

Prospections on Conflict Prevention and Resolution in South America: the role of the Organization of American States (OAS)

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Resumo

São inúmeros os desafios referentes a construção de um certo grau de segurança internacional. A presente configuração do sistema internacional dispõe de diversos mecanismos para minimizar a recorrência de conflitos interestatais, sendo a Organização dos Estados Americanos (OEA) a principal referência no continente. Neste contexto, a América do Sul se destaca pelo baixo índice de conflitos interestatais ao longo de sua história. Levando em consideração esta característica singular, o presente artigo propõe a seguinte pergunta de partida: até que ponto a OEA, em termos de resolução e prevenção de conflitos, desempenha um papel importante na América do Sul? Argumenta-se que a organização tem uma atuação limitada referente as potencialidades de litígio na região, em grande medida por sua característica *sui generis* de conflitos intra e interestatais de baixa intensidade. Metodologicamente, adota-se o método de abordagem dedutivo, partindo da análise mais geral da região para entender a sua particularidade em termos de conflitos e subsequente atuação da OEA nessas conflitualidades. Para tanto, os métodos procedimentais histórico e estudo de caso auxiliam o artigo a mapear os conflitos intra e interestatais na América do Sul. Utiliza-se ainda a técnica de pesquisa qualitativa, com revisões de literatura e análise documental. Em concordância com os objetivos propostos neste artigo, observou-se o papel dessa organização regional mais na prevenção do que na resolução de conflitos na região.

Palavras-chave: Prevenção de conflitos, Resolução de conflitos, Conflitos, América do Sul, Organização dos Estados Americanos (OEA).

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Abstract

There are countless challenges regarding the construction of a certain degree of international security. The existing configuration of the international system has several mechanisms to minimize the recurrence of interstate conflicts, with the Organization of American States (OAS) being the main reference on the continent. In this context, South America stands out for the low rate of interstate conflicts throughout its history. Taking this unique feature into account, this article proposes the following starting question: to what extent does the OAS, in terms of conflict resolution and prevention, play an important role in South America? It is argued that the organization has a limited role regarding the potential for litigation in the region due to its *sui generis* characteristic of low-intensity intrastate and interstate conflicts. Methodologically, the deductive approach is adopted, based on a more general analysis of the region to understand its particularities in terms of conflicts, and subsequent OAS action in those conflicts. To this end, the historical procedural and case study methods help the article to map the intrastate and interstate conflicts in South America. The qualitative research technique is also used with literature reviews and documentary analysis. In agreement with the objectives proposed in this article, the role of this regional organization was observed more in the prevention than in the resolution of conflicts in the region.

Keywords: Conflict Prevention, Conflict Resolution, Conflicts, South America, Organization of American States (OAS).

1 . Introduction

After the Cold War era, different types of regional conflict spread all over the globe, especially to underdeveloped countries. The remains of military supplies have been moved towards new forms of conflicts. This turning point in the conflict study suggests a new form of analysis over the subject of “conflict resolution/prevention”. In this sense, international organizations (especially the United Nations) became more dynamic at the peacebuilding/peacekeeping fields³. Nevertheless, regional organizations have had an important role – also during the twentieth century – to sustain transitions to democracy, especially over the 1980s and 1990s in South America, for an increasable development of human rights respect, transparency, and others.

Therefore, any analysis of conflict prevention and conflict resolution demands a definition of what we understand by “peace”. South America is regarded as an “anomaly” by conflict scholars (HOLSTI, 1996; MARES, 2001; 2012) in such a way that, in the twentieth century, is barely found inter-states wars among South American states (except for the Ecuador and Peru border conflict in 1941 and Argentina and the United Kingdom in 1982). Also, we consider that a proper analysis of the OAS historical background, nature, and principles, activities on democracy and human rights defense, will help us to underline and understand the main activities of this regional organization in South America, pointing out their main pros and cons in conflict resolution.

This essay aims to discuss the question: to what extent the role of regional organizations, such as the Orga-

nization of American States, is important in conflict resolution and conflict prevention? We argue that the OAS has a limited power regarding conflict resolution in the region, mainly due to the *sui generis* characteristic of peace and war in South America. In that sense, the abnormality of the construction of regional security imposes many challenges for the effectiveness of OAS, whereas they have been acting more in conflict resolution.

To this end, this article adopts the deductive approach method, as it seeks to understand the South American region to reflect on its particularity in terms of conflicts and the subsequent role of the OAS in preventing and resolving these disputes.

In procedural terms, historical methods and case studies are used to map conflicts and subsequent actions by that regional body. The research technique used is qualitative, with literature reviews on the object of study and documentary analysis of normative texts, resolutions, and the virtual library of OAS inter-American peace initiatives.

In that sense, first, we shall analyze the main aspects of South America’s conflicts throughout the nineteenth and twentieth centuries and try to understand the states’ behaviour in terms of war and peace; secondly, we shall analyze specifically the Organization of American States’ activities in South America stressing their mechanisms of conflict prevention, conflict resolution, and legitimacy; finally, we intend to draw on some conclusions about the OAS’ effectiveness in such terms and try to prove – essentially for the South America perspective – by giving some empirical events that this specific regional organization has mostly a symbolic rather than an effective function in conflict resolution within the South America States.

