

May 14, 1992

AMBASSADOR EINAUDI'S HEADQUARTERS AGREEMENT SIGNING REMARKS

9518

I.

- Mr. Secretary General. Mr. ASG. Mr. Chairman of PC. Distinguished Ambassadors and Delegates. Members of the office of the Legal Advisor to the Secretary of State and of the Legal Department of the OAS secretariat. Friends from the Hill. Amigos y Amigas.

II.

- The OAS Charter mandates that the Organization must enjoy in the territory of each Member such status that is necessary for the exercise of its functions and the accomplishment of its purposes.
- In 1949 a multilateral treaty modeled on the UN - U.S. agreement was negotiated, but did not receive widespread support.
- Since then, OAS member states have undertaken individually to comply with this Charter requirement on the basis of separate agreements with the secretariat.
- In the 1970's, the United States and the Secretariat successfully negotiated an agreement on the status of the Permanent Missions and their staffs.
- But to this day, the United States has based its relations with the Secretariat on longstanding custom, the International Organizations Immunities Act, and other federal statutes.
- Even so, the United States hosts the Headquarters of the OAS. An explicit instrument establishing the legal status of OAS personnel and property in the United States has been long overdue.
- I am happy and proud to have had the privilege of signing this agreement today, and I want to thank President Bush. Secretary Baker, Assistant Secretary Aronson and Legal Advisor Williamson for the trust and support without which this agreement could not have been attained.

III.

So, 44 years later, we have a Headquarters agreement for this, the latest incarnation of the world's oldest regional organization. And there are four categories of individuals I would like briefly to recognize.

First, Ambassador Joao Clemente Baena Soares.

- Upon his election in 1984, our Secretary General made conclusion of a headquarters agreement with the U.S. a prime goal of his mandate.
- The need to develop a secure legal foundation for the organization has remained at the top of his priority list ever since.
- Today is the Secretary General's birthday, and though I cannot claim that we scheduled this signing to coincide with this reaffirmation of his youthful vigor, I cannot think of a better birthday present than to complete a negotiation to which he has given so much.
- Second, I wish to thank two members of the delegation of the United States at the General Assembly of the Centennial, held in Asuncion, Paraguay, in 1990. They are the Deputy Secretary of State, Lawrence Eagleburger, and the Assistant Legal Advisor, Catherine Brown, now the Assistant Legal Advisor for Consular Affairs, then the legal advisor to the United States Mission to the OAS.
- It was Eagleburger who understood the politics, Brown who understood the law. I would call Eagleburger the Godfather of this arrangement except that Italian-Americans like myself shouldn't go around talking about godfathers, and in any case Vito Corleone never had as good a lawyer as Catherine Brown.

Third, I would like to thank key members of the much maligned apparatus of our modern State. This agreement required support and participation from many many persons in the U.S. Executive Branch, in the Congress, and in the OAS Secretariat. It took months of informal discussions with the Secretariat before, almost a year ago, on May 31, 1991, we received negotiating authority to begin serious negotiations.

Mary Catherine Malin, Attorney-Advisor for Inter-American Affairs deserves much credit.

The negotiating team at the OAS, Dr. Hugo Caminos and his colleagues in the Secretariat of Legal Affairs, William Berenson and Louis Ferrand, kept us busy to the very end.

And I would be remiss to overlook the contributions of one man who singlehandedly helped bridge the State Department, the OAS and the Congress, Mr. Barry Gidley.

- Finally, there is Mr. Richard Douglas. I offer you to him as a one-person category, much like our Secretary General, because it is an unfortunate law of our complicated world that logic and good will are not enough. It is not even enough to have large numbers of intelligent and well-disposed people. What I needed to break the drought of 44 years was someone who understood all of this, whom I could terrorize into working very hard and making others work very hard. And who could still laugh. Richard Douglas.

IV.

Mr. Secretary General:

- It is not chance that that we hold this ceremony on the eve of the Nassau General Assembly, where we will celebrate the Organization's rededication to democracy, the rule of law, and fundamental human rights.
- In the post-Gulf War world, regional organizations must take on new and greater tasks.
- The OAS has become an increasingly important vehicle for regional dialogue and cooperation. With the addition of Canada, Belize, and Guyana, the OAS has become the undisputed home of inter-Americanism.
- And the OAS has become a force for the consolidation of representative democracy in the Americas.
- The agreement you and I have signed today, Mr. Secretary General, is a symbol of a very simple, but very profound commitment: to the rule of law.