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Item XI on the agenda

ANNUAL REPORT OF THE PERMANENT COUNCIL TO THE GENERAL ASSEMBLY

(Draft resolutions considered and approved by the Permanent Council)

This document will be presented to the General Assembly
at its thirty-third regular session.

EXPLANATORY NOTE

At its meeting of September 21, 2002, the Preparatory Committee gave instructions for a style committee to be convened to review the resolutions approved by the Permanent Council before forwarding them for consideration by the General Assembly at its thirty-third regular session.

The meeting was held on Thursday, May 29, 2003 and Friday, May 30, 2003. The resolutions to which stylistic changes were made are classified as *corrigenda* in this volume.

June 2, 2003

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Item 50 on the agenda

DRAFT RESOLUTION

POVERTY, EQUITY, AND SOCIAL INCLUSION

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 113 (VII-O/02) and AG/RES. 1854 (XXXII-O/02), “Poverty, Equity, and Social Inclusion,” and CIDI/RES. 130 (VIII-O/03), “High-Level Meeting on Poverty, Equity, and Social Inclusion”;

CONSIDERING:

That Article 2.g of the Charter of the Organization of American States establishes that one of the essential purposes of the Organization is to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

That the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that no effort should be spared to free the citizens of the Americas from the dehumanizing conditions of extreme poverty;

That the Inter-American Democratic Charter reaffirms that “the fight against poverty, and especially the elimination of extreme poverty, is essential to the promotion and consolidation of democracy and constitutes a common and shared responsibility of the American states”;

That the Inter-American Forum on Poverty, Equity, and Social Inclusion could not be held from November 20 to 22, 2002;

That CEPCIDI, at its LXXXVI Regular Meeting, held on November 14, 2002, accepted Venezuela’s offer to host the meeting during the first three months of 2002; and

That CEPCIDI, at its LXXXIX Regular Meeting, decided that the High-Level Meeting on Poverty, Equity, and Social Inclusion would be held in Venezuela; that the agenda approved for the Inter-American Forum on Poverty, Equity and Social Inclusion, contained in document CEPCIDI/doc.508/02 Rev. 1, would be used for that meeting, with the necessary revisions; and that

the highest authorities in charge of combating poverty in the countries and experts on the subject would be invited to the meeting to examine the main themes of the meeting and suggest lines of action for the inter-American system,

RESOLVES:

1. To reiterate that the fight against poverty is a priority and a constant concern of the member states and that the OAS should support their efforts to reduce poverty levels in the Hemisphere.
2. To renew the mandates contained in resolution AG/RES. 1854 (XXXII-O/02).
3. To note the decision that the High-Level Meeting on Poverty, Equity, and Social Inclusion would be held in Porlamar, Isla Margarita, on October 8-10, 2003.
4. To instruct the General Secretariat to provide, through the Unit for Social Development and Education and in coordination with the Executive Secretariat for Integral Development (SEDI), technical and secretariat support for that meeting and for implementation of this resolution.

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DRAFT RESOLUTION

TRADE AND INTEGRATION IN THE AMERICAS

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council and CEPCIDI on the implementation of resolution AG/RES. 1861 (XXXII-O/02);

RECALLING resolutions AG/RES. 1861 (XXXII-O/02), AG/RES. 1813 (XXXI-O/01), AG/RES. 1720 (XXX-O/00), AG/RES. 1689 (XXIX-O/99), AG/RES. 1581 (XXVIII-O/98), AG/RES. 1516 (XXVII-O/97), AG/RES. 1430 (XXVI-O/96), CIDI/RES. 133 (VIII-O/03), CIDI/RES. 118 (VII-O/02), CIDI/RES. 9 (I-E/01), CIDI/RES. 99 (V-O/00), CIDI/RES. 63 (IV-O/99), and CIDI/RES. 46 (III-O/98), entitled "Trade and Integration in the Americas"; AG/RES. 1534 (XXVIII-O/98), "Support for and Follow-up to the Summits of the Americas Initiatives"; AG/RES. 1438 (XXVI-O/96), "Relationship between the Special Committee on Trade and the Inter-American Council for Integral Development"; AG/RES. 1349 (XXV-O/95), "Inter-American Summits Management"; and AG/RES. 1220 (XXIII-O/93), "Establishment of the Special Committee on Trade (SCT)," in which the member states noted that the Organization of American States (OAS) was an appropriate hemispheric forum for dialogue on trade matters;

BEARING IN MIND:

The Declaration of Santiago, issued at the Second Summit of the Americas, in which the Heads of State and Government of the Hemisphere directed their ministers responsible for international trade to begin negotiations for the Free Trade Area of the Americas (FTAA) and reaffirmed their determination to conclude the negotiation of the FTAA no later than 2005, and in which they also reaffirmed their determination to make concrete progress by the end of the 20th century and expressed their appreciation for the significant contribution of the Tripartite Committee;

The Declaration of Quebec City, issued at the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere directed their ministers responsible for international trade "to ensure that negotiations of the FTAA Agreement are concluded no later than

January 2005 and to seek its entry into force as soon as possible thereafter but, in any case, no later than December 2005”;

The Plan of Action of the Third Summit of the Americas in which the Heads of State and Government of the Hemisphere highlighted the need to “ensure full participation of all our countries in the FTAA, taking into consideration the differences in the levels of development and size of the economies of the Hemisphere, in order to create opportunities for the full participation of the smaller economies and to increase their level of development”;

The Plan of Action of the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere urged the “Tripartite Committee institutions to continue to respond positively to requests for technical support from FTAA entities,” and requested “the institutions, according to their respective internal procedures, to favorably consider requests for technical assistance related to FTAA issues from member countries, in particular from the smaller economies, in order to facilitate their integration into the FTAA process”; and

The Plan of Action of the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere instructed “our representatives in the institutions of the Tripartite Committee to continue securing the allocation of the resources necessary to contribute to the support of the work of the FTAA Administrative Secretariat”;

NOTING:

The Ministerial Declaration of San José, adopted by the Ministers of Trade at their Fourth Ministerial Meeting, in San José, Costa Rica, in March 1998, in which they recommended to their Heads of State and Government that they initiate negotiation of the FTAA in accordance with the objectives, principles, structure, venue, and other decisions set forth in their Declaration, acknowledged and again expressed their appreciation to the Tripartite Committee for the technical and logistical support given during the preparatory phase of the FTAA negotiations, and requested that the respective institutions of the Tripartite Committee continue to provide the appropriate existing resources necessary to respond positively to requests for technical support from FTAA entities, including reallocation for this purpose if necessary;

The Ministerial Declaration of Toronto, adopted by the Ministers of Trade at their Fifth Ministerial Meeting, in Toronto, Canada, in November 1999, in which they “recognize and appreciate the analytical, technical, and financial support that continues to be provided by the institutions comprising the Tripartite Committee.... This support has been essential to the conduct of the negotiations to date, and we ask the institutions of the Tripartite Committee to continue to provide such assistance for FTAA-related matters”;

The Ministerial Declaration of Buenos Aires, adopted by the Ministers of Trade at their Sixth Ministerial Meeting, in Buenos Aires, Argentina, in April 2001, in which they “appreciate the analytical, technical, and financial contributions made by the Tripartite Committee ... to the different FTAA entities. [They] acknowledge that this support has been important to the conduct of the negotiations to date, and [they] encourage these institutions to continue to collaborate in the process of Hemispheric integration”;

The Ministerial Declaration of Quito, adopted by the Ministers of Trade at their Seventh Ministerial Meeting, in Quito, Ecuador, in November 2002, in which they expressed their “appreciation for the support provided by the Tripartite Committee ... to the FTAA negotiations in general and to the different FTAA entities in particular. We recognize their technical, analytical, and financial contribution to the hemispheric integration process. We encourage the Tripartite Committee to continue to support the negotiations and reiterate the need for their continued collaboration in the stage of negotiations that begins as of this day”; and

The Ministerial Declaration of Quito in which the Ministers of Trade “approved the Hemispheric Cooperation Program [HCP] as a priority of all our governments. The Program is intended to strengthen the capacities of those countries seeking assistance to participate in the negotiations, implement their trade commitments, and address the challenges and maximize the benefits of hemispheric integration, including productive capacity and competitiveness in the region. We note that the Program includes a mechanism to assist these countries to develop national and/or sub-regional trade capacity building strategies that define, prioritize, and articulate their needs and programs pursuant to those strategies, and to identify sources of financial and non-financial support. We instruct the TNC [Trade Negotiations Committee], with the support of the CGSE [Consultative Group on Smaller Economies], to supervise the HCP. We commit to complete national and/or sub-regional trade capacity building strategies and the related programs in order to make expeditious progress under the HCP, and to assist in the identification of predictable and multifaceted sources of financial and non-financial support for meeting the objectives of the HCP. While these strategies are being prepared, the HCP will also respond to immediate assistance needs for the purpose of strengthening the participation of countries in the negotiations. We further instruct the TNC, with the support of the Tripartite Committee, to facilitate meetings of the CGSE, inviting appropriate development and financial officials, international financial institutions, international agencies, and interested private entities, to discuss financing and implementation of the HCP and to report to us at our next meeting”;

CONSIDERING:

That economic diversification and integration, trade liberalization, and market access constitute one of the priorities established in the Strategic Plan for Partnership for Development 2002-2005, and that the process of creating the FTAA is a fundamental element in this context;

That to support the FTAA Hemispheric Cooperation Program, CEPCIDI and the Canadian Agency for International Development have allocated resources to the Trade Unit in order to execute activities to enhance the trade-related capacities of the participating countries, particularly the smaller economies;

That in Doha, Qatar, in November 2001, the member countries of the World Trade Organization (WTO) approved the Doha Development Agenda, launching a new round of multilateral trade negotiations scheduled to conclude not later than January 1, 2005, the same deadline set for the completion of the FTAA negotiations;

That in Doha the WTO member countries recognized that trade-related technical cooperation and capacity-building are core elements of the development dimension of the multilateral trading system;

That, in the Doha Ministerial Declaration, the Ministers endorsed the “New Strategy for WTO Technical Cooperation: Technical Cooperation for Capacity Building, Growth and Integration” (WT/COMTD/W/90, September 21, 2001), and that the OAS is explicitly mentioned as a WTO partner in the strategy for Latin America and the Caribbean, as follows: “Assisting the countries in their economic integration processes. This includes preparations and negotiations on a Free Trade Area of the Americas (FTAA), to show to the officials involved in regional integration negotiations the importance and extent of their countries’ multilateral commitments and the necessity to strive for WTO consistency in regional agreements. The principal partner with the WTO in this area would be the OAS”; and

That among the FTAA principles set out in the Ministerial Declaration of San José, the Ministers included that the “FTAA Agreement will be consistent with the rules and disciplines of the WTO” and reiterated the commitment of the participating countries to multilateral rules and disciplines, in particular Article XXIV of the General Agreement on Tariffs and Trade (GATT) 1994 and its Uruguay Round Understanding, and Article V of the General Agreement on Trade in Services (GATS); and

REAFFIRMING the commitment of the Organization of American States to support the process of free trade and economic integration in the Hemisphere, and reiterating the importance of the contribution of the General Secretariat and, in particular, the Trade Unit to this process,

RESOLVES:

1. To take note of the report submitted by the Permanent Council and CEPCIDI on compliance with resolution AG/RES. 1861 (XXXII-O/02), “Trade and Integration in the Americas.”
2. To instruct the General Secretariat to:
 - a. Continue to provide analytical support and technical assistance through the Trade Unit and to conduct related studies as part of the Tripartite Committee or as requested by the respective bodies established in the Ministerial Declarations of San José, Toronto, Buenos Aires, and Quito under the Free Trade Area of the Americas (FTAA) process.
 - b. Support countries in the elaboration of their National and/or Regional Trade Capacity Building Strategies in the context of the FTAA Hemispheric Cooperation Program and of the division of labor within the Tripartite Committee so that they can participate effectively in trade negotiations, implement their trade commitments, and reap the benefits in terms of economic growth and poverty reduction.
 - c. Respond to the trade capacity building needs identified by countries, particularly by the smaller economies, under the FTAA Hemispheric Cooperation Program approved by Trade Ministers in Quito, including those identified in the National and/or Regional Trade Capacity Building Strategies.

- d. Continue to provide technical assistance related to FTAA issues to member states that request it, particularly smaller economies, as requested by the Trade Ministers in the Ministerial Declaration of San José and reiterated at the ministerial meetings in Toronto, Buenos Aires, and Quito, and as requested in the Plan of Action of the Third Summit of the Americas.
- e. Continue to provide technical assistance, in concert with the WTO, to support member states' domestic efforts at mainstreaming trade into national plans for economic development and strategies for poverty reduction, as called for in the "New Strategy for WTO Technical Cooperation: Technical Cooperation for Capacity Building, Growth and Integration," endorsed by the Trade Ministers in Doha.
- f. Submit, by November 15, 2003, the 2004 annual Work Plan of the Trade Unit to CEPCIDI for its consideration and approval.
- g. Continue to provide semiannual written progress reports on the activities of the Trade Unit, including information on its level of budget execution, to the Permanent Council and CEPCIDI for their review.
- h. Continue its work, through the Trade Unit and its Foreign Trade Information System (SICE), in providing trade and trade-related information to the Hemisphere through its Internet Web site; to continue its work in support of the FTAA process by maintaining, as a member of the Tripartite Committee, the official FTAA Web site; to maintain, as a member of the Tripartite Committee, on an ongoing basis a calendar of deadlines established by the negotiating groups for inputs from delegations; and to manage, as a member of the Tripartite Committee, the Document Distribution Service (DDS), a system for secure, confidential, instantaneous, and reliable distribution of the FTAA negotiation process documents.

