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REVIEW OF MEMBERSHIP STATUS  
OF  
EASTERN CARIBBEAN COUNTRIES  
IN THE  
ECONOMIC COMMISSION FOR LATIN AMERICA

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REVIEW OF MEMBERSHIP STATUS  
OF EASTERN CARIBBEAN COUNTRIES IN CEPAL

It is necessary to remove some basic misconceptions concerning the admission and participation of the East Caribbean countries in CEPAL, if there is to be a correct understanding of the current situation. This note presents a review commencing with the admission of those countries to CEPAL as "Associate Member", examines briefly the current membership of the several countries, and concludes with comments on some recent proposals concerning "OECS Participation in CEPAL".

The Legal Background

2. By Resolution 283(AC.61), adopted 23 April 1968,<sup>1/\*</sup> Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia, Montserrat and St. Vincent were admitted "in a body as a single associate member of the Commission". But behind this simple statement is a specific juridical situation which apparently has become obscure over time. It is very necessary to appreciate that the term "a single associate member" meant only that these countries would accredit only one delegation. Behind the decision by the countries to appear as a group lay the important fact that each country was admitted in its individual right to Associate Membership of CEPAL.

3. Two legislative instruments are directly relevant: (a) the empowerments reflected in ECLA's Terms of Reference, (b) the authorities that were delegated to the Associated States. First, Paragraph 3(a) of ECLA's Terms of Reference provides that:

"Membership of the Commission shall be open to Members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands and the United Kingdom.

Any territory, or part or group thereof, within the geographic scope of the Commission's work, may on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories, be eligible for admission by the Commission as an Associate Member of the Commission.

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\*/ See Notes on page 5.

If it has become responsible for its own international relations, such territory, part or group of territories may be admitted as an associate Member of the Commission on itself presenting its application to the Commission".

.....

Secondly, Paragraph 2 of the Despatches by the United Kingdom at the attainment of the Eastern Caribbean countries to Associated Status contained delegation of executive authority to each Associated State in the following terms:

"2. Subject to the understandings set out in later paragraphs of this despatch Her Majesty's Government in the United Kingdom hereby delegate executive authority to the Government of the Territory with respect of their external relations with other countries as follows:

(a) authority to apply for full or associate membership, as may be provided for in the Constitution of the organization concerned, of those United Nations Specialized Agencies or similar international organizations of which the United Kingdom is itself a member and for membership of which the Territory is eligible;"

.....

4. Turning now to the factual situation, it was that the Eastern Caribbean countries discussed the question of Associate Membership of ECLA within a meeting of the WISA Council of Ministers and decided on a joint application. That approach was not legally acceptable to the UN, and ECLA so advised the Council of Ministers.<sup>2/</sup> Accordingly, each of the then West Indies Associated States, i.e. Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, and St. Lucia submitted an application on its own behalf, and the United Kingdom Government submitted separate application in respect of the two territories then in colonial status, i.e. Montserrat and St. Vincent.

The text of Grenada's application is at page 2 of the document E/CN.12/AC.61/4, and the text of the letter from the British Embassy in Chile is reproduced at page 3 of the said document. The texts of the letters of application from St. Kitts(Christopher)-Nevis-Anguilla, Dominica, St. Lucia, and Antigua, are attached as Annexes III to VI.

5. At the Twelfth Meeting of the ECLA Committee of the Whole, the delegation was named by the countries and took its seat as such. Although reference has continually been made to that delegation as "WISA", it is important to appreciate that WISA the institution was never the Associate Member of CEPAL - neither in its personality as the WISA Council of Ministers, nor in its other personality as the WISA Secretariat. That is, from the outset the Associate Member has been the countries, each in its individual right.<sup>3/</sup>

#### Subsequent Developments

6. The collective selection of the delegation has had the result that on occasion the leader of the delegation was the Minister currently serving as Chairman of the WISA Council of Ministers, on other occasions some other Minister from one of the countries, and also on some occasions the Executive Secretary of the WISA Secretariat has been accredited by the countries.

7. It is equally important to note that the WISA Secretariat was never clearly listed as an institutional observer to ECLA Sessions, as is the case, for example, with CARICOM and the secretariats of other integration groupings.

8. Any statement such as "...WISA, which represents the Eastern Caribbean States in CEPAL..." even in the situation where none of the countries were fully independent, is lacking in validity and misrepresents the juridical situation.

9. Since 1974, Grenada, Dominica, St. Lucia, St. Vincent and the Grenadines, Antigua/Barbuda, have emerged to full independence. Consequent on admission to membership in the United Nations, these countries virtually automatically became individual Members of ECLA, consistent with the first sentence in Article 3(a) of ECLA's terms of reference. The first of these countries, Grenada, took its seat independently of the other Eastern Caribbean countries at ECLA's Sixteenth Session (Port-of-Spain, 6-15 May 1975).

