

**ORGANIZATION OF AMERICAN STATES**  
**WASHINGTON, D. C.**

**THE SECRETARY GENERAL**

February 16, 2010

Dear Senator Lugar:

I am writing in response to the recent report written by some of your staff entitled "Multilateralism in the Americas: Let's Start by Fixing the OAS." I was encouraged last September, when in your keynote speech at the XIII Annual Andean Development Corporation Conference on Trade in the Americas, you stated your belief in the Organization of American States' (OAS) potential and unique legitimacy to help solve many of the hemisphere's most daunting challenges. Your subsequent letter dated September 14 called on the senior committee staff to conduct a comprehensive study to determine how to strengthen the OAS.

Considering the difficult political and economic environment in the Americas today, the stated goal of the report, as per your speech and letter, was commendable. That is why I instructed my staff to work closely with the report's authors to develop a more comprehensive understanding of the workings of the OAS, our efforts to date to improve the financial situation of the Organization, as well as our plans to enhance the relevance and responsiveness of the Organization to the member states.

While I welcome a vigorous debate as it helps strengthen the Organization and multilateral diplomacy throughout the Americas, I was disappointed by the tone of the report, which does not reflect the nature of our interactions to date. The report has some keen insights, including recognizing the important work of the OAS in electoral observation and human rights, but it overlooks much of what we have done to face several crises in the region (not only Honduras), to improve the Organization's financial standing, as well as some key aspects of our plans for the future. An accurate understanding of these areas is vital if we want to meet our common objective of strengthening the OAS.

For example, the report missed the progress made on quota collections and reform of our financial accounting practices. The OAS is now managed with greater transparency and oversight than many similar institutions, all in a climate of austerity. In fact the first crisis I faced on taking over the leadership of the Organization in 2005 was how to meet the next payroll because we were US\$21 million dollars in arrears in our quota collections. Today, with minor exceptions, all quotas are paid up in full.

There is also an under-appreciation of OAS's extensive efforts to resolve the political crisis in Honduras, including: the two missions of Foreign Ministers that I led to that country to argue in favor of President Arias's proposal, and to initiate the dialogue that would

eventually lead to the Tegucigalpa Accord. A review of the chronology of OAS engagement in Honduras before and during the crisis shows extensive effort by the OAS General Secretariat and the Member States to avoid, manage and resolve this interruption in democratic rule (see attached).

The report also attempts to, mistakenly, portray my position on the response to the Honduran crisis as being at odds with that of the Government of the United States. Nothing could be further from the truth. I and the OAS staff cooperated fully with the United States at all times during this crisis.

While expounding at length on the Honduran crisis, the report fails to mention the many other occasions, during my tenure, when the Inter-American Democratic Charter and the Charter of the OAS have been successfully applied to mitigate and resolve internal political crises in Colombia, Nicaragua, Bolivia, Guatemala, Ecuador, Haiti, as well as cross-border controversies between Ecuador and Colombia and Belize and Guatemala.

Of course, the Honduran crisis highlighted the weaknesses of the Inter-American Democratic Charter and the need to find ways to strengthen it, especially as it relates to early warning of possible breaks in democracy and the ability to take preventative action in those instances. I cannot stress enough, however, that the OAS has applied the Inter-American Democratic Charter in every instance where the member States have agreed, by consensus, on its application. I believe that this is the way it has to be. I know that there remain concerns about breaches of democracy in some Member States, but to date, no country has brought those issues to the Permanent Council to request the application of the Charter. When they do, the matter will undoubtedly be debated and a decision taken by the Council.

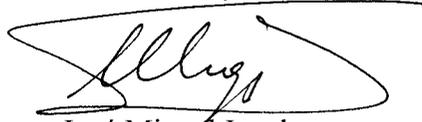
Overall, Senator Lugar, I feel that the report misses a point that has been central to my tenure as Secretary General. These are, indeed, years of change in Latin America and the Caribbean, characterized by a rise in democracy; while we agree that there are many imperfections, we have elected governments in every country that participates in the OAS today.

