

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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Version 8.0; August, 2000

SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 4678

2. COW Alliance # (if applicable): N/A

3. Signature date(s) (may vary for members in multilateral alliances):

March 15, 1995

Belize – July 17, 2003

Dominican Republic – August 15, 2017

4. Members of alliance (use COW country codes):

El Salvador (92)

Guatemala (90)

Honduras (91)

Nicaragua (93)

Panama (95)

Belize (80)

Dominican Republic (42)

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)

No

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select “treaty” if the agreement requires ratification.)

Treaty

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.

Public

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.

No

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?

No

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.

Yes.

Article 70 – “This Treaty shall be of indefinite duration and shall enter into force with respect to the first three depositing States one week after the third instrument of ratification has been deposited and, with respect to the other States, on the date of deposit of their respective instruments of ratification.”

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.

Yes.

Article 72 – “Denunciations of this Treaty shall be communicated to the depositary, which shall notify the Parties of such denunciations. The said denunciations shall take effect one year after notice is given”

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.

No.

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):

N/A

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
In effect as of 6/17/2020 as per SICA website: <https://www.sica.int/instancias/instanciasdetails/114#>

15. Describe what caused the alliance to terminate.
N/A

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)

Nonaggression pact
Defense Pact

17. Type of alliance as coded in COW data (if applicable):
N/A

18. Describe the obligations of the alliance partners.

Nonaggression:

Article 26 – “The Central American Democratic Security Model shall be governed by the following principles, in matters relating to this title: (b) The peaceful settlement of disputes, renouncing the threat or use of force as a means of resolving their differences. States shall refrain from any action which might aggravate conflicts or hinder the settlement of disputes by peaceful means.”

Article 26c – “Renunciation of the threat or use of force against the sovereignty, territorial integrity and political independence of any State of the region which is a signatory of this Treaty.”

Article 45 – “Without prejudice to the provisions of the Charter of the United Nations and the Charter of the Organization of American States concerning the peaceful settlement of disputes, the Parties reaffirm their obligation to resolve, through negotiation, investigation, mediation, conciliation, arbitration, judicial settlement or any other peaceful means of settling disputes, any difference that could endanger the peace and security of the region.”

Defense:

Article 26 (h) – “Collective and united defense, in accordance with the respective constitutional norms and the international treaties in force, in the event of armed aggression by a State situated outside the region against the territorial integrity, sovereignty, and independence of a Central American State”

Article 42 – “Any armed aggression or threat of armed aggression by a State situated outside the region against the territorial integrity, sovereignty, or independence of a Central American State shall be regarded as an act of aggression against the other Central American States.”

Article 43 – “In the event of armed aggression, after exhausting the possibilities of the forums for conciliation and the peaceful settlement of disputes, if possible, the Central American countries, at the request of the State which has been attacked, shall ensure the early restoration of peace and collective and united defence against the aggressor through measures and procedures agreed upon in the Council of Ministers for Foreign Affairs in accordance with the respective constitutional provisions, the Charter of the United Nations, the Charter of the Organization of American States and the treaties in force to which they are parties.”

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)
No

20. Describe the nature of the limits to obligations listed in #19.
N/A

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.
Yes –

Article 8 – “For the strengthening of democracy, the Parties reaffirm their obligation to abstain from providing political, military,

financial or any other kind of support to individuals, groups, irregular forces, or armed gangs which attack the unity and order of the State or advocate the overthrow or the destabilization of the democratically elected Government of another Party.”

Article 8 – “In addition, they reiterate their obligation to prevent the use of their territory to organize or carry out armed actions, acts of sabotage kidnappings, or unlawful activities in the territory of another state.”

Article 26 (f) – “Prohibition of the use of a territory to carry out attacks against other States, as a refuge for irregular forces or for the establishment of organized crime”

Article 42 – “In such a case [external attack] the Central American countries, at the request of the State which has been attacked, shall act jointly and in solidarity in international forums and bodies to ensure the legal and political defence, through the diplomatic channel, of the Central American State which has been attacked.”

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

No.
Article 75 – “The Republics of Costa Rica and Panama sign this Treaty with express reservations to the following articles: 26 (g) and (h); 27 (a), (b), and (c); 28; 29; 32; 33; 35; 36; 37; 38; 42; and 43”

Panama’s reservations to these provisions removes them from obligations related to mutual defense as the defense obligation above is based on articles 26 (h), 42, and 43.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

No

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

No

28. Additional coder comments regarding treaty obligations:

Article 26(g) – “no State shall strengthen its own security to the detriment of the security of the others”

Article 28(a) – [The parties undertake] “to notify the other Parties in writing, through diplomatic channels, at least 30 days in advance of any planned military, land, air, or naval manoeuvre, movement or exercise under the conditions determined by the Security Commission”

Article 28(b) – [The parties undertake] “To invite the other Parties to observe the activities referred to above.”

Article 44 – “In the event of any external armed conflict and in order to preserve the guarantees and rights of the population, the Parties undertake to implement fully the norms and principles of international humanitarian law.”

(Note: Panama has submitted reservations to Articles 26 (g), 28 (a) and 28(b))

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes.

Article 39 – “Should an incident of a military nature occur between two or more of the Parties, the Ministers for Foreign Affairs shall establish contact with each other immediately to analyze the situation, to avoid an increase in tension, to stop any military activity, and to prevent further incidents.”

Article 45 – “the Parties reaffirm their obligation to resolve through negotiation, investigation, mediation, conciliation, arbitration, judicial settlement, or any other peaceful means of settling disputes, any difference that could endanger the peace and security of the region.”

Article 67 – “Any dispute arising from the implementation or interpretation of this Treaty shall be brought to the attention of the Meeting of Presidents and, if no solution is found, recourse shall be had to the means of peaceful settlement of disputes provided for in article 45, and where appropriate, the dispute shall be brought before the Central American Court of Justice.”