³ Such as the United Nations Angola Verification Mission (UNAVEN) I, II and III; United Nations Observer Mission in El Salvador (ONUSAL); United Nations Transitional Authority in Cambodia (UNTAC); United Nations Observer Mission Uganda - Rwanda (UNOMUR); United Nations Assistance Mission for Rwanda (UNAMIR), among many others.

2. Why South America is an “anomaly”?

Conflicts are an inherent issue of international relations. War and peace have been exhaustively analyzed by a great variety of authors in massive different approaches. One of the most important documents concerning the early analysis of the modern international system is about sovereignty (Westphalia Treaties – 1648), settling non-intervention in internal issues. This basic rule aimed to prevent inter-states conflicts in just because of the different (internal) societal organization or simplest different points of view. The modern concept of the international system has included not only the states as the main actors but also international institutions and Non-Governmental Organizations (NGOs). It is not by a random chance that the main concern of international organizations of the twentieth century, such as the United Nations and the Organization of American States, is to prevent the “scourge of war” (UNITED NATIONS, 1945). To understand the OAS real influence in South America, it is necessary, first, to understand the context of this specific region – in terms of conflicts and disagreements between them.

The nineteenth century in South America was represented by its decolonization from Portugal and Spain. Between 1810 and 1828, South America became independent (Brazil in 1822, Argentina in 1816, Bolivia in 1825, Venezuela in 1821, etc.). During this process, that specific region of the globe developed, in a particular way, disputes that generated disagreements and wars (mainly border disputes or fight for a free pass to the sea) (BATTAGLINO, 2012; MARTÍN, 2006).

In this sense, Argentina fought with Chile for the possession of three little islands located at the Beagle Channel (extreme south of Argentina and Chile). The 1881 treat agreed to partition of those islands, but

Chile (arguing historical rights – in the eighteen century, those lands were Chileans) just occupied it. In 1899 they had started a war against each other till 1902. Therefore, Britain was invited to arbitrate the conflict, and they reached an agreement at the end of the war. Nevertheless, this conflict has a symbolic rather than an effective treaty for both countries (all these islands are inhabitable) (CALVERT, 1983, pp. 9-12).

Chile, Bolivia, and Peru had also disagreed about the Tacna and Arica region (border between Chile and Peru) and the free access to the sea (see map 1, point 2). Bolivia, under a secret treaty with Peru, declared war against Chile in 1873. Thus, Peru and Bolivia lost that conflict to Chile, who took Tarapacá, Arica, and Tacna under their territory. In a way to find a reasonable agreement to that issue, in 1883, it was signed the Treaty of Ancón, which determined the concession of Tarapacá to Chile and also the control of Arica and Tacna for the next ten years. Such an issue remained at the Peruvian government as an unsolved problem between these two countries (and still has an important role nowadays). In this way, Bolivia's government did not obtain what they sought for: the passage to the sea. This question led to the Pacific War, which ended with the Treaty of Valparaíso in 1883 (and Chile maintained the dominance of their cost). These issues have had – and still have – central importance for the rise of hostilities between those countries during the twentieth century (CALVERT, 1983, pp. 12-14).

Bolivia and Paraguay also had their disagreements: Chaco's War (see map 1). That was the major conflict that took place in the twentieth century (1932-1935), where the dispute was about a region known as Chaco Boreal. Both sides suffered severely with that war, and the issue ended with an agreement in 1938 which declared the possession of those lands to Paraguay but giving Bolivia the right of navigation through the Rio Paraguay (Paraguay river) (CALVERT, 1983, pp. 14-16).

Map 1 – Boundary disputes in Latin America



Source: (CALVERT, 1983, p. 10).

Other important conflicts rose in South America especially during the nineteenth century: Brazil and Paraguay, 1864-1870; Venezuela and Guyana (Essequibo dispute), 1895-1896; Ecuador and Peru; among others.

The majority of these disagreements are seen in the twentieth century – or even nowadays. During the twentieth century, we have to mention that South America was far from being a peaceful zone. As we

said before, some of these disputes still are deep-rooted within South American governments. Several examples can prove that during the twentieth century, and most of them are recurrences of past wars: Peru and Ecuador in 1981 and also in 1995 crisis; Peru and Chile in 1975 (Arica region); the Beagle Channel problem in 1978, Argentina and Chile, which had an important third party arbitral, Queen Elizabeth, who gave a favourable statement to Chile (HOLSTI, 1996, pp. 154-161).

Hence, according to Holsti (1996), South America is rather a zone of relative peace than a peaceful zone,

Which this record of militarized crises, targeted military forces, “conflict hypotheses”, diplomatic ruptures, and overall military competitiveness, South America clearly is not yet a zone of peace, much less a pluralistic security community. Never-

theless, it has been a no-war zone in which the probabilities of armed conflict are substantially lower than they were in the nineteenth century or are in many other regions of the world today (HOLSTI, 1996, p. 161).

The followed map shows how intense are tensions in South America (see map 2) these days.

Map 2 – Focus of tensions in South America



Source: Estadão (2007).

If we observe the points of tensions on this recent map of South America (Map 2) and compare it with the conflict's descriptions in the nineteenth century (Map 1), we can conclude that the points are mostly located in the same place, and tensions show the rivalries among them. At least between two points, the problems are the same, Peru and Chile (Arica and Tacna), and Venezuela and Guyana (unsolved border problems).