I have tried to reopen the OAS as the best forum for debate and dialogue in the Americas, in which everybody can engage and participate. I think this is the only way for the OAS to be relevant and to avoid being set aside in favor of other institutions that coexist with her in the Americas. The diversity that characterizes our hemisphere today means that no single Member State can impose its beliefs or try to "own" the OAS. That worked in the past, but will not work today. Rather, I have advocated a strong adherence to our common principles and a preference for trying to convince, rather than impose.

Some of my detractors seem to believe that an "exclusive" OAS would be better. I couldn't disagree more. I am very much in favor of inclusiveness, whatever the risks may be. While it is often difficult to reconcile democratic principles with the diversity that prevails in the Americas today, we must keep trying. We must resist the urge to divide the Americas into friends and enemies. I think the very successful participation of President Obama in the Fifth Summit of the Americas in April 2009 proved that this goal can be achieved.

Senator, I believe that we share a common desire to strengthen the Organization so that it can live up to its potential as the primary multilateral political organization for resolving conflict and promoting democratic governance in the Americas. This mission, as you know, is complex and requires constructive dialogue and consensus among the hemisphere's very diverse group of countries, and multiple political and civil society actors. It is in this spirit that I look forward to a meeting with you to continue our discussions on how the OAS can best serve people of the Americas.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Insulza', enclosed within a large, stylized, hand-drawn oval shape.

José Miguel Insulza

The Honorable Richard Lugar  
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# **Timeline of Recent OAS Engagement in Honduras**

**June 2009 – February 2010**

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Organization of  
American States

## Timeline of Recent OAS Engagement in Honduras

*June 2009 – February 2010*

- On June 25, the Government of Honduras, through its Permanent Representative to the OAS, made an urgent request to convene a special meeting of the OAS Permanent Council to discuss the risks being posed to “the political process and/or the legitimate exercise of power”.
- On June 26, the Permanent Council issued a resolution (CP/RES. 952) to support democracy and the rule of law in Honduras; to call upon “all political and social actors involved to ensure that their actions respect the rule of law, in order to avoid a disruption of the constitutional order”; and to instruct the Secretary General to establish “a Special Commission to visit Honduras as a matter of urgency, with a view to analyzing the facts and contributing to broad national dialogue aimed at finding democratic solutions to the current situation, and to report back to the Permanent Council.”
- On June 27, Secretary General Insulza met with the members of the Special Commission (the representatives of Canada, Guatemala, Jamaica, and Mexico) and the representatives of Chile, the United States, and Venezuela to discuss the situation in Honduras and to prepare the mission. The representative of Bolivia was also a member of the Special Commission but he was not present at this meeting, as he was in Mexico. The Commission was scheduled to arrive in Honduras on June 29. However, given the events of June 28, the visit by the Commission did not take place.
- On June 28, the OAS Permanent Council held a special meeting to discuss the developments of the day. The Permanent Council adopted a resolution (CP/RES. 953) to condemn the *coup d'état* and to “convene a special session of the OAS General Assembly... to take whatever decisions it considers appropriate.”
- On June 30, the General Assembly issued a resolution (AG/RES. 1 (XXXVII-E/09), invoking Article 20 of the Inter-American Democratic Charter, to condemn the coup and to instruct Secretary General Insulza to undertake “together with representatives of various countries, diplomatic initiatives aimed at restoring democracy and the rule of law and the reinstatement of President José Manuel Zelaya Rosales.” Secretary General Insulza was further instructed not to contact any representatives of the de facto government.
- On July 2, Secretary General Insulza participated in the 30<sup>th</sup> Meeting of Heads of State of CARICOM and briefed Caribbean leaders on the situation in Honduras. On July 3, Secretary General Insulza traveled from Guyana to Honduras to conduct a less than 24-hour visit to notify political actors regarding the General Assembly’s resolution and the 72-hour deadline for the de facto authorities to reinstate President Zelaya. The Secretary General met with Jorge Rivera,

President of the Supreme Court of Justice; Cardinal Oscar Rodriguez; the five presidential candidates, including Elvin Santos of the Liberal Party and Porfirio Lobo of the National Party; and members of social movements that support President Zelaya. The Secretary General also held telephone consultations with several ministers of foreign affairs to continue exploring potential avenues to resolve the conflict.

