

DEPARTMENT OF INTERNATIONAL LEGAL AFFAIRS

The Department of International Legal Affairs supports the organs of the OAS in preparing and developing public and private international law, in follow-up mechanisms on compliance with the various inter-American conventions, in legal and judicial cooperation activities, and in matters related to training, information, and dissemination of inter-American law. The department collaborates with member states in the preparation of treaties, declarations, and other international instruments by preparing studies, expert legal opinions, and documents. It is also in charge of ratification and deposit procedures. It provides technical and secretariat services to the Inter-American Juridical Committee.

Office of the Director of the Department

The Office of the Director directed and planned the programs, activities, and actions of the Department, as well as coordination with the other dependencies of the General Secretariat. In particular, in its support functions for the bodies charged with the development of inter-American law, it participated in advisory services for the General Assembly and the Permanent Council, as well as at Inter-American Juridical Committee sessions, at the meeting of ministers of justice of the Americas, and at the Conference of States Parties to the Inter-American Convention against Corruption.

In 2006, the Director of the Department represented the Secretary General at the Ibero-American Meeting of Ministers of Justice (Las Palmas, September) and took part in the ceremonies commemorating the centennial of the Inter-American Juridical Committee (Rio de Janeiro, August). It also participated in the Anti-Corruption Workshop (Managua, June) and at the Meeting of Experts on the next Inter-American Specialized Conference on Private International Law, on the subject of consumer protection (Porto Alegre, December).

As for dissemination of the inter-American system, the Director of the Department gave lectures at the University of Sherbrooke (Canada, April), during the Course on International Law in Rio de Janeiro (August), and during the Workshops on International Law (Buenos Aires, November). He was also a guest speaker at the International Congress on International Human Rights Law, organized by UNAM (Mexico, May). He also wrote the prologue to Mauricio Alice's book: "*El sistema jurídico interamericano*" [the Inter-American Juridical System] (Buenos Aires, 2006), as well as articles on inter-American law in books and specialized journals.

Office of International Law

In 2006, the ODI rendered legal services in the area of international law to the General Assembly and to the Committee on Juridical and Political Affairs (CAJP) and its working groups, drafting resolutions, organizing special meetings and meetings of experts on such subjects as the International Criminal Court, migrants, persons with disabilities, indigenous peoples, international humanitarian law, and the principles contained in the Charter of the Organization of American States. It also wrote final reports and advised delegations. In addition, it coordinated the virtual forum, which yielded contributions to the instruments that may possibly be adopted at

CIDIP-VII, on electronic records and consumer protection. The ODI was also appointed Technical Secretariat of the Committee for the Elimination of All Forms of Discrimination against persons with Disabilities and, as such, assisted with the drafting of the instruments needed to facilitate that Committee's work.

As the Secretariat of the Inter-American Juridical Committee (CJI), the ODI provided technical and administrative support during the CJI's two regular sessions. It prepared annotated agendas, assisted in drafting resolutions, edited reports presented by CJI members, drew up summary minutes, and took charge of preparing the Committee's Annual Report. While the CJI was in recess, the ODI assisted the rapporteurs in their work and carried out the mandates issued in CJI resolutions.

In fulfillment of the Inter-American Program for the Development of International Law, AG/RES. 1471 (XXVII-O/97), the ODI organized the 33rd Course on International Law. The Course was held from July 31 to August 25, 2006, and attended by 26 teachers from different countries in the Americas and Europe, 30 OAS scholars chosen from among more than 100 candidates, and 11 paying students. The central theme of the Course was: "International Law in the Americas: 100 Years of the Inter-American Juridical Committee." From November 14-17, 2006, the ODI organized the Workshops on International Law in Buenos Aires, Argentina, together with the Faculty of Law of the Universidad Austral and the Ministry of Foreign Affairs and Worship of Argentina; 32 professors of international law attended. The ODI also published the 32nd Course on International Law, the topic being "The Contribution of International Organizations to Current International Law," and the Workshops on International Law held in Ottawa in 2005. It also re-published the pocket-sized edition of the OAS Charter.