South America indeed has a remarkable record for non-violent conflict settlements (except for North America, but we have to consider that the number of countries in that region is considerably inferior to South America),

and it is also relevant that, nowadays, those countries pursue peaceful disputes resolution in the same proportion that they pursue war.

But what is the cause of this change, from the usage of armed force (inter-state war) to a non-violent conflict resolution? Why those countries preferred to recur to diplomacy rather than war? There are some possible explanations regarding the sources of those wars that were pointed out by Holsti (1996), Galtung (1969; 1990), and Miller (MILLER, 2000). In sum, they argue that the reason for that change is based on a realist or geostrategic point of view, in that case, the

no-war South American area is derived by methods of local coercion practiced and promoted by the United States, resulting in “armed peace” (that could also be classified as a “negative peace” or a “normal peace”). In addition, according to this analysis, geographical factors have influenced the search for peaceful resolutions, whereas limits, mountains, rivers, distance avoid direct conflict. Secondly, that “peace” can be explained by a learning or cognitive process, where South American countries do not go to war because they have experienced the costs of war (even if they were winners).

Another analysis relies on domestic politics to explain the absence of inter-state war, in this case, they have stressed the thin link between domestic and foreign policy, using as an example the military governments and arguing that there is no causal nexus between regime types and an inclination to war. The explanation for that “anomaly”, for those who emphasize cultural and social variables, South America is culturally prone to legalism and normative belief system. On the other hand, and the most important approach for this essay, this change is explainable by international or regional institutionalism, at this point, the argument of relative peace in South America relies on the strengthens and reinforce of international institutions during the twentieth century (such as United Nations, Organization of American States, MERCOSUR, UNASUR, etc.). Finally, the last argument advocates the states’ strength as an explanation, whereas weak states are more alike to get involved in armed conflict than strong states.

In our opinion, none of these arguments can be seen separately, it is necessary to consider that this change is a result of a range variable, which leads to peaceful conflict resolution rather than the use of armed force. The claim that culture or geo-strategy is the only reason for the South America conflict resolution is a weak argument, emphasizing the liberal-institutionalism. There

are some aspects and features that could be more detailed. We agree with the new institutional role in conflict resolutions during the twentieth century (especially after the end of the Cold War), has been an important tool for maintain or establish a relative peace or mediate a conflict. Nevertheless, it is crucial to have in mind that in South America conflicts (especially the Malvinas/Falklands Islands and Peru/Ecuador border disputes), international or regional organizations have not had effective participation. Furthermore, we may question why developing countries are more prone to join/participate in international organizations? We have seen this “phenomena” called “building blocs” spread out over developing countries. According to Mansfield and Pevehouse, there is a simple reason:

changes in a state’s regime type are crucially important in this regard. Countries undergoing a democratic transition are especially likely to enter International Organizations because leaders have difficulty credibly committing to sustain liberal reforms and the consolidation of democracy (MAN-SFIELD; PEVEHOUSE, 2006, p. 138).

Without this international credibility, it is very unlikely that developing countries (like in South America) could support their development without international – particularly financial – help. This point can directly reflect on the participation of those countries at international or regional organizations (including the OAS), meaning that those formations are, somehow, used as an instrument of counter-hegemony (Mercosur and the Andean Community are good examples).

We have characterized the mains aspects of South America inter-states conflicts. Thus, as we mentioned before, one of its explanations for that “anomaly” is based on the role of international institutions.

Nevertheless, our intention in this essay is to cover not only the international level of conflicts but also mention the importance of internal conflicts (domes-

tic level) in a broader sense than “armed conflict” and show how important is the role of regional organizations (OAS) to prevent them.

Despite its condition of a no-war zone (inter-state), it is necessary to point out the concept of “conflict” within the South American countries. It is evident that some (at least the majority) of the South America countries have serious internal cleavages (problems) that lead to Human Rights abuse, jeopardize democracy and provoke internal/external instability (for example, within Brazil, Argentina, Bolivia, Venezuela, among others, it is possible to see varieties of counter-governments, protests, and others).

3. The Organization of American States (OAS)

The creation of the regional organization is the result of a long historical process of building multilateralism in the Americas, with the development of rules of non-intervention, the defense of international legality, territorial integrity, and agreements for the peaceful resolution of disputes. Regional conferences, the signing of multilateral agreements, and the formation of cooperation agencies led the constitution of the OAS in 1948 (HERZ, 2011), as follows:

The American States establish by this Charter the international organization that they have developed to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence (OAS, 1948).

Democracy, human rights protection, development, security collaboration, those are important issues covered by the Organization of American States' (OAS) Charter (1948). During the Cold War, the history of

the OAS is significantly intertwined, with disputes between the two superpowers, especially in the United States' perception of Soviet threats to the region. Instead of democracy, the main objective of U.S. policy in Latin America was stability, allowing “friendly dictatorships” to exist as forms of barriers to communism (HERZ, 2011). For this reason, it was one of the reasons why the OAS was marked as an instrument of American foreign policy.

In the 1970s, the political environment and the OAS began to change, with the diversification of international relations in Latin American countries and institutional changes in the organization. Through modifications to the charter and structural modernization, was sought to maintain the organization's relevance. The area of activity in the protection of human rights had positive growth and contributed to the fight against dictatorships and in favor of democratization processes, more precisely in the 1980s (HERZ, 2011; PERINA, 2015).