3. To reiterate support for the collaborative activities on trade and integration of the Trade Unit and the Tripartite Committee, and for those cooperation activities with other specialized regional, subregional, and multilateral organizations and institutions.

4. To entrust the Permanent Council with continuing to provide the appropriate resources necessary to respond positively to requests for technical support from FTAA entities, including the reallocation of funds for this purpose if necessary.

5. To take note of the important achievements of SICE, in particular the measures taken to broaden its trade and trade-related information and its client base, and to support its continued operations.

6. To direct that the mandates set forth in the preceding paragraphs be executed within the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council and CEPCIDI to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

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Item 52 on the agenda

DRAFT RESOLUTION

CONTINUING PARTICIPATION IN THE INTER-AMERICAN COUNCIL FOR
INTEGRAL DEVELOPMENT BY MEMBER STATES THAT HAVE NOT RATIFIED
THE PROTOCOL OF MANAGUA

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," and resolutions AG/RES. 1442 (XXVI-O/96), AG/RES. 1507 (XXVII-O/97), AG/RES. 1575 (XXVIII-O/98), AG/RES. 1726 (XXX-O/00), AG/RES. 1815 (XXXI-O/01), CIDI/RES. 24 (II-O/97), CIDI/RES. 42 (III-O/98), CIDI/RES. 83 (IV-O/99), CIDI/RES. 94 (V-O/00), CIDI/RES. 4 (I-E/01), CIDI/RES. 116 (VII-O/02), and CIDI/RES. 138 (VIII-O/03), on the continuation of such participation;

EMPHASIZING the amendments made to the Charter of the Organization of American States to incorporate the elimination of extreme poverty as a basic objective of integral development (Protocol of Washington) and to establish an Inter-American Council for Integral Development to promote cooperation among the American states for the purpose of achieving their integral development and, in particular, helping to eliminate extreme poverty (Protocol of Managua); and

CONSIDERING that as of the date of this resolution there are still member states that have not ratified the Protocol of Managua,

RESOLVES:

1. To urge the member states that have signed and not ratified the Protocol of Washington, which incorporates the elimination of extreme poverty as a basic objective of development, and the Protocol of Managua, which establishes the Inter-American Council for Integral Development (CIDI), to consider doing so as soon as possible.

2. To extend the period during which its resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," will remain in force until the next regular session of the General Assembly, which will review the situation at that time if there are still member states that have not ratified the Protocol of Managua.

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Item 53 on the agenda

DRAFT RESOLUTION

FOLLOW-UP ON THE INTERNATIONAL CONFERENCE ON FINANCING FOR DEVELOPMENT

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Article 30 of the Charter of the Organization of American States (OAS), which establishes that the member states, “inspired by the principles of inter-American solidarity and cooperation, pledge themselves to a united effort to ensure international social justice in their relations and integral development for their peoples, as conditions essential to peace and security”; and

Article 33 of the Charter of the OAS, which establishes that “development is a primary responsibility of each country and should constitute an integral and continuous process for the establishment of a more just economic and social order that will make possible and contribute to the fulfillment of the individual”;

BEARING IN MIND:

Resolutions CIDI/RES. I (I-E/01) and AG/RES. 1806 (XXXI-O/01), “Strategic Plan for Partnership for Development 2002-2005”;

Resolution AG/RES. 1812 (XXXI-O/01), “Follow-up and Implementation of the Mandates of the Third Summit of the Americas within the Framework of the Inter-American Council for Integral Development and the Inter-American Agency for Cooperation and Development”;

The Monterrey Consensus, adopted by the United Nations International Conference on Financing for Development, held in Monterrey, Mexico, from March 18 to 22, 2002; and

Resolutions AG/RES. 1865 (XXXII-O/02), CIDI/RES. 114 (VII-O/02), and CIDI/RES. 128 (VIII-O/03), “Follow-up on the International Conference on Financing for Development”; and

CONSIDERING:

That the Summits of the Americas process has established political priorities at the hemispheric level which coincide with the agreements reached at the United Nations International Conference on Financing for Development and are intended to create greater prosperity, increase economic opportunities, and, at the same time, promote social justice and the development of human potential;

That in the Monterrey Consensus the Heads of State and Government noted, with concern, estimates of dramatic shortfalls in resources required to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

That the Monterrey Consensus identifies as one of its objectives mobilizing and increasing the effective use of financial resources and achieving the national and international economic conditions needed to fulfill internationally agreed development goals, in particular those contained in the Millennium Declaration, to eliminate poverty, improve social conditions and raise living standards, and protect our environment;

That in the Monterrey Consensus the Heads of State and Government recognized that achieving the internationally agreed development goals, including those contained in the Millennium Declaration, demands a new partnership between developed and developing countries, and they committed themselves to sound policies, good governance at all levels, and the rule of law;

That the inter-American system and particularly the OAS has multilateral cooperation bodies and mechanisms on political, economic, and social issues that are responsible for the promotion of democracy, human rights, fighting corruption and drugs, and civil society participation, among others, and, therefore, position the OAS as a premier forum within the Inter-American system for working with the United Nations in fulfilling, in the Hemisphere, the commitments undertaken in the Monterrey Consensus;

That, according to the mandate issued in resolutions CIDI/RES. 114 (VII-O/02) and AG/RES. 1865 (XXXII-O/02), the General Secretariat presented the provisional version of the document "Strategy for Follow-up to the Monterrey Conference on Financing for Development";

That the Permanent Executive Committee of CIDI decided to establish the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development to promote efforts to fulfill the mandates issued in resolutions CIDI/RES. 114 (VII-O/02) and AG/RES. 1865 (XXXII-O/02); and

That the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development adopted its work plan, contained in document CEPCIDI/GT/FIN/doc.3/03 rev. 3,

RESOLVES:

1. To note with satisfaction the actions and measures taken by CEPCIDI, in the context of the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development, to strengthen partnership within the OAS in light of the results of the International Conference on Financing for Development.

2. To instruct CIDI to continue evaluating the appropriate mechanisms by which the OAS may help member states link up with the instruments and mechanisms for development financing identified by the Monterrey Conference, taking into account the results of the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development.

3. To instruct CIDI to request CEPCIDI to instruct the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development to continue the process of consultations with inter-American institutions, other multilateral entities, permanent observer countries, and other donors, with the objective of identifying specific actions to support the member states of the Organization to benefit from the results of the Monterrey Conference and to strengthen the partnership for development.

4. To instruct CIDI to present its proposals and recommendations on the implementation of this resolution to the General Assembly at its thirty-fourth regular session.

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Item 54 on the agenda

DRAFT RESOLUTION

INTER-AMERICAN MEETING OF MINISTERS AND HIGH AUTHORITIES OF CULTURE
WITHIN THE FRAMEWORK OF CIDI AND CREATION OF THE
INTER-AMERICAN COMMITTEE ON CULTURE

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN Article 77 of the Charter of the Organization and Article 17 of the Statute of the Inter-American Council for Integral Development, resolution CIDI/RES. 127 (VII-O/02), "First Meeting of Ministers and High Authorities of Culture within the Framework of CIDI," resolution AG/RES. 1868 (XXXII-O/02), "First Meeting of Ministers and High Authorities of Culture within the Framework of CIDI," resolution CIDI/RES. 136 (VIII-O/03), "Inter-American Meeting of Ministers and High Authorities of Culture and Creation of the Inter-American Commission on Culture," and document OEA/Ser. K/XXVII REMIC-1/DEC. 1/02, "Declaration and Plan of Action of Cartagena de Indias";

BEARING IN MIND:

That the First Meeting of Ministers and High Authorities of Culture was held on July 12 and 13, 2002, in Cartagena de Indias, Colombia, in accordance with resolution CIDI/RES. 109 (VI-O/01), adopted by CIDI at its sixth regular meeting, and that at the aforementioned first meeting the Declaration and Plan of Action of Cartagena de Indias was approved;

That in that Plan of Action it was agreed to study the feasibility of establishing an Inter-American Observatory on Cultural Policy;

That Ministers and senior government authorities responsible for cultural policy in the Hemisphere, in improving the Plan of Action of Cartagena de Indias, agreed to establish an Inter-American Committee, within the framework of the Inter-American Council for Integral Development (CIDI), to facilitate the exchange of views on issues of cultural policies and cultural diversity;

That the Plan of Action of Cartagena de Indias considers it necessary for that Inter-American Committee on Culture to meet on a regular basis, under the auspices of the Organization of American States and with the support of the General Secretariat, to serve as the preparatory body for the ministerial meetings and to provide follow-up to the decisions of those meetings; and

That the draft Rules of Procedure of the Inter-American Committee on Culture have been carefully examined by the responsible authorities of member states and by CEPCIDI;

CONSIDERING:

That at the Third Summit of the Americas, held in Québec City, the Heads of State and Government recognized that respect for and enhancement of cultural diversity contribute to social and economic dynamism and are positive factors for the promotion of good governance, social cohesion, human development, human rights, and peaceful coexistence in the Hemisphere; and

That the Government of Mexico offered to host the First Meeting of the Inter-American Committee on Culture, on September 11 and 12, 2003, and the Second Meeting of Ministers and High Authorities of Culture in June 2004, in Mexico City;

BEARING IN MIND the Strategic Plan for Partnership for Development 2002-2005, which establishes culture as a priority issue; and

RECOGNIZING that culture is interdisciplinary in nature and touches on virtually all spheres of human endeavor, including a number of different social, economic, and political aspects,

RESOLVES:

1. To take note of the Final Report of the First Meeting of Ministers and High Authorities of Culture, document REMIC-I/doc.7/02, and to thank the Government of Colombia for its efforts in organizing and holding that meeting.

2. To create the Inter-American Committee on Culture (CIC) as a Committee of CIDI, for the purpose of coordinating implementation of the Inter-American ministerial dialogue on culture, to provide follow-up to the mandates from the Summits of the Americas and the decisions taken in the meetings on culture, and to serve as a forum for inter-American cooperation in the area of culture.

3. To accept with pleasure the generous offer made by the Government of Mexico to host the First Meeting of the Inter-American Committee on Culture (CIC) on September 11 and 12, 2003, and the Second Meeting of Ministers and High Authorities of Culture on June 28 and 29, 2004, in Mexico City; and to entrust CEPCIDI with convening those meetings in due course.

4. To request the General Secretariat, through the Unit for Social Development and Education, in its capacity as Technical Secretariat, and the Executive Secretariat of CIDI, to continue providing support for the preparation of meetings in the area of culture at the ministerial and technical levels, with special attention to the preparation of a feasibility study on the establishment of an Inter-American Observatory on Cultural Policy within the framework of the CIC.

5. To instruct the General Secretariat to consider the importance of cultural diversity as a cross-cutting theme in the development of its work.

6. To urge the General Secretariat and particularly the Unit for Social Development and Education to work closely with other entities and organs of the Organization of American States and the inter-American system, with a view to advancing dialogue on practical measures to promote and preserve culture.

7. To recommend to member states that, with the support of the Unit for Social Development and Education and in coordination with the Inter-American Agency for Cooperation and Development (IACD), they encourage the preparation of multilateral projects and programs relating to the mandates from the Summits of the Americas in the field of cultural diversity.