The ODI has been preparing the 1st Course on International Humanitarian Law for the permanent missions and the staff of the General Secretariat. Since 1994, the ODI has also operated an on-line store, with a catalogue of 21 publications. The ODI also updated the content, design, administration, and control of its Web page and that of the Inter-American Juridical Committee, and it created a database on diplomatic academies in the Hemisphere. It provided support services to three Model Assemblies, and its attorneys participated in various forums to report on activities carried out in the OAS framework and on major items on the Organization's legal agenda.

In 2006, the ODI participated in three signature processes, 16 deposits of instruments of ratification and accession, and four designations of central authorities. It also received Peru's withdrawal of reservations to the Pact of Bogotá and Nicaragua's recognition of the jurisdiction of the IACHR. It also prepared certificates and provided complete and updated information on those treaties. As for bilateral agreements, it recorded 76 cooperation agreements in various areas and published the complete texts on-line, in PDF format. Up-to-date information regarding inter-American treaties and bilateral cooperation agreements can be accessed on the ODI website.

Juridical Cooperation Office

- Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJAs)

Advisory and technical secretariat services were rendered to the following meetings:

- *Fourth Meeting of the Group of Government Experts on Cybercrime*, held at OAS headquarters on February 27 and 28, 2006 (http://www.oas.org/juridico/spanish/cybGE_IVreun_sp.htm)
 - *Meeting held in Port of Spain, Trinidad and Tobago, in the framework of the Working Group on Mutual Assistance in Criminal Matters and Extradition*, on April 5 and 6, 2006 (private section: www.oas.org/juridico/MLA/sp/index.html).
 - *Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI)*, held on April 24-26, 2006 in Santo Domingo, Dominican Republic. Final report: www.oas.org/juridico/spanish/moj_vi_report_sp.pdf.
- Combating corruption

The Office continued to serve as Technical Secretariat of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC). The Committee of Experts, one of the organs of this mechanism, successfully held its Ninth Regular Meeting at OAS headquarters, from March 27 to April 1, 2006. On that occasion, 5 country reports corresponding to the First Round of Review (Guyana, Grenada, Suriname, Brazil, and Belize) were adopted, along with the Hemispheric Report. The Committee also agreed on the methodology, questionnaire, structure of reports, schedule, sequence to be followed in the review, and membership of the review subgroups for the Second Round.

Pursuant to provision 5 of the Document of Buenos Aires and the Rules of Procedure, the Second Meeting of the Conference of States Parties to the Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) was held at OAS headquarters, in Washington, D.C., on November 20 and 21, 2006.

At the meeting, agreement was reached on the text of the *Inter-American Program for Cooperation in the Fight Against Corruption* (MESICIC/CEP-II/doc.5/06 rev. 2), and, pursuant to operative paragraph 8 of resolution AG/RES. 2219 (XXXVI-O/06), the President of the Conference was instructed to present it, through the Permanent Council, to the OAS General Assembly for formal adoption at its thirty-seventh regular session.

The recommendations made at the Second Meeting of the Conference of States Parties to the Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) can be found at the following Internet address:

http://www.oas.org/juridico/spanish/mesicic_conf_est_parte_II_acta_sp.pdf

It is worth noting, also, that the Committee of Experts held its Tenth Regular Meeting at OAS headquarters, thereby initiating the Second Round of Review. The country reports of the first six

states reviewed (Argentina, Paraguay, Nicaragua, Honduras, Uruguay, and Ecuador) were adopted at that meeting.

As a result of its efforts to attract external funding for its activities, the OCJ completed the pilot project financed by the Canadian Government's Cooperation Agency, aimed at supporting implementation of the MESICIC Committee's recommendations in Argentina, Paraguay, Nicaragua, and Colombia.

The Office continues to work closely with other international institutions, such as the United Nations, the IDB, the Council of Europe, and the OCDE, and with subregional bodies.