

Second Ibero-American Summit Meeting

The Second Ibero-American Summit was held in Madrid, July 23-24, 1992. Nineteen heads of state attended and four—the presidents of Peru, Venezuela, Colombia, and Portugal, present at last year's summit in Guadalajara—were absent, although Portugal sent its prime minister.

The meeting's final document commits the signatories to petition the 47th UN General Assembly to obtain a consultative opinion from the International Court of Justice on the US Supreme Court decision virtually authorizing suspects to be kidnapped on foreign territory, as in the case of Humberto Alvarez Machain.

The 30-page document insists on the "need for absolute respect for the full and exclusive exercise of a state's sovereignty over its territory," and considers "any judicial decision countervailing the principles and norms of international law to be highly alarming."

The document also reasserts its support for UN reform to "further the organization's role in the new phase of international relations," and for the "reform, strengthening and modernization of the Organization of American States." The heads of state further confirmed their "commitment to representative democracy," to free, open, and plural societies that do not persecute or exclude any of

United Nations Convention Against Illicit Traffic

Participants: 106 countries.

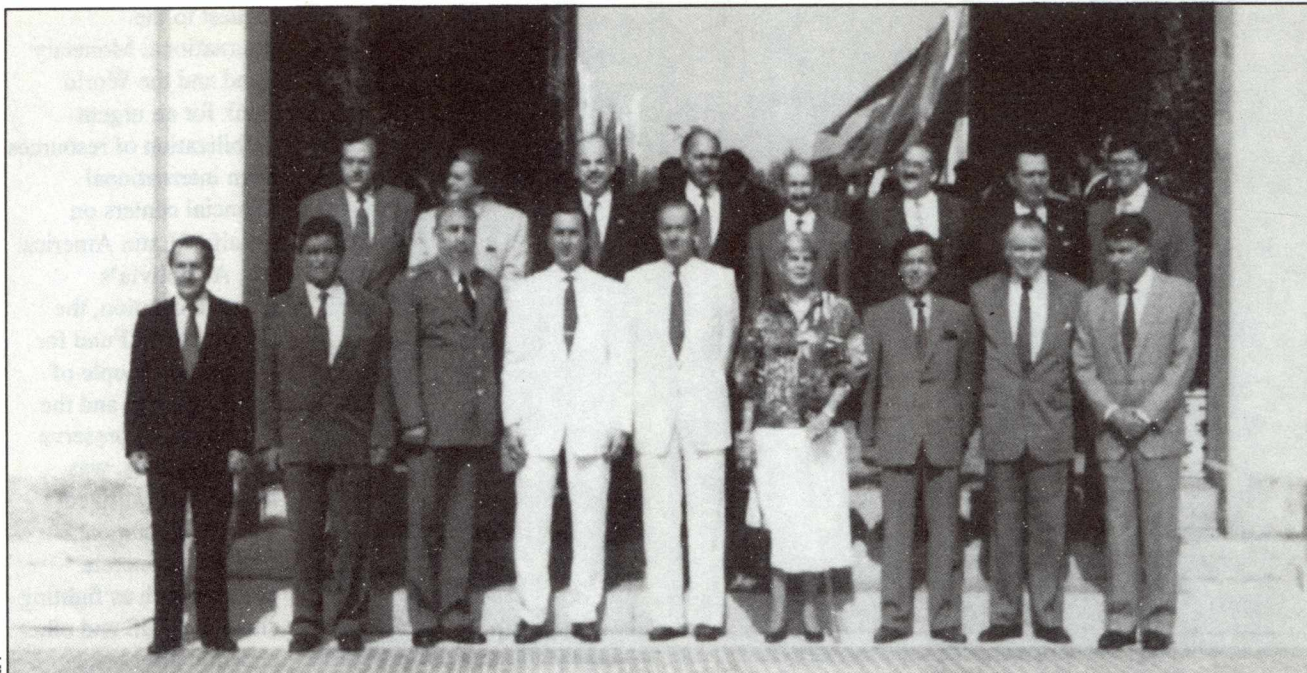
US Representative: Ann B. Wroblewski, Assistant Secretary for international Narcotics Matters, Department of State, accompanied by 29 experts.

Article 2: Scope of the Convention

2. The Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.
3. A Party shall not undertake in the territory of another Party the exercise of jurisdiction and performance of functions which are exclusively reserved to the authorities of that other Party by its domestic law.

