

Security in the Americas

Introduction

The security structure of the Americas is composed of levels of differing geographical domain. The largest, the continental dimension is constituted by the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), the Organization of American States (OAS) and the Conference of Defense Ministers of the Americas (GATICA BÓRQUEZ 2018: 3). Regional and subregional dimensions include a great number of initiatives, linked to organisations such as the UNASUR and the PROSUR. This chapter will focus on the continental dimension, in particular on the Organization of American States. Regional and subregional schemes will be discussed only briefly.

Organization of American States

The Organization of American States is the oldest regional organisation. Its roots go back to the 1889–1890 1st Inter-American Conference, and the Pan-American Union founded in 1910 by the 4th Inter-American Conference. Its immediate antecedents include the 1945 Act of Chapultepec, and the 1947 Rio Treaty, also referred to as the Inter-American Treaty of Reciprocal Assistance (1947). The OAS was formally set up by the 9th Inter-American Conference in 1948 in the wake of WWII, amidst increasing international tensions. The United States wanted partners to ensure the security of the American continent, focusing on prevention of the growth of Soviet influence and the containment of the spread of communism. Therefore, the purposes and the functioning of the OAS were greatly impacted by the Cold War. During its first four decades of existence, the organisation was a foreign policy instrument of the USA, helping to ensure its hegemony over the region (BARRETO VELÁZQUEZ 2019: 116).

Founding document (OAS Charter)

Amidst gloomy auspices of growing violence in Colombia (*Bogotazo*), sparked by the assassination of the popular politician, Jorge Eliécer Gaitán, the Charter of the Organization of American States was signed on 30 April 1948 in Bogota by 20 Latin American countries and the United States of America. It came into force on 13 December 1951, after the document was ratified by two-thirds of the signatory states.

The Charter is divided into three main parts. Part I covers the nature, the purposes and the principles of the organisation. It also includes articles on the fundamental rights

and duties of states, the pacific settlement of disputes and collective security. Part II first lists and then defines the tasks and the functioning of the different OAS bodies. Part III contains miscellaneous provisions as well as articles on the ratification and entry into force of the charter. The original document has been amended by the Protocol of Buenos Aires in 1967, the Protocol of Cartagena de Indias in 1985, the Protocol of Washington in 1992 and the Protocol of Managua in 1993.

The Charter named the following essential purposes in 1948, in its original form: “a) to strengthen the peace and security of the continent; b) to prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States; d) to provide for common action on the part of those States in the event of aggression; e) to seek the solution of political, juridical, and economic problems that may arise among them; f) to promote, by cooperative action, their economic, social, and cultural development” (Article 4).

Structure

The main bodies of the OAS include the General Assembly (GA), the Meeting of Consultation of the Ministers of Foreign Affairs, the Permanent Council and the General Secretariat.

The General Assembly – described in Chapter IX of the OAS Charter – is the supreme OAS body. It is a plenary body where every member state is represented, and each has one vote. Decisions are made by absolute majority or supermajority (two-thirds). The General Assembly evolved from the Inter-American Conferences – mentioned in the introduction of this chapter – substituting them from 1970. The General Assembly gathers for one regular session a year, where the date and time of the next regular session must be decided upon. In case of emergency, a special session can be convened. The General Assembly decides on the policies of the organisation, the structure and functioning of its bodies, the budget, the financial contributions of the member states (quotas) as well as on new admissions (upon the recommendation of the Permanent Council). It elects the Secretary General, the members of the Inter-American Court of Human Rights (IACHR) and the Inter-American Juridical Committee.

The Meeting of Consultation of the Ministers of Foreign Affairs (Chapter X of the Charter) is a consultative body of the OAS, which meets occasionally upon request. The Permanent Council (Chapter XII) is responsible for carrying out the daily work of the organisation, executing and implementing the policies decided upon by the GA. It is made up of one representative of each member state, in the rank of ambassador. Evolved from the Pan-American Union, the General Secretariat is the chief administrative body of the OAS (Chapter XVI), located in Washington, D.C. It is headed by the Secretary General, who is elected for 5 years and can be re-elected once. Luis Almagro, Foreign Minister of Uruguay under the presidency of José Mujica (2010–2015), has held this position since 2015, being re-elected in 2020. The Secretary General is also the public face of the organisation.