8. To request CIDI to report on implementation of this resolution at the thirty-fourth regular session.

OEA/Ser.P
AG/doc.4162/03
7 May 2003
Original: Spanish

Item 55 on the agenda

DRAFT RESOLUTION

STRENGTHENING OF PARTNERSHIP FOR DEVELOPMENT

(Approved by the Permanent Council at its meeting of May 7, 2003)

THE GENERAL ASSEMBLY,

CONSIDERING:

That resolution AG/RES. 1686 (XXIX-O/99) approved the establishment of the Inter-American Agency for Cooperation and Development (IACD) as a subsidiary body of the Inter-American Council for Integral Development (CIDI) for the purpose of promoting, coordinating, managing, and facilitating the planning and execution of programs, projects, and activities within the framework of the Strategic Plan;

That partnership for development take place at two strategic levels: the political level, intended to strengthen dialogue, agreements, and institutional mechanisms in order to identify priority areas to ensure targeted implementation, and the technical cooperation level, aimed at implementing priorities and political decisions through cooperation activities, programs, and projects, within the framework of the Strategic Plan for Partnership for Development 2001-2005;

That effective attention to the priority areas identified by the Summits of the Americas, the General Assembly, and the Strategic Plan for Partnership for Development requires coordination of the General Secretariat's technical cooperation activities, particularly in the areas of project development and execution and resource mobilization and especially when those activities can be pursued concurrently or on a complementary basis by the areas of the General Secretariat;

That there is an urgent need to give renewed impetus to partnership for development and to invest the inter-American system's cooperation structure with greater coherence, by promoting more active participation by international agencies and the units of the General Secretariat in formulating policies and in designing and executing the priority cooperation programs, projects, and activities of the OAS member states; and

That the Monterrey Consensus identifies, as one of its objectives, mobilizing and increasing the effective use of financial resources and achieving the national and international economic conditions needed to fulfill internationally agreed development goals, in particular those contained in the Millennium Declaration, to eliminate poverty, improve social conditions and raise living standards, and protect our environment; and

BEARING IN MIND:

That Article 19 of the Statutes of the IACD provides that four years after the entry into force of those Statutes, CIDI is to conduct a comprehensive review of the functioning, operations, and financing of the IACD and to present its recommendations thereon; and

That CIDI serves as the main inter-American forum for dialogue on matters of economic and social development, and that it should create mechanisms for strengthening partnership for development and act as a catalyst in mobilizing human, technical, and financial resources and as a coordinator in implementing the mandates arising from the Summit of the Americas process, in its areas of competence,

RESOLVES:

1. To restate the member states' commitment to partnership for development, which entails the full participation of all member states, irrespective of their levels of development, in designing and executing horizontal and multilateral partnership for development activities in support of the steps taken by countries to attain integral development and, in particular, to fight poverty.

2. To instruct the Inter-American Council for Integral Development (CIDI) to conduct a review of its structure and mechanisms in order to:

- Promote closer coordination among the different organs, agencies, and entities of the inter-American system that are involved in cooperation matters;
- Promote greater participation by international agencies in the definition of policies and priorities and in the design and execution of sectoral programs, projects, and activities;
- Ensure that the design and execution of cooperation programs, projects, and activities respond to political decisions;
- Take advantage of the multilateral nature of the OAS, in which countries with different levels of development and experience participate and where political dialogue and technical cooperation come together;
- Take full advantage of the capabilities and experience of the units and areas of the OAS General Secretariat with regard to cooperation, taking into consideration the appropriate recommendations of the Management Study; and

- Define more clearly the composition, representation, nature, and purpose of CIDI's regular and special meetings and its relation to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

3. To instruct CIDI, within the framework of the previous operative paragraph and in accordance with Article 19 of the Statutes of the Inter-American Agency for Cooperation and Development (IACD), to conduct a comprehensive study of the functioning, operations, and financing of the IACD and to submit its conclusions and recommendations to the General Assembly at its next regular session.

4. To instruct CIDI to present its proposals and recommendations on the implementation of this resolution to the General Assembly at its thirty-fourth regular session.

OEA/Ser.P
AG/doc.4163/03
14 May 2003
Original: Spanish

Item 5 on the agenda

DRAFT RESOLUTION

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 1364 (XXVI-O/96), “Free Trade and Investment in the Hemisphere,” in which the Inter-American Juridical Committee was instructed to conduct a study on the matter;

RECOGNIZING the opinion of the Inter-American Juridical Committee (CJI/RES.II-14/96), in which the Committee unanimously concluded that “the bases and potential application of the legislation which is the subject of this Opinion,” in the important areas referred to above, “are not in conformity with international law”;

TAKING INTO ACCOUNT resolutions AG/RES. 1447 (XXVII-O/97), AG/RES. 1532 (XXVIII-O/98), AG/RES. 1614 (XXIX-O/99), AG/RES. 1700 (XXX-O/00), AG/RES. 1826 (XXXI-O/01), and AG/RES. 1884 (XXXII-O/02); and

HAVING SEEN the report of the Permanent Council on free trade and investment in the Hemisphere (CP/doc.3743/03),

RESOLVES:

1. To take note of the report of the Permanent Council on free trade and investment in the Hemisphere, presented pursuant to resolution AG/RES. 1884 (XXXII-O/02).
2. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on developments in this regard.

OEA/Ser.P
AG/doc.4164/03 corr. 1
2 June 2003
Original: Spanish

Item 29 on the agenda

DRAFT RESOLUTION

INCREASING AND STRENGTHENING CIVIL SOCIETY
PARTICIPATION IN OAS ACTIVITIES

(Approved by the Permanent Council at its session held on May 14, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on Inter-American Summits Management and Civil Society Participation in OAS Activities (CP/doc. /03);

TAKING INTO ACCOUNT resolution AG/RES. 1852 (XXXII-O/02), "Increasing and Strengthening Civil Society Participation in OAS Activities";

BEARING IN MIND the Guidelines for the Participation of Civil Society Organizations in OAS Activities (the Guidelines), approved by the Permanent Council in its resolution CP/RES. 759 (1217/99) and endorsed by the General Assembly in its resolution AG/RES. 1707 (XXX-O/00);

TAKING INTO ACCOUNT ALSO that the Plan of Action of the Third Summit of the Americas established that, among other initiatives, the governments would develop strategies at the national level and through the OAS to increase the capacity of civil society to participate more fully in the inter-American system;

RECOGNIZING the importance of the participation of civil society organizations to consolidating democracy in all member states and the significant contribution that they can make to the activities of the OAS and of the organs, agencies, and entities of the inter-American system;

RECOGNIZING ALSO that civil society participation in OAS activities should take place within a framework of close cooperation among the political and institutional organs of the Organization;

NOTING WITH SATISFACTION the recommendations and the dialogue arising from the special meeting of the Committee on March 28, 2003, in which there was broad participation by civil society organizations from the Hemisphere; and

NOTING WITH SATISFACTION resolution CP/RES. 840 (1361/03), which, among other strategies to increase and strengthen civil society participation in the OAS, instructed the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities to recommend to the Permanent Council measures aimed at institutionalizing the informal dialogue that takes place at every General Assembly session among heads of delegation, the OAS Secretary General, and the civil society organizations invited to attend,

RESOLVES:

1. To endorse the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities approved by the Permanent Council on March 26, 2003 [CP/RES. 840 (1361/03)], and to instruct the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the General Secretariat, in coordination with all organs, agencies, and entities of the OAS, to facilitate their implementation.

2. To include on the draft schedule for regular sessions of the OAS General Assembly, before the inaugural session, as a regular activity, the informal dialogue that has been taking place thus far between heads of delegation and civil society representatives.

3. To invite the host country to offer its support, in coordination with the General Secretariat, to registered civil society organizations, which will coordinate the organization of this dialogue of heads of delegation with representatives of civil society organizations and the preparation of its agenda and format, in accordance with the provisions established in resolution CP/RES. 840 (1361/03).

4. To urge member states to:

- a. Participate in the dialogue of heads of delegation with representatives of civil society organizations; and
- b. Continue their efforts to open broader windows of participation in OAS activities to civil society organizations.

5. To instruct the General Secretariat to continue to support member states that so request in their efforts to increase the institutional capacity of their governments to receive, absorb, and act on civil society input and advocacy, if possible through the use of information and communication technologies.

6. To recommend to the Permanent Council the creation of a specific fund for voluntary contributions, "Fund for Civil Society Participation," to support the participation of civil society organizations in OAS activities, including the dialogue of heads of delegation with representatives of civil society organizations, and to urge member states, observer states, and other donors to contribute to it.

7. To instruct the General Secretariat to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

8. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4165/03
14 May 2003
Original: Spanish

Item 28 on the agenda

DRAFT RESOLUTION

SUPPORT FOR AND FOLLOW-UP TO THE SUMMITS OF THE AMERICAS PROCESS

(Approved by the Permanent Council at its session held on May 14, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on Inter-American Summits Management and Civil Society Participation in OAS Activities in 2002-2003 (CP/doc.../03), presented pursuant to resolution AG/RES. 1847 (XXXII-O/02);

RECALLING that, in resolution AG/RES. 1349 (XXV-O/95), the General Assembly established a Special Committee of the Permanent Council on Inter-American Summits Management, open to all member states, to ensure effective, timely, and appropriate follow-up to the activities assigned to the Organization by the Summit of the Americas and to coordinate OAS preparation, participation, and follow-up with regard to future Summits and that, in subsequent resolutions, it instructed the Special Committee to present to the General Assembly at its regular sessions, through the Permanent Council, a written report on its activities;

RECALLING ALSO that, at its meeting of July 31, 2002, the Permanent Council decided to merge the Special Committee on Inter-American Summits Management and the Committee on Civil Society Participation in OAS Activities, which then became the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities;

TAKING NOTE of the commitments set forth in the Plan of Action of Quebec City in the section "Follow Up to the Plan of Action" and the establishment, in Executive Order 02-3, of the Secretariat for the Summit Process;

RECALLING that the Declaration of Quebec City recognizes the importance of the contribution made by civil society to the Summit process and the significant results of the ministerial meetings held in support of the mandates of the Summits of the Americas;

RECOGNIZING that the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities has served as a framework for civil society participation in the Summit of the Americas process;

RECOGNIZING ALSO the importance of coordinated, timely, and effective follow-up of the Plan of Action of the Third Summit of the Americas and the previous plans of action, and of timely, effective support for the preparations for the Fourth Summit of the Americas, and the important role of the OAS in this matter; and

TAKING INTO ACCOUNT the decision of the member states to hold a Special Summit of the Americas in the second half of 2003,

RESOLVES:

1. To renew the mandate issued to the Permanent Council to coordinate the activities assigned to the Organization of American States in connection with the Summits of the Americas.
2. To instruct the organs, agencies, and entities of the Organization to continue to give high priority to carrying out the initiatives assigned to them by the General Assembly, in accordance with the mandates of the Summits of the Americas, and to report regularly on these activities to the Permanent Council through the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities.
3. To request the General Secretariat to continue to serve, through the Secretariat for the Summit Process, as the technical secretariat and institutional memory of the Summit process, in keeping with the Plan of Action of the Third Summit of the Americas, and to offer to help member states implement the mandates assigned in the Plan of Action and to support the preparation and coordination of future summits.
4. To instruct the Permanent Council to continue to facilitate civil society participation in the Summits of the Americas process.
5. To recommend to the Joint Summit Working Group chaired by the OAS Secretariat for the Summit Process that:
 - a. In its capacity as coordination mechanism, it continue to promote the mandates of the Summits in all agencies and to foster collaboration among them;
 - b. It hold at least one meeting of agency heads each year, to review progress made and plan joint activities, as a complement to the regular interagency meetings.
6. To request the General Secretariat to continue providing the necessary support for ministerial and sectoral meetings related to the implementation of Summit mandates on topics of interest to the OAS.

7. To request the General Secretariat to strengthen the Secretariat for the Summit Process, providing it with the human and financial resources it needs in order to follow-up on Summits and to support preparations for the Special Summit to be held in the second half of 2003.

8. To instruct the General Secretariat to carry out the actions mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Secretary General to seek additional voluntary funds for execution of the activities mentioned in this resolution.

9. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution..

OEA/Ser.P
AG/doc.4167/03 corr.1
2 June 2003
Original: Spanish

Item 7.b on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE
ANNUAL REPORT OF THE INTER-AMERICAN JURIDICAL COMMITTEE

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Juridical Committee (CP/doc..../03);

BEARING IN MIND the mandates contained in resolution AG/RES. 1844 (XXXII-O/02), "Annual Report of the Inter-American Juridical Committee";

CONSIDERING:

That Article 54.f of the Charter of the Organization of American States establishes as one of the powers of the General Assembly to consider the observations and recommendations presented by the Permanent Council, in keeping with Article 91.f of the Charter, on the reports of the organs and entities of the Organization;

That Article 53 of the OAS Charter establishes the Inter-American Juridical Committee as one of the organs of the Organization; and

That the Chair of the Inter-American Juridical Committee, Dr. Brynmor T. Pollard, presented its annual report to the Permanent Council, and has forwarded to the General Assembly its observations and recommendations thereon,

RESOLVES:

1. To endorse the observations and recommendations of the Permanent Council of the Organization on the annual report of the Inter-American Juridical Committee and to forward them to that organ.

2. To request the Inter-American Juridical Committee to continue to assist with the preparatory work for Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), to continue to support consultations with governmental and nongovernmental experts and, in particular, to pursue its study of the topic of applicable law and competency of international jurisdiction with respect to extracontractual civil liability, assigned by the Permanent Council in resolution CP/RES. 815 (1318/02).

3. To renew its request to the Inter-American Juridical Committee to further its studies on the subject of competition law in the context of the promotion of trade and integration in the Americas with a view to including the results of those studies in its next annual report, bearing in mind the efforts already under way in the Organization and in other international fora.

4. To encourage the Inter-American Juridical Committee to continue to promote regular joint meetings with the legal advisers at the ministries of foreign affairs of OAS member states; and to note with satisfaction the decision to hold the fifth such joint meeting during the Juridical Committee's regular meeting in August 2003.

5. To request the Inter-American Juridical Committee, in accordance with its mandates, to add to its work agenda the pertinent recommendations of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA) in order to closely monitor progress in their implementation.