- On July 4, Secretary General Insulza briefed the OAS General Assembly on the consultations held in Honduras. Consequently and in accordance with Article 21 of the Inter-American Democratic Charter, the General Assembly issued a resolution (AG/RES. 2 (XXXVII-E/09) “to suspend the Honduran state from the exercise of its right to participate in the Organization of American States” and “to instruct the Secretary General, together with duly designated representatives of various countries, to step up all diplomatic initiatives and to promote other initiatives for... the reinstatement of President Zelaya.”
- On July 7, the OAS Permanent Council expressed its full support for the dialogue efforts of President Oscar Arias of Costa Rica. The members of the Council expressed hope that the efforts of President Arias, carried out with OAS support, would promptly result in a favorable outcome. In addition, Secretary General Insulza designated the OAS Representative in Uruguay, Mr. John Biehl, as Special Advisor to participate in the talks.
- On July 15, the OAS ratified measures against Honduras and reaffirmed its support for the mediation efforts of President Arias. On July 18, President Arias presented a seven-point proposal to both parties including the restitution of President Zelaya, establishing a unity government; amnesty for both sides; early general elections; the foregoing of any constitutional reform proposals; and establishment of a verification commission. President Zelaya accepted the proposal while the de facto government presented a counterproposal for consideration by President Arias.
- On July 20, the OAS once again endorsed President Arias' efforts and reiterated its demand for the restoration of constitutional order in Honduras.
- On July 22, President Arias presented the San José Accord. In addition to the original seven points, the Accord calls *inter alia* for the establishment of a truth commission and the return of the branches of government to their composition prior to June 28 and sets out a timeline for implementation of the agreements. To date, the Accord has been formally accepted only by President Zelaya.
- On August 7, the OAS Permanent Council agreed to form a commission of ministers of foreign affairs to travel to Honduras in order to promote the reestablishment of the constitutional order, through the adoption of the San José Accord.

- On August 24 and 25, the Commission comprising the foreign affairs ministers of Argentina, Canada, Costa Rica, Dominican Republic, Jamaica, Mexico, and Panama, and the OAS Secretary General, visited Honduras to listen to what politicians and social players had to say and to promote the adoption of the San José Accord, in order to reach a peaceful and democratic solution that respected the constitutional order of the Republic of Honduras. The Commission considered that progress had been made during its visit, but acknowledged that neither Mr. Micheletti nor the sectors supporting him were willing to fully accept the Accord.
- On September 1, President Zelaya met with the Permanent Council to brief it on the situation in Honduras. The Council reiterated its support for the San José Accord and the immediate return to office of President Zelaya.
- On September 21, in light of President Zelaya's return to Honduras, the OAS Permanent Council issued a declaration demanding full guarantees from the *de facto* authorities in order to ensure the life and physical integrity of the President, as well as due respect for the diplomatic immunity of the Embassy of Brazil. The Council also called for the immediate signing of the San José Accord and for all sectors of Honduran society to act responsibly and prudently, avoiding acts that could lead to violence and hinder national reconciliation. In addition, the Council reiterated its support for the Secretary General's initiatives in the framework of the mandates of the thirty-seventh special session of the General Assembly to facilitate dialogue and the restoration of the constitutional order.
- Pursuant to these mandates, on October 7 and 8, the OAS organized a mission of ministers of foreign affairs to witness the start of a dialogue between representatives of President Zelaya and Mr. Micheletti. The delegation included the Ministers of Foreign Affairs of Canada, Costa Rica, Ecuador, El Salvador, Guatemala, Jamaica, and Mexico; the Assistant Secretary of State for Western Hemisphere Affairs of the United States; the Vice Ministers of Foreign Affairs of the Dominican Republic and Panama; the Permanent Representatives of Argentina and Brazil to the OAS; the OAS Secretary General; the UN Assistant Secretary for Political Affairs; and the Secretary of State for Ibero-American Affairs of Spain. The delegation held meetings with President Zelaya, Mr. Micheletti, and the six presidential candidates. It was also a witness of honor at the first formal meeting between the negotiating commissions of the so-called "Guaymuras Dialogue." At the request of both sides, the OAS provided facilitation and rapporteur services. The Secretary General's Special Adviser, John Biehl, stayed in Honduras until October 24 to support the negotiations.
- On October 14, the Secretary General informed the Council of the results of the mission in Honduras and the establishment of the dialogue table. At this time, all of the points of the San José Accord were accepted with minor modifications. The only exception was the point regarding a return to the status quo prior to the coup, with the consequent reestablishment of President Zelaya to his office.