Other bodies of the OAS specified in the Charter include the Inter-American Council for Integral Development (Chapter XII); the Inter-American Judicial Committee (Chapter XIV); the Inter-American Commission on Human Rights (Chapter XV); the Specialized Conferences (Chapter XVII) and the Specialized Organizations (Chapter XVIII). The latter are intergovernmental organisations which are linked to the OAS by special agreements – similarly to the UN and its specialised agencies. They are not listed in the charter but can be found on the webpage of the OAS. All of them predate the organisation. They comprise of the Pan American Health Union (founded in 1902 and headquartered in Washington, D.C.); the Inter-American Children’s Institute (f: 1927, l: Montevideo, Uruguay); the Inter-American Commission of Women (f: 1928, l: Washington, D.C.); the Pan American Institute of Geography and History (f: 1928, l: Mexico City) and the Inter-American Institute for Cooperation in Agriculture (f: 1942, l: San José, Costa Rica) (OAS 2022g).

There exists also a category of other autonomous and/or decentralised bodies of the OAS, usually set up by the General Assembly. It includes various bodies closely related to the security approach of this book: 1. the Inter-American Drug Abuse Control Commission (CICAD); and 2. the Inter-American Committee against Terrorism (CICTE), established in 1986 and 1991, respectively, in response to emerging challenges; and 3. an old entity, dating from 1942, the Inter-American Defence Board, set up to study and recommend measures for the defence of the Americas. It defines itself as “the oldest multilateral military organization in the world” (OAS 2022c). It functions as an advisory body to the OAS and also supervises academic programs in the Inter-American Defence College, in Washington, D.C. It is closely linked to the Conference of Defence Ministers of the Americas (CDMA),¹ as the Board supports the pro-tempore secretariat of the CDMA and is also in charge of preserving the institutional memory of the forum (CDMA 2022b).

¹ The CDMA is a multilateral political forum for debates attended by the ministers of defence of all the countries of the hemisphere in order to promote the exchange of ideas on issues of Security and Defence. It met for the first time in 1995 in Williamsburg, USA, and established the Williamsburg Principles (CMDA 2022a). These six principles include the commitment of the countries that their “Armed Forces should be subordinate to democratically controlled authority, act within the bounds of national Constitutions, and respect human rights through training and practice”. The aims of increasing transparency in defence matters, the promotion of cooperation in the fight against narcoterrorism, the recognition of the importance of economic security as well as the encouragement of “greater defence cooperation in support of voluntary participation in UN-sanctioned peacekeeping operations” figure in the principles (U.S. Department of State 1995). The requisite for membership in the CDMA is being an American country and complying with the Williamsburg Principles. The CDMA is made up of a plenary body (assembly), working committees and a pro-tempore secretariat. The presidency rotates every two years, and the country of the current president is also in charge of organising the biennial conference. The XV Conference took place in Brazil in summer 2022. Some of the highlighted issues included integrated deterrence and trans-frontier security as well as the discussion of the results of the 2021–2022 working groups, focused on cyber defence and cyberspace; women, peace and security as well as cooperation in humanitarian assistance and disaster management, respectively.

Budget

The OAS budget consists of various funds, the two most important are the Regular Fund and the Specific Funds (CFR 2022). The Regular Fund is composed of member-state quotas, “based on gross national income, with adjustments for debt burden and low per capita income” (U.S. Senate 2010). It supports the General Secretariat. Specific programs and projects are financed via the so-called Specific Funds – voluntary contributions – created in 1997 in order to ease the organisation’s dependency on the willingness of member states to pay their quotas. The biggest financial contributor of the OAS is the United States. It used to pay 66% of the regular funds. In the 1980s, however, it started not paying its quota, bringing the OAS on the brink of bankruptcy (VÁKY–MUÑOZ 1993: 39). The organisation came under strong pressure once again during the Trump Administration to ease the financial obligations of the USA. In the fiscal year of 2019, U.S. contributions reached only 41.9% of regular funds. For the 2022 budget they stand at 53.15%, meaning that the USA would still cover more than half of the 81 million USD allocated to the Regular Fund (OAS 2022a).