6. To underscore once again the importance of holding the Course on International Law, organized each year by the Inter-American Juridical Committee and the OAS General Secretariat, and to highlight the importance of maintaining a simultaneous interpretation system throughout the Course and of increasing the number and amount of OAS fellowship awards, urging the member states also to consider the possibility of paying directly for the participation of students and professors from their own countries.

7. To recognize the Inter-American Juridical Committee and the General Secretariat for their work in publishing the lectures given during the Course on International Law, held each year in Rio de Janeiro, and in publishing the thematic series that bring them together, and to recommend that consideration be given to the possibility of issuing those publications in the official languages of the Organization.

8. To reaffirm the need to maintain close contact between the Inter-American Juridical Committee and the political organs of the Organization, in particular, the Permanent Council, and to recommend that the Committee continue to focus its efforts on the issues indicated to it as being of priority concern to the Organization.

9. To request the Inter-American Juridical Committee to continue the preparations for the celebrations to mark its 100th anniversary, to be held in 2006.

OEA/Ser.P
AG/doc.4168/03
20 May 2003
Original: Spanish

Item 7.c on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Commission on Human Rights (CP/doc. /03);

CONSIDERING:

That, in the Charter of the Organization of American States, the member states have proclaimed, as one of its principles, respect for the fundamental rights of the individual without distinction as to race, nationality, creed, or sex; and that, under the OAS Charter and the American Convention on Human Rights, the principal function of the Inter-American Commission on Human Rights is to promote the observance and protection of human rights; and

That, in the Declaration of Quebec City, the Heads of State and of Government indicated that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions” and that they supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights”; and

RECOGNIZING the efforts made by member states to promote an increase in the budgets of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, as is evidenced in the adoption of OAS Permanent Council resolutions CP/RES. 831 (1342/02) of November 6, 2002, and CP/RES. 835 (1352/03) of January 29, 2003,

RESOLVES:

1. To endorse the observations and recommendations of the Permanent Council on the annual report of the Inter-American Commission on Human Rights (CP/CAJP-2061/03) and to forward them to that organ.

2. To reaffirm the essential value of the work carried out with full autonomy by the Inter-American Commission on Human Rights to enhance the protection and promotion of human rights in the Hemisphere.

3. To urge the OAS member states:

- a. To consider signing and ratifying, or acceding to, as the case may be, all legal instruments of the inter-American human rights system;
- b. To follow up on the recommendations of the Inter-American Commission on Human Rights;
- c. To continue to take appropriate action in connection with the annual reports of the Inter-American Commission on Human Rights, in the context of the Permanent Council and the General Assembly of the Organization.

4. To note with satisfaction the decisions taken by governments of member states to invite the Inter-American Commission on Human Rights to visit their respective countries and to encourage all member states to continue this practice.

5. To instruct the Permanent Council to continue to examine ways to bring about an effective and adequate increase in the financial resources allocated to the Inter-American Commission on Human Rights in the program-budget of the Organization.

6. In addition, to urge the OAS member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights.

7. To invite the Inter-American Commission on Human Rights:

- a. To continue to publish on its Internet page, when member states so request, their observations and recommendations on its annual report to the General Assembly;
- b. To continue to strengthen existing rapporteurships and operational units;
- c. To continue to dialogue with member states within the framework of the Committee on Juridical and Political Affairs, in light of the application of its new Rules of Procedure, in particular in order to shed light on the criteria used in its principal mechanisms for the protection of human rights, such as precautionary measures, on-site visits, publication of reports, friendly settlement, and periods for review and initial processing of petitions.

8. To recommend to the Inter-American Commission on Human Rights that it continue to take into account the observations and recommendations of the member states on its annual report and that it adopt such measures as it considers pertinent based on those observations and recommendations.

9. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution, which will be carried out within the resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4169/03 corr. 1
2 June 2003
Original: Spanish

Item 7.d on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS^{1/}

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Court of Human Rights (CP/doc.____/03);

CONSIDERING:

That, in the Declaration of Quebec City, the Heads of State and Government said that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions” and that they supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights”;

That Article 54.f of the Charter of the Organization of American States establishes that it is a function of the General Assembly to consider the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter;

That Article 65 of the American Convention on Human Rights establishes that “[t]o each regular session of the General Assembly of the Organization of American States the Court shall submit, for the Assembly’s consideration, a report on its work during the previous year. It shall specify, in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations”;

1. Trinidad and Tobago requested that its reservation with respect to operative paragraph 7 be placed on record.

TAKING INTO ACCOUNT the presentation by the President of the Inter-American Court of Human Rights (CP/doc.3654/02), in which the Court's needs and goals are described, as well as its proposed budget for 2004 (CP/doc.3689/03); and

RECOGNIZING the efforts made by the member states regarding increased budgets for the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, as is evident from OAS Permanent Council resolutions CP/RES. 831 (1342/02), of November 6, 2002, and CP/RES. 835 (1352/03), of January 29, 2003,

RESOLVES:

1. To endorse the observations and recommendations of the Permanent Council on the annual report of the Inter-American Court of Human Rights and to transmit them to that organ.
2. To reaffirm the essential value of the work of the Inter-American Court of Human Rights in enhancing the promotion and defense of human rights in the Hemisphere.
3. To reiterate that the judgments of the Inter-American Court of Human Rights are final and may not be appealed and that the states parties to the Convention commit to abiding by the decisions of the Court in all cases to which they are party.
4. To instruct the Permanent Council to continue its consideration of the issue of "access of victims to the Inter-American Court of Human Rights (*ius standi*) and its application in practice," including its financial and budgetary implications, taking into account the report of the Inter-American Court of Human Rights entitled "Bases for a Draft Protocol to the American Convention on Human Rights to Strengthen its Mechanism for Protection – Volume II"; the proposal presented by the Government of Costa Rica, "Draft Optional Protocol to the American Convention on Human Rights"; and the revised Rules of Procedure of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights.
5. To instruct the Permanent Council to continue to examine ways to bring about an effective and adequate increase in the financial resources allocated to the Court in the program-budget of the Organization.
6. In addition, to encourage the OAS member states, nonetheless, to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights.
7. To urge the OAS member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights and other instruments of the system, including acceptance of the binding jurisdiction of the Inter-American Court of Human Rights.

OEA/Ser.P
AG/doc.4170/03 corr. 1
2 June 2003
Original: Spanish
Item 16 on the agenda

DRAFT RESOLUTION

AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1022 (XIX-O/89), AG/RES. 1479 (XXVII-O/97), AG/RES. 1549 (XXIX-O/99), AG/RES. 1708 (XXX-O/00), AG/RES. 1780 (XXXI-O/01), and AG/RES. 1851 (XXXII-O/02);

BEARING IN MIND the commitments undertaken by the Heads of State and Government in the Declaration and Plan of Action of the Third Summit of the Americas of Quebec City, when they supported an early and successful conclusion of negotiations on the Draft American Declaration on the Rights of Indigenous Peoples (hereinafter the Draft Declaration);

ACKNOWLEDGING the important contributions of the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples and the efficient work of the selection board in choosing representatives of indigenous peoples to receive financing from the Specific Fund; and

TAKING INTO ACCOUNT the report of the Chair of the Working Group on the Group's activities over the past year, which points out the substantial progress made, with ample participation by representatives of indigenous peoples, in the analysis of the Draft Declaration during the meetings of the Working Group to Prepare the Draft Declaration (hereinafter the Working Group), and, in particular, at the most recent special meeting, held from February 24 to 27, 2003, at the headquarters of the Organization of American States (hereinafter OAS), pursuant to resolution AG/RES. 1851 (XXXII-O/02),

RESOLVES:

1. To reaffirm as a priority of the Organization of American States the adoption of the American Declaration on the Rights of Indigenous Peoples, underscoring the importance of participation by indigenous peoples in the process of elaboration of the Draft Declaration.

2. To commend the progress made by the Working Group, particularly at the special meeting of February 2003, at which the phase of analysis of the Draft Declaration presented by the Inter-American Commission on Human Rights (IACHR) was completed.

3. To renew the mandate of the Working Group in order to begin the final phase of negotiations on the Draft Declaration, starting from the consolidated text of the Draft Declaration prepared by the Chair of the Working Group and considering the Draft Declaration presented by the Inter-American Commission on Human Rights and the proposals by member states, representatives of indigenous peoples, specialized agencies, and other entities.

4. To request the Permanent Council:

- a. To instruct the Working Group to begin, with a first round in October 2003, the final phase of negotiations and to set dates and modalities for the other meetings, as necessary, to achieve this objective.
- b. To instruct the Working Group to take appropriate measures to ensure continued transparency and effective participation by representatives of indigenous peoples during the negotiations that will take place exclusively among the member states.
- c. To convene at least one special meeting of the Working Group, by February 28, 2004, with ample participation by representatives of indigenous peoples, in order to review progress and assess the level of consensus on the Draft Declaration.
- d. To decide, when appropriate, on the steps to be taken for adoption of the American Declaration, in the event that substantive progress is made in the negotiations phase.

5. To thank the member states, observer states, and institutions for their valuable contributions to the Specific Fund and to invite all states and institutions to continue providing support, by way of contributions, for the objectives of the Fund.

6. To invite the governments of the member states to conduct domestic consultations with their respective indigenous peoples on the Draft Declaration, and to promote information exchanges among countries regarding those consultations.

7. To request the Secretary General to enhance coordination, awareness, and promotion of activities on indigenous issues among the various pertinent bodies and dependencies of the Organization and to promote the exchange of information and coordination with multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere on these activities.

8. To request the Inter-American Commission on Human Rights and its Special Rapporteur on Indigenous Peoples to continue to lend their valuable support for the process of the elaboration of the American Declaration on the Rights of Indigenous Peoples; and to thank them for

their ongoing contributions to that process. Likewise, to express appreciation to the Special Advisor to the Secretary General on indigenous peoples for his work.

9. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere to contribute, within their areas of competence, to establishing a process of dialogue and consultation with indigenous peoples and to facilitate information exchange and coordination with other bodies of the inter-American system on activities pertaining to indigenous peoples.

10. To request the Permanent Council to follow up on this resolution, which shall be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report to the General Assembly at its thirty-fourth regular session on its implementation.

OEA/Ser.P
AG/doc.4171/03 corr. 1
2 June 2003
Original: Spanish

Item 12 on the agenda

DRAFT RESOLUTION

HUMAN RIGHTS DEFENDERS: SUPPORT FOR THE INDIVIDUALS, GROUPS, AND
ORGANIZATIONS OF CIVIL SOCIETY WORKING TO PROMOTE AND
PROTECT HUMAN RIGHTS IN THE AMERICAS

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on this topic (CP/doc. /03 add.) and resolution AG/RES. 1842 (XXXII-O/02), "Human Rights Defenders in the Americas";

CONCERNED that situations persist in the Americas that directly or indirectly prevent or hamper the work of individuals, groups, or organizations working to promote and protect fundamental rights;

CONSIDERING that member states support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, as well as to the representation and defense of individuals, minorities, and other groups of persons whose rights are threatened or violated; and

TAKING INTO ACCOUNT the work accomplished by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights and the member states' replies to the questionnaire drawn up by that Unit with a view to preparing a comprehensive report on the subject,

RESOLVES:

1. To reiterate its support for the work carried out, at both the national and the regional level, by human rights defenders; and to recognize their valuable contribution to the protection, promotion, and observance of human rights and fundamental freedoms in the Hemisphere.

2. To condemn actions that directly or indirectly prevent or hamper the work of human rights defenders in the Americas.

3. To urge member states to continue stepping up their efforts to adopt the necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders and, in all cases of transgressions against human rights defenders, to conduct thorough and impartial investigations, and to ensure that the findings thereof are transparent and disseminated.

4. To invite the Inter-American Commission on Human Rights to conclude its comprehensive report on the situation of human rights defenders in the Americas, pursuant to resolution AG/RES. 1842 (XXXII-O/02), for presentation to the Permanent Council for its consideration, if possible, in 2003.

5. To request the Inter-American Commission on Human Rights to continue to give due consideration to this matter at the level it deems appropriate, to continue intensifying its dialogue and cooperation with the Special Representative of the United Nations Secretary-General on Human Rights Defenders, and to report to the Permanent Council in due course.

6. To invite member states to promote the dissemination and enforcement of the instruments of the inter-American system and the decisions of its bodies on this matter, as well as the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

7. To urge those member states that have not yet done so to reply to the questionnaire prepared by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights.

OEA/Ser.P
AG/doc.4172/03 corr. 1
2 June 2003
Original: Spanish

Item 13 on the agenda

DRAFT RESOLUTION

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the implementation of resolution AG/RES. 1845 (XXXII-O/02), "Inter-American Program for the Development of International Law" (CP/doc. /03 add.);

TAKING NOTE of the "Report on the Inter-American Program on International Law: Activities conducted by the Secretariat for Legal Affairs (June 2002-February 2003)," (CP/CAJP-2028/03); and

CONSIDERING that the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law (Panama, 1996) and the Inter-American Program for the Development of International Law [AG/RES. 1471 (XXVII-O/97)],

RESOLVES:

1. To reaffirm the importance of the Inter-American Program for the Development of International Law in the framework of the inter-American system and to instruct the General Secretariat to continue, through the Secretariat for Legal Affairs, to implement the said Program.

