

## Dateline Mexico by Carlos Cota Meza

### The Torricelli Corollary

*Mexico's loyalties to the new world order are being tested by Washington's "limited sovereignty" doctrine.*

**D**ays before the U.S. presidential elections, George Bush signed the so-called Cuban Democracy Act into law, following its approval by the Congress. The bill was also backed by Bill Clinton. The Torricelli Act, as it has come to be known after its sponsor, Rep. Robert Torricelli (D-N.J.), is the economic corollary of the Thornburgh Doctrine, approved by the U.S. Supreme Court earlier this year, which authorizes U.S. law enforcement officers to arrest any foreign national, in any country in any part of the world, without respect for national laws or sovereignty.

Both the Thornburgh and Torricelli laws form part of the Pentagon's "Guide to Defense Planning," a 46-page document whose contents were leaked by the *New York Times* on March 8, 1992.

The Torricelli Act is specifically designed to intensify the economic blockade against Cuba, but more than anything else it represents the imposition of the concept of *limited sovereignty* against Third World nations. Formally, the law authorizes the U.S. government to take reprisals against any states and corporations which "lend assistance" to Cuba and at the same time maintain trade relations with the United States.

Sanctions against targeted states range from denying them economic assistance, refusing to sell them weapons, denying them access to the Enterprise for the Americas initiative or other free-trade programs, and excluding them from the Brady Plan and

such foreign debt reduction programs. If it were a joking matter, one could even say that the sanctions served as a good reason to *maintain* relations with Cuba, since these U.S. "assistance" programs have never meant good news for the economies and populations of recipient nations.

The Torricelli Act has been repudiated on a world scale, a reaction which suggests that its objective is not Cuba after all. For example, the member states of the European Community "judge the extraterritoriality of U.S. jurisdiction in prohibiting U.S. firms or subsidiaries headquarters in Europe from trading with Cuba as unacceptable." Further, they do not accept that "the United States should unilaterally determine and restrict trade relations with any foreign country which has not been collectively designated by the United Nations Security Council."

Mexico's Foreign Affairs Department has issued an official communiqué rejecting the Torricelli Act and "any effort to apply the laws of a country extraterritorially." Foreign Secretary Fernando Solana rejected such efforts "to apply the laws of a country beyond its borders." A declaration by the Mexican House and Senate was issued to the same effect. The vice president of the Latin American Bishops Conference, Cardinal Juan Jesús Posadas Ocampo, stated that the Torricelli Act "was issued with bile, without knowledge, and without much truth."

What neither the Mexican nor any other Ibero-American government

that has condemned the Torricelli Act has yet stated, is that it is an open aggression against the juridical order established by the Organization of American States (OAS), which specifies:

"Article 18. No state or group of states has the right to intervene, directly or indirectly, no matter what the motive, in the internal or external affairs of another.

"Article 19. No state may apply or encourage coercive measures of an economic or political nature to force the sovereign will of another state and to obtain advantages of any kind."

Ironically, the first country against which the sanctions authorized by the Torricelli Act have been applied is Mexico, which is on the verge of finalizing the North American Free Trade Agreement with the United States and Canada. On Nov. 19, a diplomatic scandal broke out when it was learned that the management of the María Isabel Sheraton Hotel in Mexico City had canceled its contract with the National Tourism Institute of Cuba. The Cuban government was to have held its Second Tourism Exchange in the facilities of that hotel chain. The hotel management argued that "the Sheraton, by belonging in part to U.S. capital, should not give service to any company that has to do with Cuba."

The Cuban government has issued a protest to the Foreign Affairs Department, which, out of fear of losing Washington's favor, has yet to issue a reply. The bigger question facing Mexico after the Sheraton incident is what the Salinas government's position will be at the next OAS meeting in Washington. Will it protest the Torricelli Act, presenting itself as a victim of U.S. "extraterritoriality"? After all, Bush will leave office on Jan. 20, but President Carlos Salinas de Gortari has two more years to face the music.