Membership

Membership grew from the original 21 states to over 30, due to the decolonisation processes, resulting in a growing number of independent countries in the Caribbean since the 1960s. The OAS came to cover the whole continent with the joining of Canada in 1990.

Cuba was ousted from the organisation in January 1962, following the announcement of Fidel Castro on 1 May 1961 that the island would embrace Socialism. The OAS revoked its decision in 2009 adopting resolution AG/RES. 2438 (XXXIX-O/09), which allowed for the reincorporation of Cuba (OAS 2022f). But the Cuban Government did not want to, pointing to the damage caused to the island by the OAS during the Cold War. The same year, in 2009, Honduras was suspended due to the coup against President Manuel Zelaya and was only re-admitted after elections and the return of the Zelayas to the country.

In 2017, the Venezuelan Government announced its intention to leave the organisation, accusing it of meddling in internal affairs (GALLÓN et al. 2017). In November 2021, Nicaragua followed suit, as the majority of OAS members had condemned the 2021 Nicaraguan general elections for the lack of being “free, fair or transparent” (Reuters 2021).

Democracy

Democracy was not mentioned among the original goals of the OAS. It did not figure in the original version of the founding document. The promotion of democracy was added later to the objectives of the organisation. The current charter of the OAS also contains – besides the goals set in 1948 and listed previously – the following purposes: “To promote and consolidate representative democracy, with due respect for the principle

of non-intervention; to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere; and h) to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the Member States” (Article 2).

Fostering democratisation, in other words, supporting the creation of conditions that favour democratic development emerged as new goals for the OAS from the 1980s, in a parallel way with the fall of various military dictatorships and a transition to civilian rule in South America (Argentina, Brazil, Uruguay, Bolivia, etc.). In 1991 the foreign ministers of the OAS countries adopted the Santiago Declaration and the Renewal of the Inter-American System, to be followed by Resolution 1080 which can be considered a kind of anti-coup mechanism. Resolution 1080 tasks the OAS Secretary General to call for an immediate meeting of the Permanent Council of the organisation “in the event of any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government” in any member states to examine the case and convene – if necessary – a meeting of the foreign ministers or a special session of the OAS General Assembly, all of which need to take place within the next 10 days after notification (VAKY–MUÑOZ 1993: 108).

Resolution 1080 was evoked four times: in 1991, after a military coup ousted President Aristide in Haiti; in 1992 due to the self-coup of President Fujimori in Peru; a coup of similar style of President Serrano in Guatemala in 1993 and finally, in 1996, in case of Paraguay (SANTA-CRUZ 2005: 123–140), when army commander General Lino Oviedo tried to resist President Wasmosy’s decision to send him to retirement, by challenging the democratically elected leader and threatening to take over power. Resolution 1080 was replaced after ten years of existence by the Inter-American Democratic Charter in 2001, considered as a landmark document (SANTA-CRUZ 2005:134). Its creation was linked to a great extent to the efforts of the former UN Secretary General, Javier Pérez de Cuellar, who was foreign minister of the transitional Peruvian government which took the lead of the country after the fall of Fujimori. The Charter consists of 28 articles, organised in the following sections: I. Democracy and the Inter-American System; II. Democracy and Human Rights; III. Democracy, Integral Development, and Combating Poverty; IV. Strengthening and Preservation of Democratic Institutions; V. Democracy and Electoral Observation Missions; and VI. Promotion of a Democratic Culture. The Charter states that: “The peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it. Democracy is essential for the social, political, and economic development of the peoples of the Americas.” (Article 1) and that “Democracy and social and economic development are interdependent and are mutually reinforcing” (Article 11). The Charter allows for the suspension of a member state in case democratic processes are interrupted. The Inter-American Democratic Charter has been invoked several times, for example in connection to the coup in Honduras in 2009, for which the right of the country to participate in the OAS was temporarily suspended (OAS 2009).

