



## REFLECTIONS & FUTURE CONSIDERATIONS: THE OAS @ 70

# Mexico and the OAS: A Growing Relationship

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**Abstract:** *Mexico has a long-standing multilateral tradition. It has been a member of the Organization of American States (OAS) since its inception and has increased its involvement steadily which gained momentum during the last decade of the 20<sup>th</sup> century and that has persisted ever since. This policy paper briefly reviews the historical participation of Mexico in the OAS, as well as some of the country's most recent contributions to the Organization, in the context of its 47<sup>th</sup> General Assembly. Finally, the paper highlights three traits of the OAS that make it particularly relevant for Mexico's multilateral diplomacy and for the region as a whole.*

**Keywords:** Mexico-OAS Relations; Multilateral Diplomacy

Mexico has a long-standing multilateral tradition. Since the beginning of the 20<sup>th</sup> century, Mexican foreign policy has rested upon the conviction that the construction of an international order, based on norms and rules of conduct is in the country's best interest. Accordingly, Mexico has played a prominent role in the codification of international law, the development of international regimes, and the strengthening of multilateralism, both at the global and regional levels.

Regionally, Mexican diplomacy accords high value to the Organization of American States (OAS) as the most representative forum of the Americas. Even if the country participates in many other multilateral groupings with Latin American and Caribbean partners, the OAS is perceived as irreplaceable. As a bridge country,

geopolitically located between North America and Latin/South America, and possessing an important window to the Caribbean Sea, Mexico certainly appreciates the existence of an organization in which all parties converge. Therefore, the commemoration of the 70<sup>th</sup> anniversary of the OAS is a fitting opportunity to recall Mexico's historical participation as a founding member. It is also an opportune moment to highlight some of Mexico's recent contributions to strengthening the OAS.

This policy paper is divided into three sections. The first one offers a brief overview of Mexico's evolving engagement with the OAS since its inception. It argues that, over seventy years, there has been an incremental process of involvement, which gathered momentum in the last decade of the 20<sup>th</sup> century. The second part is devoted to the 47<sup>th</sup> General Assembly, hosted in Cancun in 2017. The purpose is to delineate some of Mexico's most recent contributions to the OAS institutional and normative development, which at the same time exemplify the country's commitment to the Organization and, in more general terms, the features of Mexico's multilateral diplomacy. Finally, the paper concludes by briefly examining the relevance of the OAS, seventy years after its creation and, thus, the pertinence of Mexico's efforts.

#### **FROM CAUTION TO COMMITMENT: SUCCESSIVE APPROXIMATIONS TO THE OAS**

Created in 1948, the OAS was part of the post-World War II institutional architecture. Mexico never underestimated its importance as an institutional space where political dialogue and cooperation could be advanced among the countries of the Americas. It granted special value to the Organization's role as creator and repository of international legal instruments that enshrined the principles of pacific and productive coexistence among its member countries. To be sure, high-profile diplomats were always appointed as Mexican permanent representatives to the OAS.

However, as the Organization became fraught with the tensions and dynamics of the Cold War, Mexico turned to a cautious and vigilant position. Time and again, Mexican diplomacy advocated for upholding the principles of sovereign equality, self-determination, and non-intervention in the internal affairs of other states. At pivotal times, such as the vote to enact sanctions against Cuba in 1964, Mexico kept its distance. It also refrained from nominating a

candidate for Secretary-General or even hosting a General Assembly. Prudence and perhaps mistrust guided the Mexican approach to the hemispheric organization at that time.

This state of affairs began to change with the end of bipolarity and the advent of a post-Cold War international order. The spirit of cooperation in the Americas was greatly enhanced by two processes. First, the democratization wave that swept Latin American countries and was accompanied by a pro-market consensus in the region. Second, the decision of the United States to offer a more collaborative leadership within the framework of the OAS and beyond.

In this context, Mexico found at the OAS a productive space to address, among others, two pressing transnational problems: drugs and arms trafficking. The country's active participation at the Inter-American Drug Abuse Control Commission (CICAD), for instance, was an opportunity to engage Washington and other nations in a permanent discussion regarding different aspects of this issue area, including drug demand. Mexico pushed forward the creation of a multilateral mechanism to evaluate the efforts of all member states, which was adopted in 1999 and eventually substituted the unilateral certification process conducted by US Congress.

Regarding arms production and smuggling, Mexico proposed and led the Working Group that drafted the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). It was the first international treaty to define legal obligations related to this transnational phenomenon and its signature, in November 1997, was attended by Mexico's President, Ernesto Zedillo Ponce de León.