After the end of the Cold War, inter-American cooperation has progressed considerably, and interest in renewing the OAS has grown. The changes and continuities in the international sphere represented the definition of a more comprehensive agenda, incorporating new themes, new actors, increased information flows, and a configuration of several levels of global governance (HERZ, 2011).

Nevertheless, we have decided to analyze this question in two distinct levels: first, at the inter-state conflict level; and secondly, at the domestic forms of conflict and violence. The first case is related to conflict resolution as,

a more comprehensive term which implies that the deep-rooted sources of conflict are addressed and transformed. This implies that behaviour is no longer violent, attitudes are no lon-

ger hostile, and the structure of the conflict has been changed (RAMSBOTHAM; MIAL; WOODHOUSE, 2005, p. 29)

In the second case, domestic issues are rose to explain the deep-root cause of internal conflict, and it is related to the conflict prevention concept (which is more complicated to define due to the practical impossibility to prevent conflicts). Like Ramsbotham et.al., we agree considering that: "...we restricted our definition of conflict prevention to those factors or actions which prevent *armed* conflicts or mass violence from breaking out" (RAMSBOTHAM; MIAL; WOODHOUSE, 2005, p. 107).

Once defined as our object of analysis (e.g., conflict resolution and prevention), we propose to analyze the aspects in which the OAS has to exert any kind of influence. We have decided to start with the role of the OAS in conflict prevention, trying to explain in what sense this regional organization is important to deal with South America peace. The OAS is the oldest regional organization in the world, having its treaty signed in 1948, with the purpose of:

- 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;
- c) To provide for common action on the part of those States in the event of aggression;
- d) To seek the solution of political, juridical, and economic problems that may arise among them; and
- e) To promote, by cooperative action, their economic, social, and cultural development.

In addition to its Constitution (1948), which a regio-

nal organization still adopts the following: policy of control and order of peace and justice, promotion of solidarity, enhancement of cooperation and defense of sovereignty, territorial integrity and independence in the American context, there are key peace instruments (DPP, 2019):

- a) Gondra Treaty (1923) is a "Treaty to Avoid or Prevent Conflicts between the American States" providing investigative and conciliatory measures to resolve a dispute;
- b) Pact of Bogota (1948), which established that signatory states should resolve their disputes by peaceful means through regional dispute settlement mechanisms, until they are exhausted and begin to refer the matter to the UN Security Council;
- c) TIAR / Rio Treaty (1947), which obliges, mainly, the American states to assist any American State subject to an armed attack;
- d) Confidence-Building and Security Measures (CBS) are mechanisms to reduce the risk of conflicts while, at the same time, encouraging cooperation and transparency between the defense and arms sectors of the States. These agreements were established through the declarations of Santiago (1995), San Salvador (1998), and Miami (2003);
- e) Peace Fund (2000) is a mechanism designed to provide financial resources to member states that request to enable the OAS to respond to a crisis resulting from a territorial dispute, as well as to expand the knowledge and experience of the General Secretariat in resolving territorial disputes.
- f) Santiago Commitment (1991) - Resolution 1080 - represented the change in the attitude of the OAS regarding the type of action to be taken in politi-

cal-democratic crises, with the reiteration of the collective commitment of States in defense of democracy and, collectively and to protect endangered democracies. It was used four times and, it stands out, in two of them in South America: in Peru, in April of 1992; and Paraguay, in April 1996 (PERINA, 2001, p. 7; PERINA, 2015, p. 63-75; BONIFACE, 2007, p. 46).⁴

g) Declaration on Security in the Americas (2003) was the action of a broad document about shared values and established collective commitments and measures to maintain peace and security.

h) Inter-American Democratic Charter (2001) aims to strengthen democracy in the Americas, providing the people of the hemisphere with the right to democracy and the need for governments to promote and defend it. The Charter was invoked twice, namely: in 2002, in Venezuela, and 2009, in Honduras. The first occurrence in a South American country stands out.

During the Cold War period, despite its primary concern with Soviet threats, the OAS had some success in reducing regional tensions and preventing conflicts. The hemispheric security system was supported by the OAS Charter, the Inter-American Treaty of Reciprocal Assistance (TIAR) and the Treaty of Pacific Dispute Settlement. Consequently, a security structure for the Americas was configured, projecting the concept of collective security for the resolution of disputes through diplomatic means. In the 1970s and 1980s, the organization became less active regarding security, as the divergences between the USA and the Latin American states became more evident, especially regarding social and economic issues, which were most highlighted by the Latin American States (HERZ, 2011).

A new security agenda after the Cold War was planned by building trust, which allowed a regulatory framework for transparency and shared information. The expansion of the agenda represented the shift from collective security to cooperative security. The concept of security has become multidimensional (HERZ, 2011). As seen in the organization's main country instruments, the OAS began to build new institutional designs, create mechanisms and activities for the management of hemispheric security.

The immersion of the regional organization in the resolution of domestic conflicts and peace-building operations was linked to non-military aspects, such as demobilization, repatriation, electoral observation, and mediation (HERZ, 2011). Above all, it represented the incorporation of multidimensional operations into the OAS security concept and, consecutively, cooperation with the UN in these operations, however, without its military dimensions.