Human rights

The original 1948 OAS Charter “did little more than mention human rights” (CAMINOS et al. 1988: 114). It established neither a body nor a mechanism to ensure human rights on the continent. It was in parallel, and not within the charter, that the first international human rights instrument² was introduced: the American Declaration of the Rights and Duties of Man. Unlike the Charter, it was only a non-binding conference resolution. Later, in 1959, the Meeting of Consultation of the Ministers of Foreign Affairs mandated the establishment of the Inter-American Commission of Human Rights (IACHR). “What is interesting about the establishment and evolution of the Commission [...] is that, first, it was not created by a human rights treaty; second, the OAS Charter did not provide for it expressively; and, third, the human rights, respect for which the Commission was to promote, were set out in a nonbinding resolution [...] rather than a human rights convention” (CAMINOS et al. 1988: 116). These ambiguities were settled with time. The first amendment of the OAS Charter, the Protocol of Buenos Aires,³ elevated the IACHR to the status of an OAS body. The American Convention on Human Rights, also known as the Pact of San José, was adopted in San José, Costa Rica in 1969, and came into force after due number of ratifications in 1978, soon to be followed by the establishment of a new OAS body in 1979, the Inter-American Court on Human Rights, situated in the Costa Rican capital.

Security

The articles on collective security (Chapter V, Articles 24 and 25 in the 1948 OAS Charter and Chapter VI, Articles 28 and 29 in the current OAS Charter) form the core of the constitutional document of the organisation.⁴ Article 28 states: “Every act of aggression by a State against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American States.” Article 29 follows as: “If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an armed attack or by an act of aggression that is not an armed attack, or by an extracontinental conflict, or by a conflict between two or more American States, or by any other fact or situation that might endanger the peace of America, the American States, in furtherance of the principles of continental solidarity or collective self-defence, shall apply the measures and procedures established in the special treaties on the subject.” Despite these provisions, the collective security system did not always work (HEGEDŰS 2019: 207). Upon the outbreak of the Falkland War

² It antedated the Universal Declaration of Human Rights, A/RES/217(III), adopted by the UN General Assembly later that year (see DREIER 1962: 103).

³ It was signed in 1967 and entered into force in 1970.

⁴ The Charter in vigour of the time of writing this chapter is used for references in the whole text.

in 1982, the OAS called on Great Britain to refrain from any action that might endanger peace and security on the American continent, yet the USA openly supported Britain in the conflict, sanctioning Argentina and providing armed support for the British. From the perspective of this chapter, it does not matter who was right or wrong in the conflict. What matters is that the United States, despite being an OAS member, did not stick to the resolution of the organisation and helped an extra-regional power against an OAS member state. The organisation proved powerless, it could not enforce its will upon the USA. “The OAS is a schizophrenic organization, one rich nation and a passel of poor ones, one superpower and a number of others firmly perched on the third echelon in the geostrategic scale of things. The United States can look to no nation of last resort in the event of a threat to its security. Latin American countries find themselves in a quite different circumstance. The United States is their ultimate security guarantor [...]. All but one of the OAS members rely on another for protection against external threats but perceive that the most serious and most proximate of potential challenges to their territorial independence and political integrity is the very nation by virtue of whose security umbrella they continue to exist” (CAMINOS et al. 2019: 104).⁵ to counter U.S. strength and influence, Latin Americans insisted on the principle of non-intervention within the OAS and formed their own regional and subregional organisations.

New goals and activities

The end of the Cold War and the corresponding change in the international order as well as the vanishing of ideological considerations questioned the existence of the OAS, yet the organisation was able to adjust to the new circumstances. It has focused on the following major areas since 1990: promotion of democracy; human rights; socioeconomic development and regional security cooperation. It had already had experience in electoral observation missions, launched since 1962, first in Costa Rica and the Dominican Republic (OAS 2022b), whereas political missions including the applications of resolution 1080 and the Inter-American Democratic Charter as well as peace missions, often related to boundary disputes in particular in Central America (between El Salvador and Honduras; Honduras and Nicaragua, and Belize and Guatemala) or focused on Haiti, started to be launched in the post-Cold War era (OAS 2022d; OAS 2022e).