- The Secretary General also reported at this meeting and the one of the following week, about the difficult situation encountered at the Brazilian embassy; which was the target of a virtual siege, and continued hostilities. On October 21, the Permanent Council demanded that all hostile actions toward the Brazilian embassy cease. This was achieved in the following days, though the restrictions on movements into and out the embassy remain in force as of today.
- On October 29, with the facilitation of the OAS Secretary for Political Affairs, Victor Rico, and the support of United States Government representatives, the two parties were finally able to resume the dialogue that had reached a stalemate due to differences with regard to the key point of President Zelaya's reinstatement. The negotiating commissions finally agreed to let the National Congress decide on restitution.
- On October 30, the "Tegucigalpa/San José Accord" was officially signed. That same day, the negotiating commissions officially delivered the Accord to Congress for its consideration. Besides requesting that Congress decide on President Zelaya's restitution, the Accord calls for the formation of a government of national unity and reconciliation; the foregoing of a convocation of a Constituent Assembly or a reform of the Constitution; the normalization of the country's relations with the international community, and the creation of a Verification Commission, made up of two members of the international community and two Hondurans.
- On that same October 30, the Secretary General briefed the Permanent Council about the Accord, signaling that he hoped to constitute a Verification Commission as soon as possible, reminding members that in order to comply with the Accord, it would be necessary to hold a Special General Assembly to end the suspension of Honduras—an indispensable requirement to be able to observe the elections. At the same time, he informed the Council that, without prejudice to the prior requirement, work would begin on the necessary preparations for an observation mission so that it would be ready should the agreements be complied with successfully.
- The Accord assigns to the OAS the task of coordinating the Verification Commission. Therefore, Secretary General Insulza appointed President Ricardo Lagos and U.S. Secretary of Labor, Hilda Solis, as the two international delegates and he also named Octavio Bordon and Enrique Correa as the executive coordinators. President Zelaya appointed Jorge Arturo Reina as his delegate and Mr. Micheletti appointed Arturo Corrales. The Commission was officially installed on November 3.
- The Accord's calendar of compliance called for the creation of a government of national unity and reconciliation by November 5. On November 3 and 4, the Commission held meetings with both sides as well as with other political and institutional actors. On November 3, however, Mr. Micheletti attempted to form a

unity cabinet unilaterally, contradicting the spirit and the letter of the Accord. In response to this action by the de facto government, President Zelaya announced that the violation of the Accord by Mr. Micheletti had rendered it invalid.

- On November 10, at a special meeting of the Permanent Council, Secretary General Insulza stated that the OAS decision regarding electoral observation was an issue that could not even be considered given that “from a political point of view, the conditions for sending an electoral observation mission to Honduras simply did not exist.”
- In this context, the OAS focused on keeping dialogue open with both sides with a view to achieving the restoration of democracy and the rule of law and the reinstatement of President Zelaya. To achieve this, the OAS kept a high-level mission in Honduras, headed by José Octavio Bordón and Enrique Correa, as representatives of the Secretary General.
- On November 17, the Honduran Congress set December 2 as the date on which it will decide on the restitution of President Zelaya. On November 19, Mr. Micheletti announced he would take a leave of absence between November 25 and December 2 as a way to grant legitimacy to the November 29 general elections. The in-country, high-level mission of the OAS continued working with the objective of establishing a Cabinet of National Unity before the November 29 elections.
- General Elections were held on November 29, without observers from the OAS, the UN or the EU being present. These conditions rendered it impossible for the OAS to deliver a final verdict on this election, which took place in very special circumstances, with the de facto government having declared a state of emergency, and pending the implementation of the commitments of the Tegucigalpa/San Jose Agreement. According to official data from the Supreme Electoral Tribunal, participation reached 50% and the victor was the National Party presidential candidate, Porfirio Lobo, with 53% of the votes, while the Liberal Party candidate, Elvin Santos, obtained 35%. In the 128-seat Congress, the National Party won 71 seats —55 in the current legislature—and the Liberal Party took 45, against the 62 they currently hold. The other 13 seats of Congress were divided between the three minor parties: Innovation and Unity Party, PINU, (3); Democratic Unification Party, UD, (4) and Christian Democratic Party, DC, (5).
- On December 2, the session of Congress to decide on the reinstatement of President Zelaya took place. There were some hopeful forecasts about the possibility that Congress would generate an effective process of reconciliation by reversing its June 28 decision, however, that prospect faded even before the meeting had started. All the powers that had initially supported the coup d'état simply reiterated their earlier pronouncements, both through the reports requested