On the eve of the 21<sup>st</sup> century, Mexico got even more involved with the OAS. The country hosted in 2003 the OAS Special Conference on Security, which gave rise to the notion of "multidimensional security" espoused by the Organization. In addition, and perhaps more meaningfully, it began to invest frankly and decisively in two important pillars: democracy and human rights. In this vein, Mexico signed the Inter-American Democratic Charter in 2001 and supported the deployment of electoral observation missions. It contributed financially to the Inter-American Human Rights System (IAHRS), integrated by the Inter-American Commission on Human Rights and the Inter-American Court, nominated high-profile candidates to join those important

bodies, maintained a constructive dialogue with them and, in difficult times, backed them politically.

Indeed, Mexico has come to define the OAS as a community bounded by shared norms and values. As Mexican Foreign Minister, Luis Videgaray Caso, recently stated, “the OAS is not an association simply by virtue of geography. The OAS brings us together, and summons us, because we share values such as the defense of democracy and human rights, inclusive development and security in all its dimensions”.<sup>1</sup>

This brief recount of Mexico’s evolving engagement with the OAS leads us to today, a time of international realignment and domestic challenges that reaffirm the value of the Organization as a space for dialogue and common causes, but that also highlight the difficulties for its effective functioning. It is in this context that Mexico offered to host the OAS General Assembly, to which Mexico’s contributions will be analyzed in the following section.

#### **47<sup>TH</sup> GENERAL ASSEMBLY IN CANCUN: CONTRIBUTIONS AND ACHIEVEMENTS**

For the first time in sixty-nine years, Mexico hosted a regular session of the OAS General Assembly. This auspicious event took place in Cancun from June 19 to 21, 2017, and signaled the country’s commitment to the Organization and, more broadly, to multilateralism. This section summarizes Mexico’s main contributions to this session, highlighting, at the same time, four general features typically displayed by the country’s multilateral diplomacy.

A first feature of Mexico as a multilateral player is the country’s leadership to advance agendas, construct coalitions, and bring actors to the negotiating table. This leadership is exemplified, among others, by Mexico’s interest to host international conferences. The General Assembly of the OAS is the supreme organ of the international organization, and it holds its regular sessions once a year, generally during the month of June. Despite the complexities of the hemispheric scenario in 2017, Mexico volunteered to host the 47<sup>th</sup> regular session of the OAS General Assembly, and Mexican diplomacy brought to bear its long experience to make a success of it.

These are challenging times for the international institutions of the liberal world order, created in the aftermath of World War II. The skepticism towards these organizations is led by emerging powers

that feel underrepresented in these institutions, and by countries that challenge the core values and leadership. However, most recently, skepticism has also emerged among the countries that had traditionally championed these international organizations, at least financially and discursively, such as the United States. Moreover, it must be acknowledged that the 47<sup>th</sup> session took place in a polarized regional context, exacerbated by Venezuela's political crisis. This polarization has reached the OAS due to the opposing views of the member states regarding whether and how the Organization should respond to the crisis. Discussions of this sensitive issue have been ongoing since May 2016, when the Secretary-General of the OAS, Luis Almagro, presented to the Permanent Council of the Organization a first report on the political and humanitarian situation in Venezuela.

Thus, Mexico's offer to hold the 2017 General Assembly in Cancún can and must be seen as an endorsement of multilateralism and international institutions during these difficult times. The theme of the General Assembly selected by Mexico is also a reflection of this endorsement: "Strengthening Dialogue and Concerted Action for Prosperity". As explained by Foreign Minister Videgaray, the theme was chosen "in recognition of the need to adapt the Inter-American System to the changes of our times, without giving up on its vocation, its essential principles, and the principles and expectations of our peoples",<sup>2</sup> and taking into consideration that "multilateral fora are the means to achieve solutions to the global, hemispheric and national challenges that we face".<sup>3</sup>

Indeed, Mexican diplomats worked hard to ensure that the 47<sup>th</sup> General Assembly was a productive encounter and an opportunity to address some of the most relevant agendas of the OAS, including: the strengthening of the Inter-American Human Rights System, migration, democracy, sustainable development, and the rights of indigenous peoples. They were successful in their endeavor, as demonstrated, among others, by the adoption of a historic resolution, promoted by Mexico, to double the financial resources of the IAHRs in a three-year time frame.