2. To acknowledge the work of the Secretariat for Legal Affairs in editing and publishing summaries of the events it organizes and in updating the legal information posted on its Web page; and to urge it to continue to expand the services provided to the member states by these means, including dissemination of the list of books published and events held during the past year.

3. To recognize that the Course on International Law organized each year by the Inter-American Juridical Committee and the General Secretariat in Rio de Janeiro, was strengthened in

2003, through the provision of interpretation services, and to urge that budgetary measures necessary for that purpose be maintained, in particular, with respect to simultaneous interpretation services and an increase in the number of fellowships, to enable increased participation from all subregions of the Hemisphere.

4. To invite the member states to promote the establishment of professorships of international law devoted, in particular, to increasing knowledge of the inter-American system for which they will receive, to the extent possible, collaboration from the General Secretariat in developing manuals and other teaching materials in the four official languages of the Organization.

5. To request the General Secretariat to continue conducting the Workshops on International Law; the Course on International Law in Rio de Janeiro, which it organizes jointly with the Inter-American Juridical Committee; and the subregional courses on developments in specific subject areas in the framework of the OAS, and to continue entering into agreements with academic institutions for the teaching and dissemination of inter-American law.

6. To request the Permanent Council and the General Secretariat to examine procedures for enhancing the dissemination and distribution of the Organization's legal information contained in its publications and available via the OAS web page, and for making it available in all official languages.

7. To request the Permanent Council to follow up on the implementation of this resolution, which shall be effected within the resources allocated in the program-budget of the Organization and other resources; and to request the Council to present a report thereon to the General Assembly at its thirty-fourth regular session.

OEA/Ser.P
AG/doc.4173/03 corr. 1
2 June 2003
Original: Spanish

Item 14 on the agenda

DRAFT RESOLUTION

FOLLOW-UP ACTIVITIES ON THE MODEL INTER-AMERICAN LAW ON SECURED
TRANSACTIONS AND THE UNIFORM THROUGH BILLS OF LADING FOR THE
INTERNATIONAL CARRIAGE OF GOODS BY ROAD

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Permanent Council on the Inter-American Specialized Conference on Private International Law (CP/doc. /03);

CONSIDERING:

That CIDIP-VI, which took place in Washington, D.C., from February 4 to 8, 2002, adopted the Model Inter-American Law on Secured Transactions (CIDIP-VI/RES. 5/02) and the Negotiable and Non-Negotiable Inter-American Uniform Through Bills of Lading for the International Carriage of Goods by Road (CIDIP-VI/RES. 8/02), and decided to continue work on the topic of Applicable Law and Competency of International Jurisdiction with Respect to Extra-Contractual Civil Liability (CIDIP-VI/RES. 7/02);

That CIDIP-VI, in these same resolutions, and the General Assembly, in resolution AG/RES. 1846 (XXXII-O/02), encouraged member states to take advantage of the achievements of CIDIP-VI by adopting laws and practices consistent with the documents it had adopted;

That the General Assembly, in this same resolution, reiterated the calls by CIDIP-VI for broader consultation with member states and requested that the Permanent Council, with the assistance of the General Secretariat, organize consultations of governmental and nongovernmental experts to discuss the resolutions adopted at CIDIP-VI and to institutionalize mechanisms for such consultations, and that it report the results of these efforts to the General Assembly;

That the General Assembly, in the same resolution, the Permanent Council, in resolution CP/RES. 815 (1318/02), and the member states, in resolution CIDIP-VI-RES. 7/02, instructed the Inter-American Juridical Committee to prepare a report on the topic of Applicable Law and

Competency of International Jurisdiction with Respect to Extra-Contractual Civil Liability and to support the consultations of governmental and nongovernmental experts on that topic; and

That the General Secretariat of the OAS and the Secretariat of the International Institute for the Unification of Private Law (UNIDROIT) established collaborative relations, with particular emphasis on cooperation in matters of private international law (OEA/Ser.D/V.25/72); that there is a need to coordinate efforts in the promotion and implementation of OAS and UNIDROIT instruments to foster greater success and avoid duplication of efforts; and that UNIDROIT, having recently approved the Cape Town Convention on International Interests in Mobile Equipment and its protocols, has expressed interest in working with the General Secretariat in a joint implementation effort concerning the Model Inter-American Law on Secured Transactions,

RESOLVES:

1. To instruct the General Secretariat to facilitate consultations with groups of experts and develop mechanisms and strategies for follow-up on the promotion, adoption, and implementation of documents approved at CIDIP-VI and for fostering broader consultation among member states.

2. To instruct the General Secretariat to provide assistance to member states that have requested it and are engaged in enacting legislation consistent with the Model Inter-American Law on Secured Transactions and/or encouraging the use of the Non-Negotiable and Negotiable Uniform Through Bills of Lading for the International Carriage of Goods By Road.

3. To instruct the Permanent Council, with the assistance of the General Secretariat, to coordinate and cooperate with UNIDROIT on the joint promotion and implementation of the Cape Town Convention on International Interests in Mobile Equipment and its protocols, on one hand, and the OAS Model Inter-American Law on Secured Transactions, on the other, and to explore joint efforts with other international organizations engaged in drafting related instruments, including the Hague Conference on Private International Law, the United Nations Commission on International Trade Law, the Inter-American Development Bank, and the International Civil Aviation Organization, among others.

4. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution, in accordance with resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4174/03
20 May 2003
Original: Spanish

Item 14 on the agenda

DRAFT RESOLUTION

PREPARATIONS FOR THE SEVENTH INTER-AMERICAN SPECIALIZED CONFERENCE
ON PRIVATE INTERNATIONAL LAW

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Permanent Council on the Inter-American Specialized Conference on Private International Law (CP/doc. /03);

CONSIDERING:

That the member states of the Organization of American States have confirmed their support for the CIDIP process, taking into account that past Inter-American Specialized Conferences on Private International Law have adopted international instruments that have materially advanced the study of subjects of great utility in the relations and economic development of the region; and

That the member states, in resolution CIDIP-VI/RES. 1/02, requested the General Assembly to convene the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), proposed a list of possible agenda items, and requested the General Secretariat to organize the consultation of governmental and nongovernmental experts to discuss those and other topics for consideration at CIDIP-VII,

RESOLVES:

1. To convene the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII) and instruct the Permanent Council, with the assistance of the General Secretariat, to conduct preliminary consultations concerning the dates and possible venue for CIDIP-VII, and to establish mechanisms to facilitate member state consultations on the proposed agenda and draft rules of procedure for CIDIP-VII. This cooperation shall be conducted in keeping with the Permanent Council resolution "Update of Costs of Conference and Meetings Funded by the OAS," CP/RES. 807 (1307/02).

2. To request the General Secretariat to include, in due course, such items as may be required in the proposed program-budget of the Organization, within available resources, to begin the necessary preparatory work for CIDIP-VII, including consultations with experts.

3. To request the General Secretariat to undertake all necessary activities related to the preparatory phase of CIDIP-VII, including supporting the consultation of governmental and nongovernmental experts, organizing and planning meetings of experts, drafting reports, feasibility studies, and recommendations based on the comments of those experts, helping to finalize the agenda; and providing technical assistance and administrative services when CIDIP-VII is held.

4. To request the General Secretariat to explore means of collaboration with international organizations, including the Hague Conference on Private International Law, the United Nations Commission on International Trade Law (UNCITRAL), the International Institute for the Unification of Private Law (UNIDROIT), and the Inter-American Development Bank, among others, involved in the process of drafting and promoting international instruments compatible with those developed in the CIDIP process.

5. To request the Inter-American Juridical Committee to continue providing comments and observations concerning the draft agenda for CIDIP-VII.

6. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4175/03
20 May 2003
Original: Spanish

Item 15 on the agenda

DRAFT RESOLUTION

MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS
OR ATTORNEYS GENERAL OF THE AMERICAS

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the implementation of resolution AG/RES. 1849 (XXXII-O/02), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas" (REMJA) (CP/doc. /03);

RECALLING that, in the Plan of Action of the Third Summit of the Americas, the Heads of State and Government decided to continue to support the work done in the context of the REMJAs and the implementation of their conclusions and recommendations;

RECALLING ALSO that REMJA-IV, convened within the OAS framework, recommended that a meeting of central authorities and other experts on mutual legal assistance in criminal matters be held to initiate a process aimed at the adoption of a hemispheric plan of action and to develop an information exchange network in this area; that a meeting be convened of officials responsible for the penitentiary and prison policies of the OAS member states, for the purpose of, *inter alia*, promoting the exchange of information and experiences among them; and that the Group of Governmental Experts on Cyber-Crime be reconvened to follow up on implementation of the recommendations made by that Group and adopted by REMJA-III; and

CONSIDERING the necessity and the importance of convening the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V) for the purpose of, *inter alia*, considering the results of the technical meetings held in keeping with the recommendations of REMJA-IV and of continuing the process of strengthening cooperation among said authorities within their sphere of competence,

RESOLVES:

1. To request the Permanent Council to follow up as appropriate on the recommendations of the Meeting of Central Authorities and Other Experts on Mutual Legal Assistance in Criminal Matters, held in Ottawa, Canada, April 30-May 2, 2003 and the recommendations of the initial meetings of the Group of Governmental Experts on Cyber-Crime and the Authorities Responsible for Penitentiary and Prison Policies, to be held on June 23 and 24 and October 16 and 17, 2003, respectively, pursuant to Permanent Council resolution CP/RES. 839 (1359/03).

2. To convene the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), to be held during the first half of 2004, within the resources allocated in the program-budget of the Organization and other resources, and to instruct the Permanent Council, with the technical support of the General Secretariat, to carry out the preparatory work for that Meeting and set the date for it.

3. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4176/03 corr.1
2 June 2003
Original: Spanish

Item 19 on the agenda

DRAFT RESOLUTION

STRENGTHENING OF HUMAN RIGHTS SYSTEMS PURSUANT TO THE
PLAN OF ACTION OF THE THIRD SUMMIT OF THE AMERICAS

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on this topic (CP/doc. /03) and resolutions AG/RES. 1828 (XXXI-O/01) and AG/RES. 1890 (XXXII-O/02);

REAFFIRMING that the universal protection and promotion of human rights, including civil, cultural, economic, political, and social rights, as well as respect for the rules and principles of international humanitarian law, based on the principles of universality, indivisibility, and interdependence, are fundamental to the functioning of democratic society; and stressing the importance of respect for the rule of law, effective and equal access to justice, and participation by all elements of society in public decision-making processes;

BEARING IN MIND the Declaration and Plan of Action of the Third Summit of the Americas, adopted in Quebec City, Canada; and

CONSIDERING:

That it is a fundamental responsibility of the Organization of American States to provide appropriate follow-up to the mandates of the Third Summit of the Americas regarding the strengthening of the inter-American human rights system; and

That, in addition, the Organization of American States can serve as a forum for contribution to the efforts of member states, to the development and strengthening of national systems for the promotion and protection of human rights,

RESOLVES:

1. To reaffirm the commitment of member states of the Organization to continue strengthening and improving the inter-American human rights system, in particular the functioning of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (IACHR).

2. To reaffirm the intent of the Organization of American States to continue taking concrete measures aimed at implementing the mandates of the Heads of State and Government on the strengthening and improvement of the inter-American human rights system, as set forth in the Plan of Action of the Third Summit of the Americas:

- a. Universalization of the inter-American human rights system;
- b. Compliance with judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights;
- c. Facilitation of access for individuals to the inter-American human rights system;
- d. A substantial increase in the budget of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights so that, within a reasonable time, the organs of the system may address their growing activities and responsibilities; and
- e. Examination of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account, among other things, the views of those organs.

3. To underscore recent progress made in the specific areas of the inter-American human rights system identified in the Plan of Action of the Third Summit of the Americas, namely:

- a.
 - i. Signature by Chile of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights, or "Protocol of San Salvador";
 - ii. Ratification by Peru of the Inter-American Convention on Forced Disappearance of Persons, and its signature and ratification by Mexico;
 - iii. Signature by Chile of the Protocol to the American Convention on Human Rights to Abolish the Death Penalty;

- iv. Ratification by Suriname of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, or “Convention of Belém do Pará”; and
 - v. Ratification by Brazil, Chile, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, and Uruguay of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities.
- b. The increase in Regular Fund resources allocated to the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights and the voluntary contributions by Argentina, Brazil, Costa Rica, Mexico, and the United States, as well as by Spain and Finland, to facilitate the work of those two bodies;
 - c. Application of the new Rules of Procedure of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights; and
 - d. The ongoing support from member states of the Organization for the organs of the human rights system and the important work of those organs to protect and promote human rights in the Hemisphere.
4. To instruct the Permanent Council to complement and consolidate the progress referred to in the foregoing paragraph by:
- a. Continuing to examine ways to bring about an effective and adequate increase in the financial resources allocated to the organs of the inter-American human rights system in the program-budget of the Organization;
 - b. In addition, encouraging the member states of the Organization to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights;
 - c. Continuing to examine the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account the information provided by the presidents of those bodies on April 19, 2002 (CP/CAJP-1933/02 and CP/CAJP-1931/02);
 - d. Holding a meeting of the Committee on Juridical and Political Affairs to consider means of promoting compliance by member states with the judgments of the Court and follow-up on the recommendations of the Commission by member states; and
 - e. Studying, with the support of the General Secretariat, and taking into account the views of both the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, the relationship between the rules

of procedure of those organs and the provisions of their statutes and of the American Convention on Human Rights.