Article 6: Extradition

2. Each of the offenses to which this article applies shall be deemed to be included as an extraditable offense in any extradition treaty existing between Parties. The Parties undertake to include such offenses as extraditable offenses in every extradition treaty to be concluded between them.
3. If a Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offense to which this article applies.
Parties requiring detailed legislation in order to use this Convention as legal basis for extradition shall consider enacting such legislation as may be necessary.
5. Extradition shall be subject to the conditions provided for by the law of the requested Party or by applicable extradition treaties, including the grounds upon which the requested Party may refuse extradition.
6. In considering requests received pursuant to this article, the requested State may refuse to comply with such requests where there are substantial grounds leading its judicial or other competent authorities to believe that compliance would facilitate the prosecution or punishment of any person on account of his race, religion, nationality or political opinions, or would cause prejudice for any of those reasons to any person affected by the request.



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Ibero-American leaders pose for their official portrait in the patio of Seville's Expo '92 Royal Pavilion.

in Narcotic Drugs and Psychotropic Substances

Article 7: Mutual legal assistance

15. Mutual legal assistance may be refused:

- b) If the requested Party considers that execution of the request is likely to prejudice its sovereignty, security, public order or other essential interests.

Article 9: Other forms of cooperation and training

- 1. The Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, with a view to enhancing the effectiveness of law enforcement action. They shall, in particular, on the basis of bilateral or multilateral agreements or arrangements:
 - c) In appropriate cases, and if not contrary to domestic law, establish joint teams, taking into account the need to protect the security of persons and of operations, to carry out the provisions of this paragraph. Officials of any Party taking part in such teams shall act as authorized by the appropriate authorities of the Party in whose territory the operation is to take place; in all such cases, the Parties involved shall ensure that the sovereignty of the Party on whose territory the operation is to take place is fully respected.

Article 32: Settlement of disputes

- 1. If there should arise between two or more Parties a dispute relating to the interpretation or application of this Convention, the Parties shall consult together with a view to the settlement of the dispute by negotiation, enquiry, mediation, conciliation, arbitration, recourse to regional bodies, judicial process or other peaceful means of their own choice.
- 2. Any such dispute that cannot be settled in the manner prescribed in paragraph 1 of this article shall be referred, at the request of any one of the States Parties to the dispute, to the International Court of Justice for decision.
- 3. If a regional economic integration organization referred to in article 26, subparagraph c) is a Party to a dispute which cannot be settled in the manner prescribed in paragraph 1 of this article, it may, through a State Member of the United Nations, request the Council to request an advisory opinion of the International Court of Justice in accordance with article 65 of the Statute of the Court, which opinion shall be regarded as decisive.

Viena, December 20, 1988.

Ratified by Mexico and the United States in 1989.



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A day before the presidents began the Ibero-American Summit, their foreign ministers discussed the details of agreements.

their inhabitants, and to the human rights and fundamental liberties "that are the pillars of our community."

At Mexico's suggestion, those present expressed their solidarity with Colombian President César Gaviria and the Colombian people in their on-going struggle against drug-trafficking and drug-related terrorism.

The final document reaffirmed the commitment to "intensify cooperation and the fight against drug-trafficking, which is a multilateral problem." It condemned all acts of terrorism and proposed to increase Ibero-American cooperation to eradicate this problem.

The document warned that Latin America is still beset by levels of poverty that "may lead to political instability, therefore requiring more effective action to protect the disadvantaged." It also stressed the need for the Uruguay Round of the GATT to "conclude quickly and satisfactorily."

The *Madrid Declaration* included a

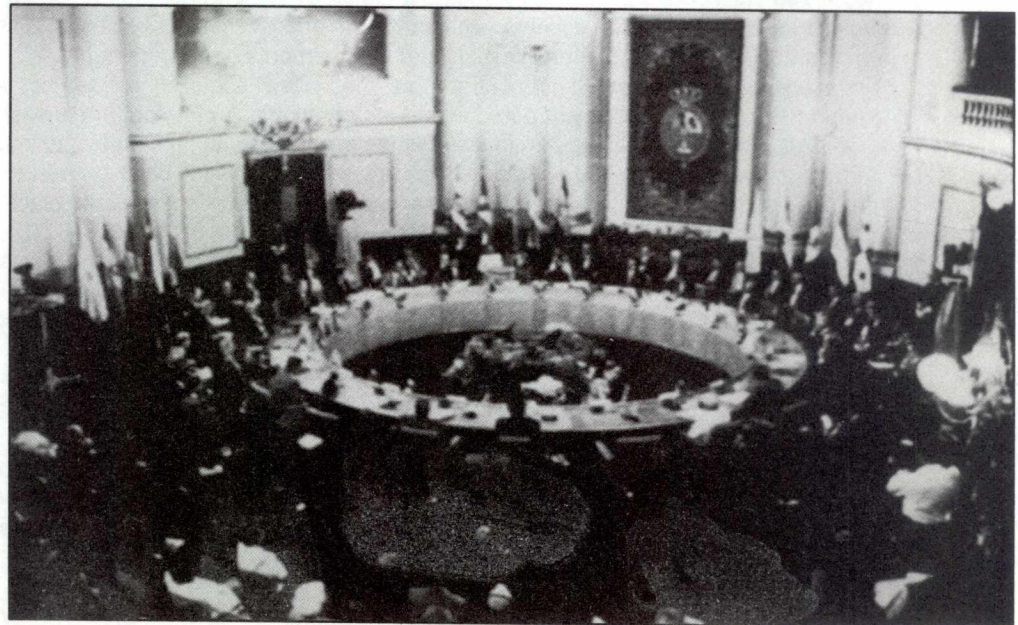
request to the International Monetary Fund and the World Bank for an urgent mobilization of resources from international financial centers on behalf of Latin America.