This achievement provides a good preamble to a second feature of Mexico's multilateral tradition: its contributions to the functioning of multilateral institutions in terms of improving institutional procedures and working methods. These matters are crucial for institutions to be effective; however, they are easily overlooked. Mexico's multilateral expertise and sense of responsibility has led the Mexican Foreign Service to get involved in

such practical and relevant matters. They range from securing adequate financial resources for international organizations to rationalizing mandates and identifying innovative ways to make collective decisions. In the context of the OAS, for example, Mexico recently played a prominent role in defining the roadmap for the Organization to efficiently face the challenges of the 21<sup>st</sup> century. Ambassador Emilio Rabasa, who was the Permanent Representative of Mexico to the OAS, presided over the Working Group of the Permanent Council on the Strategic Vision of the OAS (2013-2014), an ad hoc group created for that purpose.

At the 47<sup>th</sup> General Assembly of the OAS, three institutional changes were pushed forward by Mexico. The first one is the aforementioned initiative to double the financial resources of the IAHRs in a three-year time frame. The organs of the IAHRs, the Inter-American Commission on Human Rights and the Inter-American Court, have long operated with precarious resources;<sup>4</sup> furthermore, approximately 50% of this limited funding has come from the Regular Fund of the OAS, while the rest has been provided by voluntary contributions of regional and extra-regional state and non-state actors. It is common for voluntary contributions to be targeted to specific projects or agendas. This posits several problems, including the limitations of operating with targeted and volatile financing. In effect, in 2016 the Inter-American Commission faced a severe financial crisis due to the cutback in voluntary contributions.

In October 2016, Mexico suggested that funding of the Inter-American Commission and Court should be duplicated, employing resources of the OAS Regular Fund. While the proposal did not gather sufficient support for its approval at the time, the 47<sup>th</sup> General Assembly finally decided to double the financial resources of the IAHRs via the Regular Fund. This decision reduces the risky dependence of the system on voluntary contributions, and strengthens the capacity of the IAHRs to effectively protect the human rights of the peoples of the Americas.

The second institutional change promoted by Mexico in the 47<sup>th</sup> General Assembly was the adoption of the Plan of Action of the American Declaration on the Rights of Indigenous Peoples. The Plan of Action defines the measures to be taken at the national and OAS levels to implement the declaration, which was adopted at the Organization in June 2016, after 17 years of negotiations. Thus, operationalizing the long awaited resolution was a matter of utmost importance. Mexico was an ally in advancing the American

Declaration of the Rights of Indigenous Peoples. Its interest in adopting a Plan of Action for the declaration is consistent with this support, as well as with Mexico's commitment to negotiating institutional developments for bettering the workings and efficiency of international organizations and agreements. Among others, the Plan of Action defines capacity building measures, the exchange of best practices, and educational and monitoring efforts among nations and at the OAS to ensure the fulfillment of the declaration.

Third, Mexico innovated the format of the plenary sessions of the General Assembly: the country organized interactive panels of the member states in order to discuss some of the most relevant agendas of the Americas in a more fluid and focused fashion. Interactive panels took place on the following subjects: integral development and prosperity in the hemisphere, opportunities and challenges for women's leadership in the Americas, and rule of law, human rights, and democracy. These panels echo three of the pillars of the OAS, including – development, human rights, and democracy<sup>5</sup> and an agenda in which the Inter-American System has historically been forward-thinking: the status of women.<sup>6</sup>

A third feature of Mexico's multilateral diplomacy is its emphasis, on advancing normative developments in international fora. Mexican diplomacy has been a consistent supporter of international law and a champion of its codification. This stance is consistent with Mexico's long-held belief that international relations should be guided by norms and rules of conduct, on the basis of the principle of sovereign equality. At the OAS, Mexico's active participation in the creation of Inter-American legal instruments dates back to the origins of the Organization, with Foreign Minister Jaime Torres Bodet playing a prominent role in the drafting of the OAS Charter.

