

A-50. PROTOCOL OF AMENDMENT TO THE CHARTER
OF THE ORGANIZATION OF AMERICAN STATES
"PROTOCOL OF CARTAGENA DE INDIAS"

Ecuador:

(Statement made at the time of signature)

With regard to the Permanent Council's functions vis-à-vis the peaceful settlement of disputes, the Delegation of Ecuador believes that unilateral recourse by any of the parties to a dispute to obtain the Council's good offices is governed by the obligation that the Permanent Council has, in application of the Charter's principles and lofty purposes for peace, "to assist the parties and to recommend the procedures it considers suitable for the peaceful settlement of the dispute." All of this is now a broad mandate to the Permanent Council to watch over the maintenance of friendly relations among the member states and to assist them effectively in the peaceful settlement of their disputes. Even if the procedure is not accepted by one of the parties, the Council may take steps to achieve an agreement.

Peru:

(Statement made at the time of signature)

Upon signing this Protocol of Amendment, the Delegation of Peru states that it is only an initial, albeit significant, step in the process of restructuring the inter-American system, as provided for in resolution AG/RES. 745 (XIV-0/84). In order to be complete, this restructuring calls for, among other amendments, the inclusion of collective economic security in the Charter of the Organization. This goes hand in hand with the preservation of peace and security in the hemisphere and also with overall development, which has been included in this amendment. The Delegation of Peru states by way of a reservation that the powers conferred upon the Secretary General in Article 116 may not be exercised for matters that have already been resolved through settlement by the parties or through the decision of an arbitrator or a judgment handed down by an international court, or that are governed by agreements or treaties in force. Also, in accordance with international law, good offices are a means of peaceful settlement whose scope has been specified in international treaties, including the Pact of Bogotá. This procedure assumes the consent of the parties, and it is in this sense that the Delegation of Peru understands the powers conferred upon the Permanent Council in the new Article 84 of this Protocol.