5. To instruct the Secretary General to include among his high-level activities the promotion of accession to all inter-American human rights instruments.

6. To promote the strengthening of national systems for the promotion and protection of human rights in member states and, to that end, to request the pertinent organs, agencies, and entities of the Organization to develop cooperative relations and information exchange with the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas.

7. To request the areas, units, and offices of the General Secretariat involved with human rights issues to work with the Permanent Council in implementing this resolution.

8. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4177/03 corr. 1
2 June 2003
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Item 22 on the agenda

DRAFT RESOLUTION

HUMAN RIGHTS AND THE ENVIRONMENT IN THE AMERICAS

(Approved by the Committee at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council (CP/doc. /03 add.);

TAKING NOTE of the report of the Secretary General (CP/CAJP-2042/03) and the presentations before the Committee on Juridical and Political Affairs of the Permanent Council by the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR) and the Unit for Sustainable Development and Environment, on their work in the field of human rights and the environment (CP/CAJP-1996/02 and CP/CAJP-1998/02), and contributions of civil society human rights and environment experts (CP/CAJP-1999/02);

RECALLING the commitments of Heads of State and Government with respect to sustainable development, climate change, environmental protection, and disaster management, as set out in the Declaration and Plan of Action of the Third Summit of the Americas, held in Quebec, and in the Declaration of Santa Cruz de la Sierra and the Plan of Action for the Sustainable Development of the Americas;

GUIDED BY the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights, and other related human rights instruments;

GUIDED ALSO BY the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development, adopted in South Africa on September 4, 2002;

TAKING INTO ACCOUNT the work done by the United Nations, as reflected in the 1972 Declaration of the Stockholm Conference on the Human Environment, the 1992 Rio Declaration on Environment and Development, the 1992 Convention on the Protection of Biological Diversity, the

1989 Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention), and other relevant instruments of international environmental law;

RECALLING resolutions AG/RES. 1819 (XXXI-O/01) and AG/RES. 1896 (XXXII-O/02), on Human Rights and the Environment, in which the OAS took on a leading international role, stressing the importance of promoting environmental protection and the full realization of human rights; and

ACKNOWLEDGING a growing awareness of the need to manage the environment in a sustainable manner to promote human dignity and well-being,

RESOLVES:

1. To continue to promote institutional cooperation in the field of human rights and the environment between the Organization of American States and other multilateral institutions, including the United Nations and its specialized agencies, the World Bank, the Inter-American Development Bank, and regional development banks.

2. To continue to encourage institutional cooperation in the area of human rights and the environment in the framework of the Organization, in particular between the Inter-American Commission on Human Rights (IACHR) and the Unit for Sustainable Development and Environment.

3. To instruct the Secretary General, through the Unit for Sustainable Development and Environment in coordination with the Inter-American Commission on Human Rights, to continue the dialogue with member states and civil society organizations and the implementation of activities in the field of human rights and the environment, taking into account the work done on this topic within the United Nations, including the United Nations Commission on Human Rights, the Economic and Social Council, the United Nations Environment Programme, the United Nations Commission on Sustainable Development, and the United Nations Development Programme.

4. To instruct the Permanent Council to hold a meeting of the Committee on Juridical and Political Affairs, during the second half of 2003, to which it should invite the Inter-American Commission on Human Rights, and in which the Unit for Sustainable Development and Environment should participate, for continued examination of their work in the field of human rights and the environment.

5. To request the Secretary General to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution, which will be carried out within the resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4178/03
20 May 2003
Original: Spanish

Item 23 on the agenda

DRAFT RESOLUTION

STUDY OF THE RIGHTS AND THE CARE OF PERSONS UNDER
ANY FORM OF DETENTION OR IMPRISONMENT

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on this topic (CP/doc. /03 add.) and resolution AG/RES. 1897 (XXXII-O/02);

TAKING INTO ACCOUNT that consultations with the member states on this subject have continued within the Committee on Juridical and Political Affairs and that a number of them have replied to the questionnaire prepared for that purpose (CP/CAJP-1853/01 rev. 1);

TAKING INTO ACCOUNT the presentation given on December 12, 2002, by the Inter-American Commission on Human Rights to the Committee on Juridical and Political Affairs (CP/CAJP-2007/02), pursuant to resolution AG/RES. 1897 (XXXII-O/02); and

TAKING INTO ACCOUNT that the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas heard proposals for drafting a document to protect the fundamental rights of detained persons (REMJA-IV/doc.24/02 rev. 2),

RESOLVES:

1. To instruct the Permanent Council to continue to study the question of the rights and the care of persons under any form of detention or imprisonment, in cooperation with the competent organs and agencies of the inter-American system and taking into account the conclusions and recommendations of the meeting of authorities responsible for penitentiary and prison policies as expressed in the Recommendations and Conclusions of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.

2. To urge those member states that have not already done so to reply as soon as possible to the questionnaire entitled: "Study of the Rights and the Care of Persons under Any Form of Detention or Imprisonment," (CP/CAJP-1853/01 rev. 1).

3. To request the Inter-American Commission on Human Rights to report on the situation of persons under any form of detention or imprisonment in the Hemisphere, using as a basis its work on the subject.

4. To reiterate to the Permanent Council that, on the basis of the discussions held and the studies conducted, it should consider the advisability of preparing, in due course, an inter-American declaration on the rights and the care of persons under any form of detention or imprisonment.

5. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4179/03 corr.1
2 June 2003
Original: Spanish

Item 24 on the agenda

DRAFT RESOLUTION

THE HUMAN RIGHTS OF ALL MIGRANT WORKERS AND THEIR FAMILIES

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the reports of the council of the organization on this topic (CP/doc. /03 add. Xxx and CIDI /03)

TAKING INTO ACCOUNT the Annual Report of the Inter-American Commission on Human Rights (IACHR) (CP/doc. 3709/03), especially the chapter on the situation of migrant workers and members of their families in the Hemisphere;

TAKING NOTE of the document entitled "Inter-American Program for the Promotion and Protection of the Human Rights of Migrants in the Framework of the Organization of American States" (CP/CAJP-2038/03);

EMPHASIZING that the American Convention on Human Rights recognizes that the essential rights of man are not derived from the fact that he is a national of a certain state, but are based upon attributes of his human personality;

CONSIDERING:

That the Heads of State and Government, gathered at the Third Summit of the Americas, recognized the cultural and economic contributions made by migrants to receiving societies as well as to their communities of origin and pledged to ensure dignified, humane treatment with appropriate legal protections and to strengthen mechanisms for hemispheric cooperation to address the legitimate needs of migrants;

The positive contributions often made by migrants, both to their countries of origin and to the receiving countries, including their gradual incorporation into the receiving societies, and the efforts made by some receiving countries to integrate migrants;

That the 20th instrument of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families has been deposited, which means that it can now effectively enter into force; and

Advisory Opinion OC-16, issued by the Inter-American Court of Human Rights, on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law;

BEARING IN MIND:

That, in the Strategic Plan for Partnership for Development 2002-2005, support for vulnerable groups such as migrant workers was identified as a priority in the implementation of policies and programs to facilitate access to the labor market and to improve working conditions; and

That the Plan of Action of the Third Summit of the Americas provided for the establishment of an inter-American program within the OAS for the promotion and protection of the human rights of migrants, including migrant workers and their families, taking into account the activities of the Inter-American Commission on Human Rights (IACHR) and supporting the work of its Special Rapporteur for Migrant Workers and Their Families and the Special Rapporteur on the Human Rights of Migrants of the United Nations Commission on Human Rights;

CONCERNED over the extremely vulnerable situation in which many migrant workers and their families find themselves and over the persistent obstacles that prevent them from fully exercising their human rights; and

BEARING IN MIND that migrants are often victims of mistreatment, discrimination, racism, and xenophobia,

RESOLVES:

1. To reaffirm that the principles and standards set forth in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights take on special importance with respect to protection of the rights of migrant workers and their families.
2. To reaffirm the duty of states parties to the 1963 Vienna Convention on Consular Relations to comply with that Convention, including the right to communication between consular officers and their nationals, regardless of immigration status, in case of detention and the obligation of the states parties in whose territory the detention occurs to inform the foreign national of that right; and, in that connection, to call the attention of states to Advisory Opinion OC-16 of the Inter-American Court of Human Rights.
3. To urge member states to consider the signature and ratification of, ratification of, or accession to the inter-American human rights instruments, as the case may be, and to take the necessary measures to guarantee the human rights of all migrants, including migrant workers and their families.

4. To take note of the upcoming entry into force, on July 1, 2003, of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; and, accordingly, to urge member states to consider the signature and ratification of that instrument, as the case may be.

5. To instruct the Permanent Council:

- a. To convene a special meeting of the Committee on Juridical and Political Affairs for this year, at which the Committee will begin, without delay, to prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, with a view to its eventual adoption, starting from the draft presented by the Inter-American Commission on Human Rights (CP/CAJP-2038/03);
- b. To continue supporting the work of the IACHR in this area and to take into account the efforts of other international organizations on behalf of migrant workers and their families, with a view to helping to improve their situation in the Hemisphere and, in particular and where applicable, the efforts of the Special Rapporteur on the Human Rights of Migrants of the United Nations Commission on Human Rights and those of the International Organization for Migration (IOM).

6. To request the Inter-American Agency for Cooperation and Development (IACD) to strengthen communication and coordination with the IACHR, the IOM, the International Labour Organization (ILO), and other pertinent organizations, agencies, and entities and that, in that context, it follow up in particular on IACD partnership-for-development activities, under the Strategic Plan for Partnership for Development 2002-2005, related to the status of the situation of migrant workers and members of their families.

7. To recommend to the IACHR that it:

- a. Consider the advisability of participating in joint cooperation projects conducted by the IACD in this area;
- b. Provide the Special Rapporteur for Migrant Workers and Members of Their Families in the Hemisphere with the necessary and appropriate means to perform his or her duties, within the resources allocated in the program-budget of the Organization and other resources; and
- c. Present to the Permanent Council a report on the status of the rights of all migrant workers and their families prior to the thirty-fourth regular session of the General Assembly.
- d. To invite the member states, permanent observer states, organs, agencies, and entities of the inter-American system, and others to contribute to the Voluntary Fund of the Office of the Special Rapporteur for Migrant Workers and Members of Their Families of the IACHR.

- e. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution, which will be carried out in accordance with resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4180/03 corr. 1
2 June 2003
Original: Spanish

Item 25 on the agenda

DRAFT RESOLUTION

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT^{2/}

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), and AG/RES. 1900 (XXXII-O/02), the recommendation of the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.102, doc. 6 rev., April 16, 1999, Chap. VII, 21.3.B), and the document "Framework for OAS Action on the International Criminal Court" (AG/INF. 248/00);

RECOGNIZING that the adoption of the Statute of the International Criminal Court on July 17, 1998, in Rome, is a milestone in efforts to combat impunity and that the Court is an effective instrument for consolidating international justice;

CONCERNED over the persistent violations of international humanitarian law and international human rights law throughout the world;

AFFIRMING that the states have the primary duty to prosecute and punish those violations so as to prevent their recurrence and avoid the impunity of the perpetrators of those crimes;

MINDFUL of the importance of preserving the effectiveness and integrity of the Statute of the International Criminal Court;

WELCOMING the historic entry into force of the Statute of the International Criminal Court on July 1, 2002, because as of that date the Court became a judicial body complementing the efforts of national jurisdictions to prosecute the perpetrators of the most serious international crimes, such as genocide, crimes against humanity, and war crimes;

2. The United States requested that its reservation be placed on record. Its statement is attached.

EXPRESSING its satisfaction with the holding of the first session of the Assembly of States Parties to the Rome Statute and the adoption of instruments that will facilitate the operations of the International Criminal Court, including the Elements of Crimes and the Rules of Procedure and Evidence;

WELCOMING the appointment of the 18 judges and the Prosecutor of the International Criminal Court and the election of five judges from the Americas, two of whom are women;

RECOGNIZING that 139 states, including 26 member states of the Organization of American States, have signed the Rome Statute and that 89 states, including 19 member states of the Organization of American States, have ratified or acceded to it; and

EXPRESSING its satisfaction that a Special Meeting of the Committee on Juridical and Political Affairs on Promotion of and Respect for International Humanitarian Law was held at OAS headquarters on March 20, 2003, regarding which the Chair of the Committee prepared the report contained in document DIH/doc.23/03,

RESOLVES:

1. To urge those member states of the Organization that have not already done so to consider ratifying or acceding, as the case may be, to the Rome Statute of the International Criminal Court.