From the panorama of the organization's country mechanisms, it is important to highlight that, in terms of conflict prevention, the OAS has important mechanisms to prevent human rights abuses, to promote democracy and economic development as the causes of internal conflicts (such as economic underdevelopment, poverty, and social cleavages). More specifically to,

modernize administrative and political structures and systems; improve public administration; protect minorities and political opposition groups; achieve national reconciliation and consolidate a democratic culture; meet basic human needs; safeguard human rights; and ensure the subordination of armed forces to legitimately constituted civilian authority (ORGANIZATION OF AMERICAN STATES, 1993).

Apart from the best intentions of this declaration, in our opinion, it is a utopian task, once considering the internal reality of the South American internal pro-

⁴ The other two applications were in Haiti, in September 1991; Guatemala; May 1993 (PERINA, 2001, p. 7; PERINA, 2015, p. 63-75; BONIFACE, 2007, p. 46).

blems. There are at least two concepts founded in the OAS Charter (1948) that we should develop more as a form of conflict prevention; the promotion of democracy and human rights.

Democracy is a major tenet of the OAS's action in South America. On one hand, apart from promoting, monitoring, and maintain democracy, in some cases, the organization has the power to apply sanctions for those who try to jeopardize democratic values. Some of the main attributions of this regional organization, as we can see: "The Organization of American States (OAS) also has the power to levy severe economic and political sanctions (such as suspension of membership, approval of military intervention by member states) after a seizure of power" (RUSSETT, 2011, p. 151)

Hence, to achieve a South America area of democracy, it was set up in 1990, the Unit for the Promotion of Democracy (Protocol of Cartagena) to develop and strength the electoral systems (institutions and procedures – especially within those countries with low levels of democracy) by observing their elections. In many opportunities the OAS reaffirmed the consolidation of an aspiration of a truly democratic hemisphere, despite the OAS Charter's article 5.d "The solidarity of the American States and the high aims which are sought through it require the political organization of those States based on the effective exercise of representative democracy", the Santiago Commitment of Democracy and Renewal of the Inter-American System and the Resolution 1080 are the main stone to respond possible threats in those countries. As affirmed at the Declaration on Security in the Americas:

We reaffirm that democracy is a right and an essential shared value that contributes to the stability, peace, and development of the states of the Hemisphere, and its full exercise is vital to enhancing the rule of law and the political, economic, and social development of peoples. We will promote and defend democracy through implemen-

tation of the OAS Charter and the Inter-American Democratic Charter and by strengthening the inter-American system for the protection of human rights (ORGANIZATION OF AMERICAN STATES, 2003)

The last document that we should mention about democracy is the Inter-American Democratic Charter signed up on September 11, 2001 (ORGANIZACIÓN DE LOS ESTADOS AMERICANOS, 2001). This text comes to reaffirm the full endorsement of the OAS to promote, monitor, and re-strength institutions in favor of democratic values.

Democracy is indispensable for the effective exercise of fundamental freedoms and human rights in their universality, indivisibility and interdependence, embodied in the respective constitutions of states and in inter-American and international human rights instruments (ORGANIZACIÓN DE LOS ESTADOS AMERICANOS, 2001, article 7)

Concerning the defense of human rights, the OAS has been developing an important work. With mechanisms of individual or collective complaints, this organization could, in a matter of days, analyze and process an indication of human rights abuse. The major organs for this task are the Inter-American Commission of Human Rights and the Inter-American Court of Human Rights.

The Inter-American Commission of Human Rights (established in 1959) has as main functions observation and consultation. Its duties are related to monitoring, handling petitions, and educational and training activities. Not only individuals or groups can submit complaints to the OAS, but also a government (recently Bolivia has submitted one petition to the OAS against the government opposition – which alleged was spreading terror and inciting violence among Bolivian civil society). In short, throughout time, this organ has gained the sympathy of the international society, especially because of its fast procedure and ability to answer

properly in case of an indication of human rights abuses; among turbulent period in the second half of the twentieth century has not only survived but it was also (with the European Union, United Nations, etc.) an important tool to the affirmation of the concept of human rights protection within the international system.

The second OAS institution of human rights protection is the Inter-American Court of Human Rights, which is composed of seven judges (elected by the state members) and responsible for judge cases of human rights abuses. Nevertheless, to be eligible at the Court, the case has first to be solid, analyzed by the Commission. The delay for a verdict did not cause (contrary to the Commission) a good impression of the international opinion of this organ, serving more as a consultative organ nowadays.

Although it did not occur in South America, OAS democratic advances only happened in 1979, with the resolution of the OAS General Assembly, as it condemned the human rights violations caused by the Somoza regime in Nicaragua, requesting the replacement of the authoritarian regime by a democratically elected one (COOPER; LEGLER, 2006, p. 24). This resolution was a milestone, as it reestablished the collective agreement for the defense of democracy and the role of the OAS as a whistleblower for neo-democratic regimes. Also, implicitly, it was considered a new role of legitimizing governments in the region (COOPER; LEGLER, 2006, p. 25; PERINA, 2015, p. 41).

These are the main actions that the OAS are responsible for accomplishing a sustainable peace in South America through democracy and human rights promotion. The application of the conflict prevention concept could perfectly be applied in this case, once throughout the defense of democracy and human rights; the very deep-rooted causes of conflict could be – in a certain way – avoided.