The resolution "Migration in the Americas", put forward by Mexico, was adopted by the 47<sup>th</sup> General Assembly, and is a reflection of these normative interests. The document will serve as the basis for defining the inputs of the OAS and its member states to the Global Compact for Safe, Orderly and Regular Migration, which the United Nations General Assembly is meant to adopt in 2018.<sup>7</sup> In this regard, the resolution instructs the OAS General Secretariat to provide technical support so that "states make hemispheric contributions to the construction of that document".<sup>8</sup>

The resolution is part of a broader and long-standing Mexican effort to address the phenomenon of migration in multilateral fora. As stated by Ambassador Juan José Gómez Camacho, Mexico's Permanent Representative to the United Nations in New York,

“migration is the only transnational issue that states still address as an exclusively domestic matter”.<sup>9</sup> Mexico has played a prominent role during the past four decades to counteract this tendency, a commitment strengthened by the fact that Mexico is a country characterized by the origin, reception, transit, and return of migrants. Among others, Mexico pushed forward the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), it requested the Inter-American Court of Human Rights give an advisory opinion on the rights of undocumented migrants (O.C. 18/03), and, most recently, it has led the efforts to achieve universal consensus on a Global Compact for Migration, a United Nations endeavor, co-facilitated by Switzerland and Mexico.

The resolution “Migration in the Americas” echoes several of Mexico’s proposals for the Global Compact. It is the first OAS resolution that addresses migration in a comprehensive manner, recognizing that it is “an intersectoral issue that should be addressed [...] with due consideration of the social, economic, and environmental dimensions and respect for human rights; and the major contribution made by migrants and migration to inclusive growth and sustainable development”.<sup>10</sup> Furthermore, it does not make any distinction among types of migrants (documented or undocumented), which is viewed as a key element for achieving a comprehensive Global Compact. Hence, the OAS resolution “Migration in the Americas” is part of Mexico’s commitment to achieve normative developments in the multilateral realm; in this case, in the issue area of migration, which is as lively as an agenda can be.

Finally but not less importantly, a fourth feature of Mexico’s multilateral diplomacy is its commitment to endorsing the participation of non-state actors in multilateral institutions. Mexico is well known for opening participation spaces for non-state actors (NGOs, businessmen, scientific communities, etc.) in the multilateral arena, both at international conferences and in the daily workings of international organizations. In the context of the OAS, a clear-cut example is Mexico’s collaboration with civil society actors during the Strengthening Process of the Inter-American Human Rights System, which took place from 2011 to 2013. On that occasion, Ambassador Joel Hernández, then Permanent Representative of Mexico to the OAS, stood out for establishing communication channels with civil society organizations all throughout the process.

The 47<sup>th</sup> General Assembly was no exception to Mexico's embrace of civil society actors as legitimate interlocutors as Mexican diplomats organized a dialogue between the Heads of Delegation of the member states, OAS officials, and representatives of NGOs, workers' syndicates, private sector, and other social actors. It was the first time in the history of the General Assemblies that these actors were gathered to participate in a horizontal dialogue. In the event, 494 representatives of 308 civil society organizations grouped in 24 coalitions participated. Coalitions consisted of self-managed groups of at least ten organizations with shared positions, which presented their common views in order to facilitate a broader and more productive discussion. It was also the first time a coalition system was employed at the OAS. The event consisted in three segments of discussion: human rights, democracy and rule of law, integral development and prosperity in the hemisphere, and multidimensional security. In this case, too, the segments were parallel to the pillars of the OAS, reflecting Mexico's commitment to advancing the core values of the Organization.

In sum, at the OAS 47<sup>th</sup> General Assembly, Mexico made efforts to strengthen the Organization and to address some of the country's multilateral priorities, such as the international negotiations on migration. Mexican diplomacy did this while also putting forward some of its more general multilateral foreign policy convictions, like the participation of non-state actors in multilateral affairs. While all of this is consistent with Mexico's commitment to constructing an international order based on norms and rules of conduct, the OAS has specific traits that reinforce its relevance, both for Mexico and for the Americas. These traits will be briefly addressed in the next and final section of this paper.

## **CONCLUSION**

This policy paper has provided details about the relevance of the OAS, in the light of Mexico's historical and recent involvement in the Organization. First, due to its geopolitical location, Mexico is aware of the importance of a forum in which North, South and the Caribbean converge. Indeed, the OAS is a hub organization uniquely suited to foster dialogue and coordination within the hemisphere. Moreover, recent history has shown that, as opposed to the Cold War period, nowadays no member country is in the position to exert disproportionate influence on its workings; hence, there is a greater

chance for the Organization to be perceived as useful and acceptable to all its members.

Second, Mexico has come to define the OAS as a community bounded by shared norms and values. In theory, this type of shared identity is more easily fostered in the regional rather than in the universal realm. Among neighbors, there is usually more cultural and political affinity, as well as a greater agreement of interests regarding common goals and challenges. Thus, in difficult times for global multilateral affairs, regional cooperation seems more valuable than ever. On the other hand, as recent events have made clear, acute ideological polarization among member countries tends to produce the Organization's stalemate. Therefore, it is in Mexico's best interest to play the role of consensus builder.