2. To urge all member states of the Organization to continue to participate constructively, even as observer states, in the Assembly of States Parties of the International Criminal Court in order to ensure the best possible operating environment for the Court, in a context of unconditional defense of the integrity of the Rome Statute.

3. To urge the member states of the Organization that are parties to the Rome Statute to adapt and amend their domestic law, as necessary, with a view to the effective application of the Statute.

4. To urge the member states of the Organization, whether or not they are parties to the Rome Statute, to consider the signature and ratification, or the ratification, as the case may be, of the Agreement on the Privileges and Immunities of the International Criminal Court and, in the case of states that are already parties to the Agreement, to take measures to ensure its effective application at the domestic level.

5. To thank the Inter-American Juridical Committee for including on the agenda for the next joint meeting with legal advisers of the foreign ministries of OAS member states a discussion of mechanisms for addressing and preventing serious and persistent violations of international humanitarian law and international human rights law, and of the role of the International Criminal Court in that process [CJI/RES. 53 (LXII-O/03)].

6. To request the Permanent Council to include the topic of the International Criminal Court on the agenda of a meeting of the Committee on Juridical and Political Affairs.

7. To urge the member states of the Organization to cooperate in preventing those responsible for the worst crimes of concern to the international community, such as genocide, crimes against humanity, and war crimes, from acting with impunity.

8. To request the Permanent Council to follow up on this resolution, which will be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-fourth regular session.

STATEMENT BY THE DELEGATION OF THE UNITED STATES

The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. We stand for justice and the promotion of the rule of law. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide and crimes against humanity, but we cannot support the seriously flawed International Criminal Court. Our position is that states are primarily responsible for ensuring justice in the international system. We believe that the best way to combat these serious offenses is to build and strengthen domestic judicial systems and political will and, in appropriate circumstances, work through the United Nations Security Council to establish ad hoc tribunals as in Yugoslavia and Rwanda. Our position is that international practice should promote domestic accountability. The United States has concluded that the International Criminal Court does not advance these principles.

The United States has not ratified the Rome Treaty and has no intention of doing so. This is because we have strong objections to the International Criminal Court, which we believe is fundamentally flawed. The International Criminal Court undermines national sovereignty with its claim to jurisdiction over the nationals of states not party to the agreement. It has the potential to undermine the role of the United Nations Security Council in maintaining international peace and security. We also object to the Court because it is not subject to adequate checks and balances. We believe that an independent court with unchecked power is open to abuse and exploitation. Its structure lends itself to the great danger of politically-motivated prosecutions and decisions. The inclusion of the still-undefined crime of aggression within the statute of the Court creates the potential for conflict with the United Nations Charter, which provides that the Security Council determines when an act of aggression has occurred.

The United States notes that in past decades several member states have reached national consensus for addressing historic conflicts and controversies as part of their successful and peaceful transition from authoritarian rule to representative democracy. Indeed, some of those sovereign governments, in light of new events, evolved public opinion, or stronger democratic institutions, have decided on their own and at a time of their choosing to reopen past controversies. These experiences provide compelling support for the argument that member states—particularly those with functioning democratic institutions and independent functioning judicial systems—should retain the sovereign discretion to decide as a result of democratic and legal processes whether to prosecute or to seek national reconciliation by other peaceful and effective means. The United States is concerned that the International Criminal Court has the potential to undermine the legitimate efforts of member states to achieve national reconciliation and domestic accountability by democratic means.

Our policy on the ICC is consistent with the history of our policies on human rights, the rule of law and the validity of democratic institutions. For example, we have been a major proponent of the Special Court in Sierra Leone because it is grounded in sovereign consent, combines domestic and international participation in a manner that will generate a lasting benefit to the rule of law within Sierra Leone, and interfaces with the Truth and Reconciliation Commission to address accountability.

The United States has a unique role and responsibility to help preserve international peace and security. At any given time, U.S. forces are located in close to 100 nations around the world, for example, conducting peacekeeping and humanitarian operations and fighting inhumanity. We must ensure that our soldiers and government officials are not exposed to the prospect of politicized prosecutions and investigations. Our country is committed to a robust engagement in the world to defend freedom and defeat terror; we cannot permit the ICC to disrupt that vital mission.

In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Court.

OEA/Ser.P
AG/doc.4181/03
20 May 2003
Original: Spanish

Item 27 on the agenda

DRAFT RESOLUTION

PREVENTION OF RACISM AND ALL FORMS OF DISCRIMINATION AND INTOLERANCE AND CONSIDERATION OF THE PREPARATION OF A DRAFT INTER-AMERICAN CONVENTION

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council (CP/doc. /03 add.);

BEARING IN MIND that Article 45.a of the Charter of the Organization of American States and Article II of the American Declaration of the Rights and Duties of Man proclaim that all human beings have equal rights and that, in Articles 1 and 2 of the American Convention on Human Rights, the states parties undertake to respect the rights and freedoms recognized therein, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition;

AWARE that the preamble to the Declaration and Plan of Action of the Regional Conference of the Americas, held in Santiago, Chile, in December 2000, to prepare for the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in South Africa in 2001, recognizes that “in spite of the efforts made by States in the region, racism, racial discrimination, xenophobia and related intolerance still persist in the Americas and continue to be causes of suffering, disadvantage and violence, as well as of other serious human rights violations, which must be fought by all available means as a matter of the highest priority”;

CONSIDERING the report of the Inter-American Juridical Committee on the preparation of a draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, contained in its annual report (2001) (CP/doc.3545/02);

BEARING IN MIND ALSO the comments on this topic submitted to the Committee on Juridical and Political Affairs by the President of the Inter-American Commission on Human Rights, through document CP/CAJP-2033/03;

TAKING INTO ACCOUNT that resolution AG/RES. 1905 (XXXII-O/02) instructed the Permanent Council, *inter alia*, to “initiate the study of possible strategies for promoting, through initiatives in the areas of education and justice administration, public awareness campaigns, tolerance, and full and effective equality for all persons in building pluralistic, inclusive societies, on the understanding that national programs and international cooperation should be encouraged”; and

CONVINCED that the Organization must continue to make every effort to promote the elimination of racism and all forms of discrimination and intolerance,

RESOLVES:

1. To request the Justice Studies Center of the Americas (CEJA) to conduct, within the framework of its mandate and available resources, a study of the experiences of member states in, and methods for, handling cases of racism, racial discrimination, xenophobia, and intolerance considered by their justice administration systems, focusing in particular on:

- a. The extent to which race, nationality, creed, sex, or social condition, *inter alia*, can be a basis of discrimination in the administration of justice;
- b. The extent to which the victims of racism, racial discrimination, xenophobia, and related intolerance, as identified in Chapter II of the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, are discriminated against in justice administration systems;
- c. The effective protection of the right to equality before the law, regardless of distinctions, as established in Article II of the American Declaration of the Rights and Duties of Man, in the justice systems of states; and
- d. practices, mechanisms and instruments which could be utilized to improve justice administration systems in order to prevent and combat all forms of racial discrimination and intolerance.

2. To request the Justice Studies Center of the Americas to also forward this study to the Inter-American Juridical Committee for its consideration.

3. To request the Inter-American Commission on Human Rights to conduct a study of the laws of member states of the Organization of American States dealing with the adoption of policies to promote equality or affirmative action. Such policies must be understood in connection with Article 1.4 of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly of the United Nations on December 21, 1965:

“Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the

maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.”

4. To request the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights to continue, in the framework of inter-American legal instruments currently in force, to pay special attention to this topic.

5. To instruct the Permanent Council, through its Committee on Juridical and Political Affairs, to:

- a. Continue to address, as a matter of priority, the subject of preventing, combating, and eradicating racism and all forms of discrimination and intolerance.
- b. Receive and analyze for this purpose the contributions mentioned in paragraphs 1 and 3 of this resolution, as well as contributions from the delegations of member states, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the Inter-American Juridical Committee, and civil society organizations, with a view to examining existing strategies at the national level for combating racial discrimination and considering areas for international cooperation, including, *inter alia*, the possibility the question of an Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

6. To request the Permanent Council to present a report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4182/03 corr.1
2 June 2003
Original: Spanish

Item VII on the agenda

DRAFT RESOLUTION

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

REAFFIRMING the principles and purposes of the Charter of the Organization of American States and the Charter of the United Nations;

NOTING that everyone is entitled to the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, and that this applies in all circumstances in accordance with international law;

REITERATING that all persons are equal before the law and have the rights and duties established in the American Declaration of the Rights and Duties of Man, without distinction as to race, sex, language, creed, or any other factor;

CONSIDERING that terrorism is a serious criminal phenomenon of deep concern to all member states, which jeopardizes democracy; prevents the enjoyment of human rights and fundamental freedoms; threatens the security of states and individuals, destabilizing and undermining the foundations of all society; and adversely affects the economic and social development of the states in the region;

TAKING INTO ACCOUNT resolution AG/RES. 1840 (XXXII-O/02), in which it adopted the Inter-American Convention against Terrorism, as well as its resolution AG/RES. 1906 (XXXII-O/02), "Human Rights and Terrorism."

TAKING INTO ACCOUNT ALSO the Report on Terrorism and Human Rights prepared by the Inter-American Commission on Human Rights (IACHR) (OEA/Ser.L/V/II.116 – doc.5 rev. 1); the

comments and observations made thereon by member states (CP/CAJP-2037/03); and the Annual Report of the IACHR (CP/doc.3709/03 add. 1 and 2),

RESOLVES:

1. To reaffirm that the fight against terrorism must be pursued with full respect for the law, human rights, and democratic institutions, so as to preserve the rule of law, and democratic freedoms and values in the Hemisphere.

2. To reaffirm that all member states have the duty to ensure that all measures adopted to combat terrorism are taken in keeping with their obligations under international law, in particular, international human rights law, international law on refugees, and international humanitarian law.

3. To urge member states to consider, as appropriate, signing and ratifying, or acceding to the Inter-American Convention against Terrorism and to take such steps as are pertinent with a view to implementation of the provisions of that treaty.

4. To welcome with satisfaction the Report of the Inter-American Commission on Human Rights (IACHR) on Terrorism and Human Rights and to request the IACHR to continue to promote respect for and the defense of human rights in this area and to facilitate member states' efforts to properly fulfill their international human rights commitments when developing and executing antiterrorism measures, focusing, in particular, on the rights of the members of those groups that might find themselves vulnerable, disadvantaged, or threatened with discrimination as a result of terrorist violence or anti-terrorist initiatives, and to report to the Permanent Council on the advisability of conducting a follow-up study.

5. To instruct the Permanent Council:

- a. To convene a meeting to continue studying the IACHR's Report on Terrorism and Human Rights, with the participation of specialized agencies of the inter-American system, and other international and civil society organizations; and
- b. To convene a meeting of government experts to exchange, from a human rights perspective, best practices and national experiences in adopting anti-terrorism measures in keeping with the international commitments of their states, and to transmit to the Inter-American Committee against Terrorism a report on that meeting.

6. To encourage dialogue and collaboration among the Inter-American Committee against Terrorism (CICTE), the Inter-American Commission on Human Rights (IACHR), and other pertinent areas of the Organization on the topic of protecting human rights and fundamental freedoms while countering terrorism.

7. To request the Permanent Council to present to the General Assembly at its thirty-fourth regular session a report on implementation of this resolution, which is to be effected within the resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4183/03 corr. 1
2 June 2003
Original: Spanish

Item VIII on the agenda

DRAFT RESOLUTION

ACCESS TO PUBLIC INFORMATION: STRENGTHENING DEMOCRACY

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

EMPHASIZING that Article 13 of the American Convention on Human Rights establishes that the right to freedom of thought and expression includes freedom to seek, receive, and impart information and ideas, regardless of frontiers and through any medium;

EMPHASIZING ALSO that Article 4 of the Inter-American Democratic Charter states that transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy;

RECALLING that, according to the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, the governments will ensure that national legislation relating to freedom of expression is applied equitably to all, respecting freedom of expression and access to information by all citizens;

CONSIDERING that access to public information is a requisite for the very functioning of democracy, greater transparency, and good governance and that, in a representative and participatory democratic system, the citizenry exercises its constitutional rights, *inter alia*, the rights to political participation, the vote, education, and association, by means of broad freedom of expression and free access to information;

RECOGNIZING that the goal of achieving an informed citizenry must sometimes be rendered compatible with other societal aims such as safeguarding national security, public order, and protection of personal privacy, pursuant to laws passed to that effect;

TAKING NOTE of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights; and

RECALLING initiatives recently taken by civil society regarding access to public information, in particular the Declaration of Chapultepec, the Johannesburg Principles, and the Lima Principles,

RESOLVES:

1. To reaffirm that everyone has the freedom to seek, receive, access, and impart information and that access to public information is a requisite for the very exercise of democracy.
2. To reiterate that states are obliged to respect and promote respect for everyone's access to public information and to promote the adoption of any necessary legislative or other types of provisions to ensure its recognition and effective application.
3. To urge member states to take into consideration the principles of access to information in drawing up and adapting national security laws.
4. To encourage member states, through their respective national legislation and other appropriate means, to take necessary measures to facilitate the availability of documents and records electronically.
5. To instruct the Permanent Council to promote seminars and forums designed to foster, disseminate, and exchange experiences and knowledge about access to public information so as to contribute, through efforts by the member states, to fully implementing such access.
6. To instruct the Inter-American Commission on Human Rights, through the Special Rapporteur for Freedom of Expression, to continue including in its annual report a report on access to public information in the region.
7. To request the Permanent Council to report to the General Assembly at its next regular session on implementation of this resolution, which will be carried out in accordance with resources allocated in the program-budget of the Organization and other resources.