Nevertheless, it is in terms of conflict resolution that the OAS charter demonstrates its fragility. First, the exhaustive recurrence of the term “non-intervention” on the Charter has become a source of critics in terms of regional organization effectiveness. Secondly, despite the article 24 (OAS Charter) referring to the collective security, which says that “every act of aggression by a State against the territorial integrity, or the inviolability of the territory, or the sovereignty, or political independence of an American State, shall be considered an act of aggression against the other American States”, there is not a real mechanism of detection and resolution (due to the nationalist’s interests). In the case of the Falklands war (between Argentina and Britain) in 1982, the OAS has failed to provide any kind of assistance to the hemisphere, as Moore pointed out: “Sadly, in its actions in the Falklands-Malvinas war, and particularly in its resolution of May 29, the OAS lost sight of these great principles [collective security]” (MOORE, 1982, p. 830).

During the past century, the organization have had numberless chances to prove their legitimacy and have failed. We have quoted the Santiago Commitment and the possibility of applying sanctions for any country which deposes democratic principles. Thus, this has been the only effective action that the OAS has in terms of conflict resolution. One important reason for this lack of legitimacy is the fact that the United States is the major contributor for this organization and, in a certain way, it is the North American concept of democracy that is proclaimed through the organization. Within the Southern American states, there was always a turbulent relationship with the US, and the fear of a North American dominance still is dominant. For that reason, in our opinion, this declared fear is one of the most important causes of lack of legitimacy and consequentially for the unsuccessful actions of the OAS in conflict resolution.

It is also important to note that regionalism then associated itself with liberal economic policies and democracy as areas in which issues of regional governance are also addressed, especially by reinforcing OAS contributions to global governance and creating alternative venues to debate problems in which this organization in some way cannot handle or is limited. In the area of security management, the cooperative effort present in the region, involving a large number of organizations and groups of States, is most striking. In this way, the functions of the OAS in crisis management are shared with other forums, such as, for example, the Southern Common Market (MERCOSUR), the Common Market and the Caribbean Community (CARICOM), the Andean Community of Nations (CAN), the Central American Integration System (SICA) and the Union of South American Nations (UNASUR). The multidimensional concept of security constructed by the OAS is also present and is re-articulated by these forums. It is worth mentioning that the focus of this article is on OAS contributions.

From here, it is up to make a more in-depth analysis of the cases of peace missions of the American

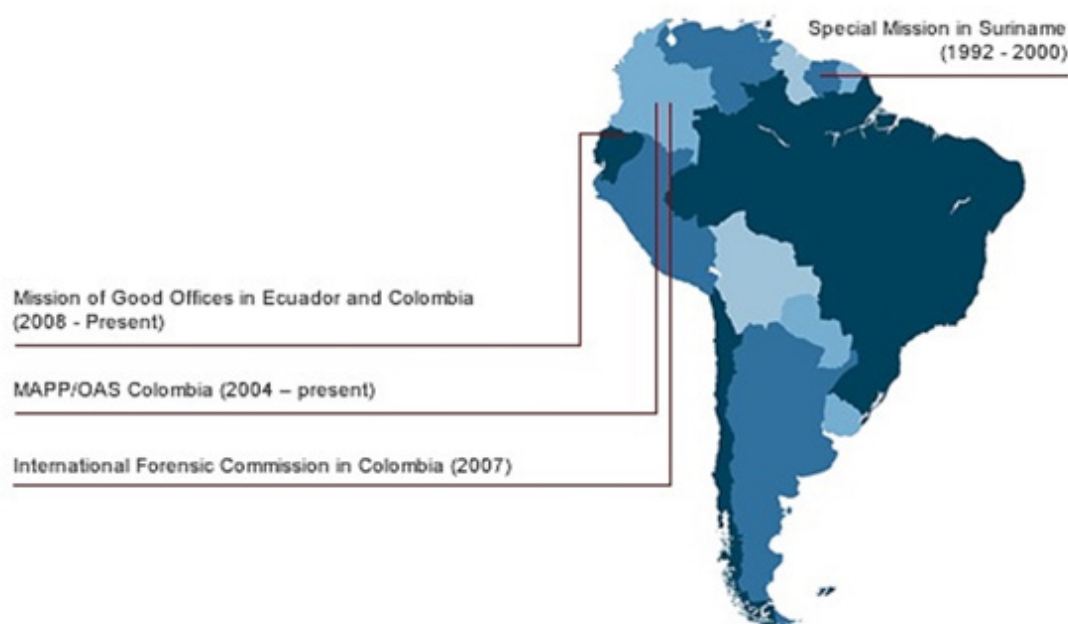
regional organization and also the interstate disputes involving countries in South America. With that, we will be able to observe in practice the specificity of the region regarding the prevention and management of conflicts.

4. Peace missions and interstate disputes in South America

As we can see above, the OAS has considerable knowledge and practical experience in resolving conflicts and maintaining peace in the Americas. The regional organization has already been requested several times by the member states to manage crises and conflicts in the hemisphere, especially for the implementation of the most varied peace missions, such as long-term demobilization, disarmament, and peacebuilding missions (DPP, 2020b).

From a geographical perspective and in line with the objective of this article, we can visualize the following missions that occurred in South America:

Map 3 – Peace Missions Map: South America



Source: Modified map taken from the OAS Department for the Promotion of Peace (DPP, 2020b).

