shown in the minutes of that session.

IN WITNESS WHEREOF, the Ministers of Foreign Affairs sign the present Final Act.

DONE in the city of Punta del Este, Uruguay, on January thirty one, nineteen hundred sixty two. The Secretary General shall deposit the original of the Final Act in the Archives of the Pan American Union, which will transmit the authenticated copies thereof to the governments of the American republics.