by Congress and throughout the session itself. A total of 114 deputies voted against reinstating President Zelaya, against 14 who voted in favor.

- On 4 December, the OAS Permanent Council held a special meeting to discuss the results of the November 29 elections as well as the decision reached by Congress on December 2. Despite diverging views among the countries represented at the Council regarding the recognition of the new government, there is consensus on the following among the member States: 1) All OAS members consider that what happened on June 28 in Honduras was a *coup d'état* that disrupted the democratic process; 2) José Manuel Zelaya is, until January 27, 2010, the Constitutional President of Honduras, democratically elected although illegitimately deposed and, to date, he has not had a fair trial or neither has he been granted the right to defend himself; 3) No State in the hemisphere nor the world has recognized the government of Roberto Micheletti, or showed intentions to recognize it; 4) An election does not erase, by itself, the forcible deposition of the Constitutional President, his expulsion from the country and his precarious stay to this day in the Brazilian Embassy in Honduras; 5) The prompt return of Honduras to the OAS will be possible only when the country reaches a true restoration of its democratic regime, and the effects the June 28 coup are overcome.
- On December 15, Secretary General Jose Miguel Insulza reiterated the OAS support for the Tegucigalpa/San Jose Accord toward a solution to the political crisis in Honduras and acknowledged the political independence of President-elect Porfirio Lobo Sosa. The Secretary General also supported steps toward solving the situation of the constitutionally elected President Jose Manuel Zelaya, to allow his exit without conditions from the Brazilian Embassy, and to reestablish respect for human rights and public liberties that “would allow the new President to assume office with greater acceptance by the international community.”
- On January 20, with the auspices of President Leonel Fernandez of the Dominican Republic, President-elect Porfirio Lobo Sosa signed the “Agreement for National Reconciliation and the Strengthening of Democracy in Honduras”<sup>1</sup>, which calls for the integration of a Government of National Unity and Reconciliation; the granting of a safe-conduct to President Manuel Zelaya and his family to travel to the Dominican Republic on January 27; and the normalization of Honduras’ relations with the international community through the reactivation of cooperation

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<sup>1</sup> The following Honduran political leaders were witnesses to the signing of the Accord: Elvin Santos, former presidential candidate, Liberal Party; Felicitó Avila, former presidential candidate, Democratic Christian Party; Cesar Ham, deputy and former presidential candidate, Democratic Unification Party; Ricardo Alvarez, mayor of Tegucigalpa and president of the National Party; and Mario Canahuati, former presidential candidate in the National Party primaries and soon-to-be Honduras’ Minister of Foreign Affairs.

projects. Part of this cooperation will be used to support the work of the Verification Commission and the Truth Commission. According to the Tegucigalpa/San Jose Accord, the Truth Commission should be established in the first semester of 2010.

- On January 21, *de facto* president Roberto Micheletti left the Presidency and did not participate in any official acts including the swearing in ceremony of President Porfirio Lobo Sosa on January 27.
- On January 27, President Manuel Zelaya received a safeconduct to leave Honduras for the Dominican Republic, where he and his family are guests of President Leonel Fernandez.
- On February 4, President Lobo requested that the OAS provide political support and technical assistance for the establishment of a Truth Commission, which should be established in the first semester of 2010 according to the Tegucigalpa-San Jose Accord. The OAS is currently working with the Honduran Government and Mr. Eduardo Stein, the Commission's coordinator, to develop a proposal for the Commission's objectives, scope of work and composition.