

**ANTIGUA AND BARBUDA**

---

**STATUTORY INSTRUMENTS**

**2003, No. 4**

---

**RESOLUTION RATIFYING THE PROTOCOL OF AMENDMENTS OF THE CHARTER OF THE ORGANIZATION OF AMERICAN STATES (“PROTOCOL OF WASHINGTON”).**

**WHEREAS** the Ratification of the Treaties Act, 1987 (No. 1 of 1987) provides in section 3 (1) that where a Treaty to which Antigua and Barbuda becomes a party is one which affects or concerns the relationship of Antigua and Barbuda with any international organization, agency, association or similar body, such Treaty shall not enter into force with respect to Antigua and Barbuda unless it has been ratified or its ratification has been authorized or approved in accordance with the provisions of the Act;

**AND WHEREAS** the Protocol of Amendments of the Charter of the Organization of American States (“Protocol of Washington”) is an international Agreement governed by international law;

**AND WHEREAS** Antigua and Barbuda is a Party to the Protocol of Amendments of the Charter of the Organization of American States (“Protocol of Washington”) which was concluded at Washington D.C., United States of America on the 14th December, 1992;

**AND WHEREAS** the said Convention affects the relationship of Antigua and Barbuda with an international organization, namely the Organization of American States, and concerns the relationship of Antigua and Barbuda and the States Parties to the Convention;

**NOW, THEREFORE, BE IT RESOLVED**, by this Honourable House that the Protocol of Amendments of the Charter of the Organization of American States (“Protocol of Washington”) which was done at Washington, D.C. United States of America on 14th December 1992 be ratified as a Treaty under section 3 (1) (c) of the Ratification of Treaties Act, 1987.

Passed the House of Representatives this 4th day of February, 2003.

**Bridget Harris,**  
*Speaker.*

**Sylvia Walker,**  
*Clerk to the House of Representatives.*

**SCHEDULE**

**PROTOCOL OF AMENDMENTS TO THE CHARTER OF  
THE ORGANIZATION OF AMERICAN STATES  
“PROTOCOL OF WASHINGTON”**

**IN THE NAME OF THEIR PEOPLES, THE STATES REPRESENTED  
AT THE SIXTEENTH SPECIAL SESSION OF THE GENERAL  
ASSEMBLY, MEETING IN WASHINGTON, D.C., HAVE AGREED  
UPON THE FOLLOWING**

**PROTOCOL OF AMENDMENTS TO THE CHARTER OF THE  
ORGANIZATION OF AMERICAN STATES**

**ARTICLE I**

The following new Article 9 is being added to Chapter III of the Charter of the Organization of American States:

**Article 9**

A Member of the Organization whose democratically constituted government has been overthrown by force may be suspended from the exercise of the right to participate in the sessions of the General Assembly, the Meeting of Consultation, the Councils of the Organization and the Specialized Conferences as well as in the commissions, working groups and any other bodies established.

- (a) The power to suspend shall be exercised only when such diplomatic initiatives undertaken by the Organization for the purpose of promoting the restoration of representative democracy in the affected Member State have been unsuccessful;
- (b) the decision to suspend shall be adopted at a special session of the General Assembly by an affirmative vote of two-thirds of the Member States;
- (c) the suspension shall take effect immediately following its approval by the General Assembly;
- (d) the suspension notwithstanding, the Organization shall endeavour to undertake additional diplomatic initiatives to contribute to the re-establishment of representative democracy in the affected Member State;

- (e) the Member which has been subject to suspension shall continue to fulfil its obligations to the Organization;
- (f) the General Assembly may lift the suspension by a decision adopted with the approval of two-thirds of the Member States;
- (g) the powers referred to in this Article shall be exercised in accordance with this Charter.

## ARTICLE II

The texts of the following Articles of the Charter of the Organization of American States are amended to read as follows:

### Article 2

The Organization of American States, in order to put into practice the principles on which it is founded and to fulfil its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

- (a) to strengthen the peace and security of the continent;
- (b) to promote and consolidate representative democracy, with due respect for the principle of non-intervention;
- (c) to prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States;
- (d) to provide for common action on the part of those States in the event of aggression;
- (e) to seek the solution of political, juridical, and economic problems that may arise among them;
- (f) to promote, by cooperative action, their economic, social, and cultural development;
- (g) to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere; and
- (h) to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the Member States.