Of the twelve peacekeeping missions cataloged by the OAS Department of Peace Promotion (DPP), four of them occurred in South America, namely: Special Mission in Suriname (1992 - 2000); Mission to Support the Peace Process in Colombia - MAPP / OAS (2004 - present); International Forensic Commission Colombia (2007); and Mission of Good Offices in Ecuador and Colombia (2008 - Present).⁵

The Special Mission in Suriname took place in 1992 and lasted until the 2000s, with the objective of the mission being to assist the government of Suriname in maintaining the country's peace and democratic institutions. It consisted of a tool considered simple by the organization to design and execute projects to promote peace and democracy.

Among its activities, it was responsible for peace negotiations, legal assistance to amnesties, receiving arming from illegally armed groups, demining operations, identification and insertion of ex-combatants in society. Above all, it stands out: "it was its purpose as well to establish an international presence in the country and serves as a deterrent to those who might attempt again to disrupt democracy" (DDP, 2020b, s / p.).

MAPP/OEA (2004 - present) was established on January 23, 2004, through an agreement signed by the Colombian government and the organization's Secretary-General, providing for the verification and monitoring of the ceasefire, cessation of hostilities, demobilization, disarmament and reintegration and monitoring of communities victims of violence (DDP, 2020b, s / p.). It was a mission broadly thought

to work in the most diverse areas for the construction of peace in the country, highlighting:

the verification of the peace process; support to the initiatives undertaken by the government, civil society and other entities; verification of the handover, custody and destruction of the weapons turned over by the illegal armed groups; and support to local initiatives in conflict areas, through measures and actions aimed at reducing violence, building trust, promoting reconciliation, and strengthening democracy, through specific MAPP/OEA projects in those communities (DDP, 2020b, s/p.).

Currently, MAPP is in its seventh protocol, and the agreement was extended until December 31, 2021 (MAPP / OEA, 2017). In 2007, the Colombia International Forensic Commission was established to assist in the investigation of the deaths of eleven Colombian lawmakers, who were kidnapped and arrested by the armed group FARC (Fuerzas Armadas Revolucionarias de Colombia). In conjunction with the Pan American Health Organization (PAHO), forensic physicians from several countries found that the deaths from various gunshot wounds were homicides and submitted a final report to the OAS Permanent Council. As highlighted by the DDP / OAS (2020b), it is an important cooperation action between two organizations in the region and that attests to the Colombian State's reliability in the regional organization, given that: "The role of the OAS as the engine that pushed for the establishment of this commission reflects the trust that the member States have placed on the Organization to respond to their needs in a quick and effective manner" (DDP, 2020b, s / p.).

Finally, the mission of good crafts in Costa Rica and Nicaragua is a territorial dispute between the two countries, and in 2010, the government of Costa Rica requested a mission from the OAS Secretary-General to resolve the dispute peacefully. Following recommendations by Secretary Insulza, the OAS Perma-

5 The other peacekeeping missions were: The International Commission for Support and Verification (CIAV) – Nicaragua (1990 – 1997); Haiti – The International Civilian Mission in Haiti (MICIVIH) (1993 – 2000); Special Program to Support Guatemala (1996-2003); Mediation of the Chixoy Hydroelectric Dam case, Guatemala (2006 – Present); Honduras and Nicaragua (1999 - 2007); Belize and Guatemala (2000 – Present); El Salvador and Honduras (2003-2004); Mediation of the Chixoy Hydroelectric Dam case, Guatemala (2006 – Present); Good Offices Mission to Costa Rica and Nicaragua (2010);

nent Council adopted points for solving the problem between the two countries through Resolution 978 (1777/10) (DDP, 2020b).

Despite the mapping of the DPP (2020c) also on political missions in the American hemisphere, this article focused on peace missions as they have a direct implication in peace management and conflict prevention. However, the interconnection of the multi-dimensions of peace and their interconnection with the promotion of democracy and human rights, economic, social, and environmental development, among others, is highlighted here, as we have seen in the OAS peacekeeping missions noted above.

At the same time, it is important to highlight the centrality of the OAS in conflict management and prevention in Colombia, given that most of the country missions in South America were in the country, and there is still one of them in force until 2021, in its seventh protocol of extension of the activities of the regional organization in the country. This highlights the role of peacebuilding in the country and, within the anomaly of a few conflicts in the region, Colombia is emerging as an epicenter of the need for South American conflict management and prevention.

Within the DPP's Virtual Library of Inter-American Initiatives for Peace (2020d), it also brings us OAS actions in interstate disputes. We must highlight the initiatives between South American countries or those that involve them, such as Colombia-Peru (1953-1954); the Dominican Republic and Ecuador (1960); the Dominican Republic and Venezuela (1959-1960)⁶; Cuba-Peru (1961-1962); and Colombia and Ecuador (2008).

In 1953, the Inter-American Peace Committee (IAPC) was requested by Colombia to find a solution to the problem between them and Peru due to the asylum granted to Mr. Victor Raul Haya de la Torre at the Colombian embassy in Lima. The aid for solving the dispute by the IAPC was refused by Peru, but the Committee, nevertheless, studied the case and suggested bilateral negotiations between the countries for the peaceful resolution of the disputes (DPP, 2020d).

In 1960, Ecuador requested IAPC action to solve a situation between the country and the Dominican Republic, as they claimed that this country had refused necessary facilities for the Ecuadorian Embassy in Ciudad Trujillo and even carried out acts to prevent its functions, mainly Ecuador has granted political asylum to some Dominican citizens. Despite attempts by the Committee to solve it, the negotiations and plan to withdraw asylum seekers from the Dominican country and negotiate the embassy situation presented by the IAPC were not accepted by the Dominican Republic (DPP, 2020d).

