

AG/RES. 1364 (XXVI-O/96)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Resolution adopted at the fourth plenary session,
held on June 4, 1996)

THE GENERAL ASSEMBLY

CONSIDERING

That one of the essential purposes of the Organization of American States (OAS), as established in its Charter, is to seek the solution of political, juridical, and economic problems that may arise among the member states;

That international order consists essentially of respect for the personality, sovereignty, and independence of states and the faithful fulfillment of obligations derived from treaties and other sources of international law, as reaffirmed in Article 3 of the OAS Charter;

That Articles 10 and 34 of the Charter establish that every American state has the duty to respect the rights enjoyed by every other state in accordance with international law and that member states should refrain from practicing policies and adopting actions or measures that have serious adverse effects on the development of other member states; and

That the member states have repeatedly recognized that economic integration is one of the objectives of the inter-American system and that, in this context, it is essential to expand trade and investment at the regional and subregional levels;

RECALLING that, at the Summit of the Americas, the heads of state and government reaffirmed their strong commitment to multilateral rules and disciplines within the framework of agreements to promote prosperity through economic integration and free trade;

CONCERNED over the enactment and application by the member states of laws and regulations the extraterritorial effects of which affect the sovereignty of other states and the legitimate interests of entities and individuals under their jurisdiction, as well as free trade and investment; and

TAKING NOTE of the declaration of the ministers of foreign affairs of the Rio Group, who met in Cochabamba, Bolivia, on May 27, 1996, and of the declarations of both member and other states on the adoption of national laws with extraterritorial effects that obstruct international trade and investment by other countries in third countries as well as the free movement of persons,

RESOLVES

1. To instruct the Inter-American Juridical Committee to examine and decide upon the validity under international law of the Helms-Burton Act at its next regular session, as a matter of priority, and to present its findings to the Permanent Council.

2. To request the Permanent Council to report to the General Assembly of the Organization of American States at its twenty-seventh regular session on the implementation of this resolution.