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
Yes.

Article 40 – “In the event that the direct channels of communication are not sufficient to achieve the objectives described in the preceding article, any of the Parties may request the convening of a meeting of the Security Commission or of the Council of Ministers for Foreign Affairs, should it deem it necessary. In such a case, the presidency of the Council of Ministers shall hold the necessary consultations with the member States and may first convene the Security Commission to obtain its recommendations.”

Article 67 – “Any dispute arising from the implementation or interpretation of this Treaty shall be brought to the attention of the Meeting of Presidents and, if no solution is found, recourse shall be had to the means of peaceful settlement of disputes provided for in article 45, and where appropriate, the dispute shall be brought before the Central American Court of Justice.”

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)
No

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.
No

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.
No

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.
No

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.
Yes.

Article 47 – “The following organs shall comprise the Central American Democratic Security Model: (a) The Meeting of Presidents; (b) The Council of Ministers for Foreign Affairs; and (c) the Security Commission”

Article 48 – “The Meeting of Presidents shall be the supreme organ of this Model and shall be seized of regional questions on which it is required to take decisions with regard to regional and international security under the provisions of the Tegucigalpa Protocol.”

Article 49 – “The Council of Ministers for Foreign Affairs shall be the competent organ in all matters relating to regional and international security, in its position as the main coordinating body of the Central American Integration System.”

Article 50. The Security Commission shall be a subsidiary organ responsible for implementation, coordination, evaluation and follow-up and the elaboration of proposals, and for making recommendations concerning early warning and, where appropriate, prompt action, and shall be subordinate to the Meeting of Presidents and to the Council of Ministers for Foreign Affairs.”

Articles 51 – 63 outline the responsibilities and composition of each of the organs above.

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.
No

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.

No

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.

Yes.

Article 30 – “The Parties undertake to combat the illegal traffic of arms, military supplies and equipment and of small arms for personal protection. To that end they also undertake to establish specific, modern and harmonized regulations, within the framework of their national legal systems.”

Article 34 – “The Parties undertake to refrain from acquiring or maintaining weapons of mass or indiscriminate destruction, including chemical, radiological, and bacteriological weapons, and not to permit the deployment in or transit through their territory of such weapons. The Parties also undertake not to build or allow the construction in their respective territories of installations which might be used to manufacture or store this type of weapon.”

Article 46 – “The Parties reaffirm their obligations under the Tlatelolco Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of 14 February 1967”

Article 35 (a) – (c) outline the reporting procedures each state is required to undergo at intervals determined by the Council of Ministers for Foreign Affairs in regards to naval, air, land, and public security data and budgets as well as the creation of system for the registration and transfer of weapons between countries.

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.

No

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.

No

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.

No

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

Yes.

Article 59 (b) – [The Parties undertake] “To promote the exchange of military and public security experiences and information. Consultations, and period visits among officials of defence, public security, and other such institutions, as well as the reciprocal award of fellowships for study in their respective military and police academies.”

Article 60 creates the Central American Security Information and Communications mechanism which is “the permanent communications mechanism which the Parties undertake to establish and put into operation in order to facilitate secure, efficient, and rapid communications among the respective competent

43. Additional coder comments regarding references to alliance institutionalization: N/A

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

No

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

Yes.

Article 78 – “This Treaty shall replace all the rules relating to security or defense which are contained in and from part of the Charter of the Organization of Central American States and the supplementary agreements which have been adopted at the regional level to further

develop it.”

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes.

The Central American Integration System (SICA) –

This is a framework agreement between members of SICA and functions as a later specified security component to the organization. References are made throughout to the larger organization and how the various components of this treaty will conform to and integrate with the existing structures.

The United Nations –

Article 26 (j) – “Respect for the purpose and principles of the Charter of the United Nations and the Charter of the Organization of American States.”

Article 43 – Actions taken in defense of a state that has been targeted by external attack will conform to the Charter of the United Nations

Article 74 – Certified copy of this treaty will be sent to the United Nations.

The Organization of American States –

Article 26 (j) – “Respect for the purpose and principles of the Charter of the United Nations and the Charter of the Organization of American States.”

Article 43 – Actions taken in defense of a state that has been targeted by external attacked will conform to the Charter of the Organization of American States.

Article 74 – A certified copy of this treaty will be sent to the OAS.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes.

Organization of American States (ATOP # 3075) –

Article 26 (j) – “Respect for the purpose and principles of the Charter of the United Nations and the Charter of the Organization of American States.”

Article 43 – Actions taken in defense of a state that has been targeted by external attacked will conform to the Charter of the Organization of American States.

Article 74 – A certified copy of this treaty will be sent to the OAS.

US – Panama Permanent Neutrality of the Panama Canal (ATOP # 3795) –

Article 34 – “The Parties recognize the validity of the Treaty concerning the Permanent Neutrality and Operation of the Panama Canal, as States which have acceded to the Protocol of the Treaty, which guarantees at all times the peaceful and uninterrupted transit of vessels of all nations through the canal”

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes.

Article 11 – Individual security cooperation

Article 13 – human rights cooperation, border development integration projects

Article 14 – Police cooperation

Article 16 – Budget cooperation
Article 17 – Drug trafficking cooperation
Article 23 – Refugee cooperation
Article 30 – Reduce illegal traffic of arms.

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.
No

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.
No

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.
No

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.
No

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.
No

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.
No

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty: N/A

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty

59. Treaty citation: https://www.sica.int/documentos/tratado-marco-de-seguridad-democratica-en-centroamerica_1_110795.html

60. Date of last revision of this coding sheet: 6/17/2020

61. Coder: Nicholas Coulombe and Ashley Leeds