10. A consequence of the foregoing accessions to full membership of ECLA, is that the "single Associate Member" currently comprise St. Kitts-Nevis, Anguilla, and Montserrat, each in their own right. The existence or non-existence of WISA has no direct relevance to this juridical situation.

The only area of doubt is the status of Anguilla, which formerly was a part of the unitary State of St. Kitts(Christopher)-Nevis-Anguilla. Anguilla is now separated from that unitary state, and has colonial status identical to Montserrat. The specific doubt is whether the United Kingdom Government would need to submit another application for Anguilla, or whether the former application covers the current Anguilla situation.

Comments on some current proposals.....

11. The proposal that "...steps be taken so that OECS can replace WISA in representing the non-independent Eastern Caribbean States" is therefore defective by being based on a false premise. The countries currently comprising the "single Associate Member" continue to have the option of either each designating its representative within the single delegation or of designating and accrediting a small delegation. Whether they take this matter up within the conveniences of the OECS, is strictly a matter for those Governments, bearing in mind that presently Anguilla is not a member of the OECS. However, it is clear that the institution OECS, cannot juridically represent the Governments of St. Kitts-Nevis, Montserrat and Anguilla, before CEPAL. This, however, does not rule out those governments accrediting persons from the OECS as their representatives to ECLA sessions if they so choose. In any event a decision that OECS be involved in representation of the non-independent Eastern Caribbean countries is one that would need to be taken by the countries individually, and also by the Authority of Heads of Governments of the OECS.

12. The further proposal that "...an OECS participant could have multiple accreditation and represent simultaneously a number of OECS member countries" though ambiguous, is invalid. It can imply that the OECS Secretariat represent its member countries, which is contrary to all practice concerning UN member states. It needs only to be borne in mind that within CEPAL the Observer delegation from EEC, or SIECA or CARICOM represents the institution (or secretariat), and the governments that participate in those institutions designate their governmental representatives. The OECS Secretariat could only represent



itself as an institutional observer, and there seems every justification it be accorded that status.

13. Alternatively, the proposal could be interpreted to mean that one Eastern Caribbean United Nations member state should represent others. This again is contrary to United Nations practice. The general situation in the United Nations is that no member state can represent another member state. Member states agree to joint statements delivered by a single speaker; but not to delegating representation in United Nations bodies to other member states. It is therefore very relevant that though the Eastern Caribbean countries have decided on joint representation in some areas, under the OECS umbrella, they maintain their individual Permanent Representatives before the United Nations.

#### Concluding Remarks

14. It surely should not be unreasonable to assume that at its highest bureaucratic levels the responsible officials are fully knowledgeable of the terms of reference of the Commission.

15. Aside from the observations and comments that already have been made, the proposals are remarkable even in the light of ECLA's Terms of Reference alone. Reference to the relevant part of the Terms of Reference (quoted in paragraph 3 above), would have shown that the flexibility for group representation at Associate Member status, is not provided for in respect of full members - by definition members of the United Nations.

16. If this difference was appreciated, then it must be concluded that the next logical step to give a group representation proposal effect would be to seek amendment of ECLA's terms of reference to make that provision. Such a step in respect of United Nations members would be precedent-setting within the juridical framework of the United Nations system.

#### Notes

1/ See Annex I.

2/ See ECLA document E/CN/12/AC.61/4, copy attached as Annex II.

3/ It might further be noted that after admission separate communications to each government was transmitted by ECLA Executive Secretary, in keeping with the individual country applications - Notes Verbale dated 30 April 1968.

Twelfth Committee of the Whole  
(Santiago, Chile, 23-25 April 1968)

283 (AC.61) ADMISSION OF THE WEST INDIES ASSOCIATED  
STATES AS AN ASSOCIATE MEMBER OF THE COMMISSION

The Committee of the Whole of the Economic Commission for Latin  
America,

Considering the applications from the authorities of the Associated States of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla and St. Lucia, and from the United Kingdom of Great Britain and Northern Ireland on behalf of the Territories of Montserrat and St. Vincent, for their collective admission as a single associate member of the Commission,

Taking into account the secretariat document (E/CN.12/AC.61/4) informing the member Governments of these requests,

Decides:

1. To welcome the applications submitted by the authorities of the West Indies Associated States and by the United Kingdom;
2. To admit the Associated States of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla and St. Lucia and the Territories of Montserrat and St. Vincent in a body as a single associate member of the Commission, in accordance with paragraph 3 of its terms of reference.

23 April 1968.