Regional initiatives

Latin American regionalism experienced two intensive waves since the end of the 20th century: one from the mid-1980s and beginning of the 1990s, called new regionalism, characterised by organisations such as Mercosur, and another, even more dynamic wave, starting from the beginning of the 21st century, often referred to as globalised regionalism

⁵ Remarks by William D. Rogers.

(UNASUR, PROSUR, ALBA, CELAC, Pacific Alliance, etc.). The drivers of new regionalism included on the one hand the democratisation of various Latin American countries following the fall of military dictatorships (including Argentina, Brazil and Uruguay), and on the other, the end of the Cold War which led to a change in U.S. foreign policy priorities and less U.S. interest in Latin America. All these contributed to the strengthening of local initiatives for regional cooperation. Globalised regionalism emerged after 9/11, which resulted in a further ‘retreat’ of the USA, giving rise to the so-called post-hegemonic era in Latin America. It was a period characterised by economic growth as well as by the presence of progressive governments in the majority of the South American countries. They considered regional integration crucial and were willing to spend some of their revenues on that cause. Political will, financial resources, coupled with favourable external circumstances for Latin America, resulted in the formation of several new regional organisations. For the sake of this chapter, only two, UNASUR and PROSUR will be outlined, with a special focus on security aspects.

Institutions within the framework of the UNASUR

The Union of South American Nations (UNASUR) was born with the signing of its constitutive treaty in 2008, starting its formal life from 2011 when the treaty entered into force. UNASUR was a unique initiative in various senses: it built on the already existing organisations of the Andean Community and Mercosur; it comprised of all 12 South American countries – independently whether they had or did not have a Spanish/Portuguese colonial past, and it was not a Latin American, but a South American regional organisation, including Suriname and Guyana (PAJOVIĆ–LALIĆ 2023: 249). Defence-related institutions formed within the UNASUR included the South American Defense Council, the Center for Strategic Defence Studies, and the South American Defense College.

The South American Defense Council (SADC) was established by the UNASUR member countries in December 2008. It became “the first Latin American regional defense structure in which the United States [had] no participation” (BRAGATTI 2019: 75). It is important to add that it lacked an anti-U.S. stance and did not formulate defence concepts against the United States. Its presidency worked on a rotating basis and the head of the SADC was the country which held the pro tempore presidency of the UNASUR. It had a parallel institutional structure: the Council of Defense Ministers (a higher-ranked forum) which met twice a year and a more active Executive Body, formed by vice-ministers (VITELLI 2017: 6). The SADC developed annual action plans, focused on one of the following thematic fields: “Axis 1 – Defense Policies; Axis 2 – Military Cooperation, Humanitarian Action and Peace Operations; Axis 3 – Defense Industry and Technology; and Axis 4 – Education and Training” (MOUSSALLEM s. a.: 7; BRAGATTI 2019: 77). More than 150 cooperation activities were planned in the period of 2008–2017 and most of them were in fact carried out. The implementation rate stayed high (92% in 2013 and 80% in 2014) until the middle of the 2010s (SANAHOJA – VERDES-MONTENEGRO ESCÁNEZ

2021: 1–20). Afterwards economic problems, political polarisation, the crisis in Venezuela, the growing presence of external actors in the region increased the debates among UNASUR members and reduced the desire to cooperate, resulting in less activities and less effectiveness.

The Center for Strategic Defence Studies (CEED) was established in 2011 in Buenos Aires. It was founded to carry out research in the fields of defence and international security, in order to help the work of the South American Defense Council. The statute of the institution lists among its objectives the identification of challenges, threats and opportunities with respect to regional and international security, as well as possible contributions of the CEED to policy formation (RESDAL 2010). The news agency Merco Press defined its goal as the “consolidation of a South American identity in defence affairs” (Merco Press 2011). The experts working in the CEED were selected and sent by the Ministries of Defense of UNASUR member states (maximum two/country). Spanish was the working language, but the CEED had four official languages: Spanish, Portuguese, English and Dutch (RESDAL 2010). The decline of the UNASUR seriously affected the functioning of the CEED, its webpage and the materials displayed on it are no longer accessible.