At Bolivia's recommendation, the Development Fund for Indigenous People of Latin America and the Caribbean, to preserve ethnic cultures, was formally constituted.

The document considers concrete projects such as fighting cholera, AIDS and other endemic diseases, as well as literacy programs.

In adjourning the Second Ibero-American Summit Meeting, King Juan Carlos declared: "My best wishes to those presidents who were unable to share this summit, which I now bring to a close with our eyes and hearts set on the city of Bahia" ❧

Marybel Toro Gayol
Managing Editor.



The meeting's final document insists on the need for absolute respect for a state's sovereignty over its territory.

In Jorge Luis Borges' short story "Ulrika" a Norwegian woman asks the protagonist what it means to be a Colombian, to which the latter replies: "It is an act of faith." This anecdote illustrates how the Ibero-American community has so far been an emotional reality rather than an area of cooperation and constructive dialogue. An emotional reality that, even after a long history of fruitless attempts at self-realization, has unquestionably preserved the motives that gave it origin and purpose.

For the idea of community to exist, its members must participate on the basis of backgrounds assumed to be their own, but that are at the same time distinct from others. In the case of the Ibero-American community, these elements are rooted in the undeniable substratum of common culture and shared historical legacy.

What is currently taking place within this community? In the last few years the consolidation of regional economic blocs seems to point to an international situation in which established mediation and cooperation groups are losing ground and purpose.

Spain and Portugal have been integrated into the European Community. Sub-regional agreements, such as Mercosur, the Andean Pact, the Cartagena Agreement, have been established in the South. Central America is establishing its own system of integration, and Mexico has successfully concluded negotiations for a Free Trade Agreement with its northern neighbors. All display gravitation toward exclusive regional definitions.

Taken together, this would mean a *coup de grace* to the political viability of an Ibero-American community. Nevertheless, though paradoxically, in this context the idea and the need to achieve political articulation of the vast and contradictory flow that nourishes Ibero-American cultural identity begin to be visible.

The first and fundamental step in this direction was taken in 1991 when, for the first time in history, the twenty-one heads of state and government of the countries constituting the Ibero-American community met in Guadalajara, Mexico.

What is known as the Guadalajara Summit became the concrete expression of the search for better communication between the members of the community, the creation of a network of integration and discussion around the diverse problems that face them: respect for international law, and sovereignty, peaceful conflict solution and the broadening of mutual concern for democracy, economic and social development, the environment, technology and culture.

The Guadalajara meeting was not intended to exclude other steps toward integration, whether regional or extra-regional, but to strengthen them as well as to establish a dialogue with other regions.

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From the spirit to the letter: the Second Ibero-American Summit

*Alejandra de la Paz **

The Second Ibero-American Summit was held in Madrid a year later, on July 22 and 23, 1992, thereby consolidating this forum and confirming that its agreements will be backed by political will and translated into specific action.

Not all heads of state and government were present on this occasion. The absence of some of them emphasizes the need for sustained political and economic cooperation between the forum's members. Hence the first benefit to be noted is the resolution by those present to work positively toward solutions to problems such as the instability of democratic institutions, drug trafficking and terrorism.

It should be emphasized that there has been a significant change from the First to the Second Summit. What clearly came out of the Guadalajara Summit was a declaration of principles and intentions. Its importance was that an agreement had been reached regarding the problems to be faced, clearly the first step toward action.

The Madrid Summit took a step beyond the declarative stage to the definition of cooperative programs