In 1959, Venezuela requested the services of the IAPC to investigate an event in which an aircraft that had stopped in the Dominican Republic had accidentally dropped flyers on the Island of Curaçao, but its destination was a Venezuelan city and, the contents of the pamphlets encouraged the Venezuelan army to rebel against that country's authorities. The IAPC investigated and concluded that the episode could not have occurred without the knowledge of the Dominican Republic. Consequently, in 1960, Venezuela again requested an investigation by the IAPC, now on serious human rights violations by the Dominican government, which, despite the Dominican negligence, was presented to the OAS Council with sufficient evidence of human rights violations committed and that this it was aggravating international tensions in the Caribbean (DPP, 2020d).

6 The other interstate disputes listed by the DDP (2020d) are Belize and Guatemala; Honduras and Nicaragua; Honduras and El Salvador; Costa Rica and Nicaragua; Panama and the United States; Cuba and Peru; Guatemala and Mexico; Honduras and Nicaragua; The Caribbean situation (1959-1960); Cuba and Haiti; Cuba and the Dominican Republic (1956); Guatemala Situation; Cuba and the Dominican Republic (1951); Cuba and the Dominican Republic (1949); the Caribbean Situation (1949); the Dominican Republic-Haiti Conflict (1949-1950); and Cuba and the Dominican Republic (1948).

In 1961, Peru filed charges against Cuba in an extraordinary session of the OAS Council, alleging that the country was committing executions, arrests, deportations, and other serious violations against its citizens and foreigners. The TIAR (1967) was invoked. Peru also accused Cuba of being an agent of international communism in other states on the American continent, using diplomatic officials and official missions to promote communism against governments and institutions in the countries. The Inter-American Peace Committee (IAPC) was appointed by the Council to deal with the matter and, despite the refusal of collaborations from Cuba, presented its report to the Ministers of Foreign Affairs at the Eighth Meeting of Consultation on Foreign Relations, in January 1962, convened by Colombia and with strong support from the United States.

The OAS good crafts mission in Ecuador and Colombia was established to seek an understanding of diplomatic relations between countries due to the incursion of Colombian military forces into Ecuadorian territory on March 1, 2008. The mission of the OAS Secretary General should restore confidence between the two states and observe the fulfillment of the commitments assumed by the two parties at the Twenty-Fifth Meeting of Consultation Of Ministers Of Foreign Affairs (2008).

Based on Shaw's contributions (2004) and his analysis of 26 cases of conflict resolution in the Americas between 1948 and 1989, we can see some explanatory variables that can be applied to South American conflicts. The author tests some hypotheses about some variables observed in conflicts in the region, among which we can observe the following: (1) level of perceived threat in the region, in which the higher the level, more Latin American states tended to support the USA. Although, most of the disputes in the region are considered to be of medium level and this prevents strong conclusions about this variable; (2) consensus

among Latin American members, because when this consensus exists in opposition to the USA, it is more difficult to verify the pressure of that country in the OAS; (3) as the regional organization needed external resources, especially military, conflict resolution would tend to have a more incisive influence from the USA.

Thus, in the case of conflict management and prevention in South America, this article also looks at the explanatory variables (1) and (3), as the low and/or medium levels of conflicts analyzed above, as well as the small amount cases, which reiterates the region's anomaly in terms of conflict. As well as there is little need for external resources (especially military) in the cases analyzed, which makes it difficult to conceive greater US influence.

5. Final Considerations

We have seen, firstly, the main features of South America relative peace and, secondly, the main OAS actions in terms of conflict prevention and conflict resolution within this region. We argue that South America's negative peace, plus the influence of the OAS, shall directly affect the OAS's effectiveness in conflict prevention and conflict resolution.

The unique condition of South America peace (that is, the absence of inter-state wars) is one of the most important factors that contribute to regional organizations (such as OAS) to invest in conflict prevention rather than in conflict resolution. Although South America is far from being a peaceful place, the recent clash of opinions among Venezuela and Colombia; Paraguay and Argentina; Chile, Peru, and Bolivia; and, Venezuela and Guiana for example, demonstrate the region's fragility in terms of security and internal cleavages.

One of the explanations exposed was the increasing role of international organizations that occurred during the second half of the twentieth century and the crescent promotion and consolidation of democracy during this time. Unfortunately, this argument's weakness relies on the majority of dictatorship during that period and also that South America has been avoiding inter-state war even before the consolidation of these organizations in the twentieth century's second half.

The effective importance of the OAS mechanisms of conflict prevention is crucial for the development of some new democracies in South America. Consolidation and promotion of democracy and human rights help to avoid the scourge of war. Hence, we can affirm that in terms of conflict prevention, the OAS has an important role within South American countries. Although, in terms of combating the deep-rooted causes of war, it is – at least at the present moment – a bit utopian, once the relationship between the reality and the applicability of these concepts remains mostly in the theory.

In the conflict resolution approach, it has been demonstrated that the OAS has minimum influence on the region because the region has been a relatively peaceful region over the last decades. Thus, the OAS appears to be more effective in conflict prevention (through democracy and human rights promotion and monitoring) rather than conflict resolution, considering South American conjectures.

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