**Article 3**

The American States reaffirm the following principles:

- (a) international law is the standard of conduct of States in their reciprocal relations;
- (b) international order consists essentially of respect for the personality, sovereignty, and independence of States, and the faithful fulfilment of obligations derived from treaties and other sources of international law;
- (c) good faith shall govern the relations between States;
- (d) the solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;
- (e) every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems;
- (f) the elimination of extreme poverty is an essential part of the promotion and consolidation of representative democracy and is the common and shared responsibility of the American States;
- (g) the American States condemn war of aggression: victory does not give rights;
- (h) an act of aggression against one American State is an act of aggression against all the other American States;
- (i) controversies of an international character arising between two or more American States shall be settled by peaceful procedures;
- (j) social justice and social security are bases of lasting peace;
- (k) economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;
- (l) the American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

- (m) the spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization;
- (n) the education of peoples should be directed towards justice, freedom, and peace.

### Article 33

The Member States agree that equality of opportunity, the elimination of extreme poverty, equitable distribution of wealth and income and the full participation of their peoples in decisions relating to their own development are, among others, basic objectives of integral development. To achieve them, they likewise agree to devote their utmost efforts to accomplishing the following basic goals:

- (a) substantial and self-sustained increase of per capita national product;
- (b) equitable distribution of national income;
- (c) adequate and equitable systems of taxation;
- (d) modernization of rural life and reforms leading to equitable and efficient land-tenure systems, increased agricultural productivity, expanded use of land, diversification of production and improved processing and marketing systems for agricultural products; and the strengthening and expansion of the means to attain these ends;
- (e) accelerated and diversified industrialization, especially of capital and intermediate goods;
- (f) stability of domestic price levels, compatible with sustained economic development and the attainment of social justice;
- (g) fair wages, employment opportunities, and acceptable working conditions for all;
- (h) rapid eradication of illiteracy and expansion of educational opportunities for all;
- (i) protection of man's potential through the extension and application of modern medical science;
- (j) proper nutrition, especially through the acceleration of national efforts to increase the production and availability of food;
- (k) adequate housing for all sectors of the population;

- (l) urban conditions that offer the opportunity for a healthful, productive, and full life;
- (m) promotion of private initiative and investment in harmony with action in the public sector; and
- (n) expansion and diversification of exports.

#### **Article 116**

The General Secretariat shall promote economic, social, juridicial, educaional, scientific, and cultural relations among all the Member States of the Organization, with special emphasis on cooperation for the elimination of extreme poverty, in keeping with the actions and policies decided upon by the General Assembly and with the pertinent decisions of the Councils.

#### **ARTICLE III**

The numbering of the Articles of the Charter of the Organization of American States is changed from Article 9, which becomes Article 10. Article 10 becomes Article 11 and so on, until Article 151 which becomes Article 152.

#### **ARTICLE IV**

The present Protocol shall remain open for signature by the Member States of the Organization of American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the Spanish, English, Portuguese and French texts of which are equally authentic, shall be deposited with the General Secretariat, which shall transmit certified copies thereof to the Governments for purposes of ratification. The instruments of ratification shall be deposited with the General Secretariat, which shall notify the signatory Governments of such deposit.

#### **ARTICLE V**

The present Protocol shall enter into force among the ratifying States when two-thirds of the signatory States have deposited their instruments of ratification. It shall enter into force with respect to the remaining States in the order in which they deposit their instruments of ratification.

#### **ARTICLE VI**

The present Protocol will be registered with the Secretariat of the United Nations through the General Secretariat of the Organization of American States.

**IN WITNESS WHEREOF** the undersigned Plenipotentiaries, duly authorized by their respective governments, subscribe to the present Protocol, which shall be called the "Protocol of Washington" in the city of Washington, D.C., United States of America, on the fourteenth day of December, of the year one thousand nine-hundred ninety-two.

Printed at the Government Printing Office, Antigua and Barbuda  
by Walter A. Massiah, Acting Government Printer  
—By Authority, 2003.