The South American Defense College, also known as ESUDE, (VAZ et al. 2017: 8), established in 2015 in Quito,⁶ was inaugurated by the UNASUR Secretary General, Ernesto Samper. He insisted that the goal of the institution “was not to prepare the armies of South America countries for war but for peace” (Deutsche Welle 2015). ESUDE had a lot of potential, but its activities were rather limited to courses organised by each country and did not have a common program, as each country had a different focus and understanding of security and defence (FERNÁNDEZ RODRÍGUEZ 2021: 527; FRENKEL 2016: 49). The ESUDE launched its last course at the end of 2017 (Facebook 2017).

Although the majority of its members have left and the secretariat has not been active since 2018 (LONG 2022b; NOLTE 2022: 16), UNASUR is still legally operational, as four countries have not withdrawn, and the founding treaty does not set a minimum number of members. Yet the future of the organisation is uncertain due to political polarisation and economic stagnation in the region, the need to adapt to global processes, and the lack of cohesion (COMINI–FRENKEL 2021: 143–144; SZENTE-VARGA 2020: 45–61). Despite the uncertainty, political changes that have been taking place since the beginning of the decade of the 2020s could even bring a turnaround, due to the success of Latin American political left at the elections. A common ideological ground coupled with the general support of the left behind regional integration could even revitalise the organisation (LONG 2022a; SZENTE-VARGA 2022).

⁶ The Bolivarian Alliance for the Peoples of our America (ALBA), set up by Cuba and Venezuela in 2004, had opened a parallel institution, the ALBA School of Defense and Sovereignty, in 2011 (BRAGATTI 2019: 76).

Counter initiative: Forum for the Progress and Development of South America (PROSUR)

The disintegration of UNASUR led to the establishment of a new regional organisation, PROSUR in March 2019, created on the initiative of the right-wing presidents Sebastian Piñera of Chile and Iván Duque of Colombia. Its declared objectives cover cooperation related to infrastructure, energy, health, defence, security as well as fight against organised crime and natural disasters (FRENKEL 2019; PROSUR 2022a; SOTO 2019).

The foreign ministers signed a declaration in autumn 2019, which established different working groups within the organisation. However, due to the pandemic, their functioning started late or remained incomplete. The members of the working group specialised in security and fight against transnational organised crime are Chile, Ecuador, Peru and Paraguay (PROSUR 2022b).

The latest security-related news involves the Declaration of the PROSUR presidents on regional security, emitted in July 2022. Besides emphasising the need and determination to enhance cooperation among member states and with regional and international organisations, they also expressed “concern about the economic and social effects of the conflict in Ukraine, which generate recessionary and inflationary situations in the [LAC] region” (PROSUR 2022c).

The future of PROSUR has become uncertain due to political left-wing turns, the victory of Gustavo Petro in Colombia, Lula in Brazil and Gabriel Boric in Chile. Boric announced the departure from PROSUR in April 2022, which he has not formalised yet, so Chile is still a member of the organisation as of the end of 2022 (GARCÍA-MIGUEL 2022; Deutsche Welle 2022).

Conclusions

The Organization of American States is special among American regional organisations in various aspects: membership, time of existence and ability to adapt. The USA is an OAS member; the roots of the organisation go back to the 19th century and was formally established in the 1940s, more than 70 years ago; and the OAS was able to modify its goals and activities in a successful way during the course of time, nonetheless, preserving security at its core. In contrast with the OAS, the majority of American regional organisations comprise of Latin American countries only, and tend to have shorter life-spans. They were established during the different waves of integration which characterised the region (LEHOCZKI 2007). Currently, at the beginning of the 2020s, based on the return of progressive governments to power in several Latin American countries and the post-crisis situation after Covid-19, a new wave of regionalism can be expected. Due to growing and ever more complex regional security challenges – including drug and human trafficking, terrorism, lack of public security, corruption, etc. – as well as mounting uneasiness and insecurity in international relations (see for example the Russo–Ukrainian War), it is very likely these organisations will focus more on security aspects.

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