Third, the institutional mechanisms and normative framework of the OAS are unparalleled by those of any other regional organization in the Americas. Among others, the Inter-American Commission on Human Rights and the Inter-American Court provide the only means in the region to pursue justice for human rights violations after domestic remedies have been exhausted, and the OAS is depositary of all the international law instruments of the hemisphere. The topics covered by the international treaties created within the Organization range from the peaceful settlement of international disputes, to human rights, private international law, and disaster assistance. Moreover, the OAS has produced normative innovations such as the first international treaty for the fight against corruption, the first international treaty against small arms, and the only international treaty to eradicate violence against women. Mexican diplomacy cherishes this extraordinary common legal framework.

As the OAS turns 70, many challenges lie ahead. Most importantly, the Organization must bolster its reputation and prove its continued relevance. In line with these objectives, Mexico has supported political and administrative initiatives aimed at underscoring its importance and improving its efficiency, respectively. Mexican diplomacy also understands that the OAS should be responsive to citizen demands and develop a social constituency. Therefore, it embraces civil society participation in the organization's fora and mechanisms. All this attests to Mexico's commitment to the OAS - a commitment that our country is ready to reaffirm on its seventieth anniversary.

## NOTES ON CONTRIBUTOR

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## NOTES

<sup>1</sup> Presidencia de la República, "Diversas intervenciones durante la Inauguración del 47 Periodo Ordinario de Sesiones de la Asamblea General de la OEA-2017", accessed October 23, 2017, <https://www.gob.mx/presidencia/prensa/diversas-intervenciones-durante-la-inauguracion-del-47-periodo-ordinario-de-sesiones-de-la-asamblea-general-de-la-oea-2017?idiom=es-MX>. Author's translation.

<sup>2</sup> Secretaría de Relaciones Exteriores, "Presentación del tema del XLVII periodo ordinario de sesiones de la Asamblea General de la OEA a cargo del Canciller Luis Videgaray Caso", accessed October 23, 2017, <https://www.gob.mx/sre/articulos/el-canciller-luis-videgaray-caso-participo-en-el-xxvii-periodo-ordinario-de-sesiones-de-la-asamblea-general-de-la-oea?idiom=es>. Author's translation.

<sup>3</sup> *Ibid.*

<sup>4</sup> For example, in 2015, the regular budget of the IAHR was of 8 million dollars, while the African Human Rights System had –in that same year– a regular budget of 13 million dollars, and the European Human Rights System, 100 million euros. Inter-American Commission on Human Rights, "2016 Financial Crisis", accessed October 23, 2017, [http://www.oas.org/en/iachr/media\\_center/crisis-graphs.asp](http://www.oas.org/en/iachr/media_center/crisis-graphs.asp). The IAHR is the most underfinanced international human rights system.

<sup>5</sup> The four pillars of the OAS are human rights, democracy, multidimensional security, and integral development.

<sup>6</sup> The OAS is home to the Inter-American Commission of Women, which was created in 1928 by the Sixth Pan-American Conference. It was the first intergovernmental body ever created to ensure the rights of women. Since then, it has been a leading

international actor for advancing women's rights, including the right to vote in the early 20<sup>th</sup> century and, more recently, the right of women to be free from violence.<sup>7</sup> This is a commitment acquired by the United Nations General Assembly in the New York Declaration for Refugees and Migrants, which was adopted on September 16, 2016. According to the declaration, "the global compact would be elaborated through a process of intergovernmental negotiations [...]. The negotiations [...] are to culminate in an intergovernmental conference on international migration in 2018 at which the global compact will be presented for adoption". United Nations, "New York Declaration for Refugees and Migrants", A/RES/71/1, accessed October 23, 2017, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/71/1&=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1&=E).

<sup>8</sup> Organization of American States, "Migration in the Americas", AG/RES. 2910, accessed October 23, 2017, <http://www.oas.org/en/council/AG/regular/47RGA/documents.asp>.

<sup>9</sup> Instituto Matías Romero, "PodcastIMR: El Pacto Mundial para la Migración Segura, Ordenada y Regular", accessed October 23, 2017, <https://www.gob.mx/imr/articulos/podcastimr-el-pacto-mundial-para-la-migracion-segura-ordenada-y-regular?idiom=es>.

<sup>10</sup> Organization of American States, "Migration in the Americas".