OEA/Ser.P
AG/doc.4184/03 corr. 1
2 June 2003
Original: Spanish
Item 7.j on the agenda

DRAFT RESOLUTION

SUPPORT FOR THE RESTRUCTURING OF THE INTER-AMERICAN INDIAN INSTITUTE

(Approved by the Permanent Council at its meeting of May 20, 2003)

THE GENERAL ASSEMBLY,

RECALLING its resolution AG/RES. 1718 (XXX-O/00) on reform of the Inter-American Indian Institute;

HAVING SEEN the Annual Report of the Inter-American Indian Institute (CP/doc.3712/03 corr. 1);

RECOGNIZING that indigenous issues are a priority on the inter-American agenda;

BEARING IN MIND that the Inter-American Indian Institute (III) was established in 1940 in the Pátzcuaro Convention, with the main purposes of requesting, compiling, or organizing scientific research, legislation, historical archives, and other documents related to indigenous peoples in the American Hemisphere, and carrying out publication and dissemination activities to bring about an increased awareness of indigenous peoples^{3/};

AWARE of the difficult financial situation that the Inter-American Indian Institute has been facing for several years, and of the need to redress this situation by lending increased support and financial stability; and

RECOGNIZING the work of the Inter-American Indian Institute in compiling and analyzing documentation and archives related to the indigenous peoples of the Americas in order to develop a store of historical information on the subject,

3. The United States understands that the use of the term "peoples" in this resolution cannot be construed as having any implications as to the rights that attach to the term under international law.

RESOLVES:

1. To recognize the work of the Inter-American Indian Institute and to encourage its Governing Board to continue its restructuring process, to give fresh impetus to fulfilling its objectives and functions, and to invite indigenous peoples to express their opinions in this process.
2. To take note of the signing, on February 6, 2003, of the Headquarters Agreement between the Inter-American Indian Institute and the United Mexican States.
3. To urge states with obligations to the Inter-American Indian Institute to make timely payment of their contributions, thus enabling the Institute to carry out its work fully.
4. To invite member states that are not members of the Inter-American Indian Institute to consider joining it as an expression of support for its work and for its restructuring process.
5. To request the Inter-American Indian Institute to report to the General Assembly at its thirty-fourth regular session on the III's work and on the progress made in its restructuring and its financial situation.

OEA/Ser.P
AG/doc.4185/03
21 May 2003
Original: Spanish

Item 34 on the agenda

DRAFT RESOLUTION

SUPPORT FOR THE PROGRAM OF INTEGRAL ACTION AGAINST ANTIPERSONNEL MINES IN CENTRAL AMERICA

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council, in particular as it relates to the matters entrusted to the Committee on Hemispheric Security (AG/doc...../03 add.), as well as the report of the Secretary General on the implementation of resolution AG/RES. 1878 (XXXII-O/02), "Support for the Program of Integral Action against Antipersonnel Mines in Central America" (CP/doc...../03);

RECALLING resolution AG/RES. 1878 (XXXII-O/02), as well as AG/RES. 1240 (XXIII-O/93) "Inter-American Defense Board";

AWARE that the presence in Central America of antipersonnel mines and other undetonated explosive devices continues to constitute a threat to the population and has disastrous effects, primarily on innocent civilians, causing tragedy to individuals and families, standing in the way of socioeconomic development in vast and rich rural areas, and affecting border integration in those areas;

ACKNOWLEDGING the continuing efforts being made by the Governments of Guatemala, Honduras, and Nicaragua to complete antipersonnel mine-clearing activities and the measures being implemented by these countries and El Salvador in the destruction of stockpiles of mines, as well as implement programs aimed at providing assistance, rehabilitation of victims and their families, preventive education on the dangers of antipersonnel mines, and achieving socioeconomic reclamation of demined areas; and

NOTING WITH SATISFACTION:

The valuable contribution by member states, such as: Bolivia, Brazil, Canada, Colombia, El Salvador, United States and Venezuela; and by permanent observers, such as Denmark, France, Italy,

Japan, Norway, the Russian Federation, South Korea, Spain, Sweden, and the United Kingdom, to the Mine-Clearing Program in Central America (PADCA);

The meeting convened by the Secretary General and held on October 7, 2002, for the purpose of soliciting additional support for PADCA from the international donor community;

The important coordination, promotion, and fund-raising work carried out by the General Secretariat, through the Unit for the Promotion of Democracy (UPD), for PADCA and for programs aimed at the physical and psychological rehabilitation of victims and their families, preventive education, and the socioeconomic reclamation of demined areas; and

The vital support of the Committee on Hemispheric Security and the valuable technical advice provided to PADCA by the Inter-American Defense Board,

RESOLVES:

1. To reiterate its appeal to member states and permanent observers, as well as to the international community in general, to continue to lend their indispensable support and cooperation to the Mine-Clearing Assistance Program in Central America (PADCA) and to the other ongoing programs for Integral Action against Antipersonnel Mines (AICMA) in Central America.

2. To request the Secretary General to continue efforts with donors with a view to ascertaining the progress made and identifying the financial resources needed to ensure the integrity and sustainability of PADCA.

3. To instruct the General Secretariat to continue to provide to the Central American countries, within the resources allocated in the program-budget of the Organization and other resources, the support necessary to continue the mine-clearing programs, as well as those aimed at mine-awareness education in the civilian population, rehabilitation of victims and their families, and the socioeconomic reclamation of demined areas.

4. To instruct the General Secretariat to continue, through the Unit for the Promotion of Democracy (UPD), to carry out international cooperation and coordination activities with the United Nations Children's Fund (UNICEF), the United Nations Mine Action Service (UNMAS), the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LIREC), the International Committee of the Red Cross (ICRC), the Inter-American Council for Integral Development (CIDI), the Central American Bank for Economic Integration (CABEI), the Geneva International Centre for Humanitarian Demining (GICHD), the Center for International Rehabilitation, and the International Campaign to Ban Landmines (ICBL).

5. To request the Inter-American Defense Board to continue to provide technical assistance to PADCA.

6. To request the General Secretariat to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

7. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to other international organizations as he deems appropriate.

OEA/Ser.P
AG/doc.4186/03 corr. 1
2 June 2003
Original: Spanish

Item 31 on the agenda

DRAFT RESOLUTION

INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF
AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES,
AND OTHER RELATED MATERIALS

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

REITERATING the urgent need for all member states to take the appropriate measures and to cooperate with one another to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, because of the harmful effects of these activities on the security of each state and the region as a whole, since they jeopardize the well-being of peoples, their social and economic development, and their right to live in peace;

UNDERSCORING the importance of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) for promoting and facilitating cooperation and the sharing of information and experiences among the states parties with a view to preventing, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

REAFFIRMING the importance of the CIFTA entering into force in all member states of the Organization of American States as soon as possible in order to facilitate and guarantee the achievement of its purposes throughout the Hemisphere;

HAVING SEEN the reports of the Permanent Council (CP/doc. /03 add.) and the Secretary General on the status of signatures and ratifications of the CIFTA (CP/doc.), and taking note of the fact that this Convention has been signed by 33 member states of the OAS and ratified by 19 of them, which means that four more states ratified it in the past 12 months;

CONSIDERING the progress made over the past year by the Consultative Committee established in the framework of the CIFTA, at meetings held at the Organization's headquarters on August 28, 2002, March 10, 2003, and April 3 and 4, 2003;

TAKING INTO ACCOUNT the valuable contributions of the Consultative Committee to the Special Conference on Security;

RECALLING resolutions AG/RES. 1 (XXIV-E/97); AG/RES. 1621 (XXIX-O/99), AG/RES. 1750 (XXX-O/00); AG/RES. 1800 (XXXI-O/01), and AG/RES. 1874 (XXXII-O/02), regarding the CIFTA;

ACKNOWLEDGING the usefulness of the Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition of the Inter-American Drug Abuse Control Commission and the related cooperation programs developed by the General Secretariat; and

BEARING IN MIND the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of the United Nations and the hemispheric contribution to its implementation, and the importance of taking concrete measures in the Hemisphere toward implementation of the national, regional, and global components of that Programme of Action,

RESOLVES:

1. To urge all member states of the Organization of American States that have not already done so to give prompt consideration to signing and ratifying, or ratifying, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, as appropriate, and to adopt the necessary measures for its implementation.

2. To thank the Consultative Committee of the CIFTA for its contributions to the Special Conference on Security and to acknowledge the assistance provided by non-states parties in the preparation of those contributions.

3. To note with satisfaction the Work Program (CIFTA/CC-IV/doc.5/03 rev. 1), adopted by the Consultative Committee at its fourth regular meeting, and to express its support for the work of the Secretariat *pro tempore*.

4. To support the convocation in the first half of 2004 of the Conference of States Parties to the CIFTA to review the functioning and application of the Convention, as provided for in Article XXVIII thereof, and likewise to support any pertinent preparatory meetings during the second half of 2003.

5. To request states and international and regional organizations interested in the subject to consider the possibility of providing assistance, including technical and financial assistance, to support the implementation of measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

6. To stipulate that the Conference of States Parties and the meetings of the Consultative Committee, including preparatory meetings for the Conference, be held within the resources allocated in the program-budget of the Organization and other resources, and to request the

General Secretariat to continue to provide the administrative and technical secretariat support required by the Consultative Committee for these purposes.

7. To request the Secretary General to present a report to the General Assembly, at its thirty-fourth regular session, on the status of signatures and ratifications of the Convention.

8. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4187/03
21 May 2003
Original: Spanish

Item 32 on the agenda

DRAFT RESOLUTION

SUPPORT FOR ACTION AGAINST MINES IN PERU AND ECUADOR

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the General Secretariat on the implementation of the resolutions on mine-clearing (CP/doc....);

RECALLING:

Its resolutions AG/RES. 1411 (XXVI-O/96), AG/RES. 1496 (XXVII-O/97), AG/RES. 1569 (XXVIII-O/98), AG/RES. 1745 (XXX-O/00), AG/RES. 1792 (XXXI-O/01) and AG/RES. 1875 (XXXII-O/02); and

Its resolution AG/RES. 1644 (XXIX-O/99), operative paragraph 12, urging member states and permanent observers to lend assistance to the national mine-clearing programs being carried out by Ecuador and Peru in their territories;

AWARE that the presence of land mines in the vicinity of borders and power-grids constitutes a serious threat to civilian populations and stands in the way of economic development in rural and urban areas;

RECOGNIZING:

The major progress achieved by the Governments of Ecuador and Peru in mine-clearing, the destruction of arsenals, and transparency measures, which have been acknowledged by governments and international organizations committed to the OAS goal of making the Western Hemisphere an anti-personnel landmine-free zone;

The complete elimination of antipersonnel mine arsenals in Peru and Ecuador through assistance under the "Managua Challenge" Fund, pursuant to the mandates of the Ottawa Convention;

The valuable cooperation being provided by both member states, such as Brazil, Canada and the United States, and permanent observer states, such as Austria, Spain, and Japan, to national efforts in Peru and in Ecuador to carry forward their mine-clearing programs; and

The efficient technical assistance activities being conducted by the Unit for the Promotion of Democracy and the Inter-American Defense Board with respect to mine-clearing programs in Peru and in Ecuador; and

CONSIDERING the need to continue to support the efforts of the Governments of Peru and Ecuador to expand the scope of international cooperation to mine-clearing in other areas of the two countries as may be required,

RESOLVES:

1. To acknowledge the work accomplished by the Governments of Peru and Ecuador in destroying arsenals and in mine-clearing on the common borders and in other areas of their respective territories.

2. To request member states, permanent observer states, and the international community at large to continue to supporting the Governments of Peru and Ecuador in implementing the mine-clearing programs and integral action programs against antipersonnel mines conducted in their respective territories.

3. To instruct the General Secretariat to continue to offer its full cooperation to the assistance programs for integral action against antipersonnel mines in Ecuador and Peru, as well as the demining centers that have started to operate in the two countries.

4. To urge the General Secretariat to continue to lend, within the resources allocated in the program-budget of the Organization and other resources, the necessary support required by the Unit for the Promotion of Democracy (UPD) in order to continue its work on mine-clearing programs and on programs aimed at preventive education of the population, the rehabilitation of victims and their reinsertion into the work force, and the reclamation of affected areas.

5. To instruct the General Secretariat to continue to work, through the UPD, on identifying and raising voluntary contributions from member states, permanent observer states, and other states, as well as other organizations, to the Specific Fund in order to continue to finance mine-clearing and integral action programs against anti-personnel mines carried out by Ecuador and Peru in their respective territories.

6. To instruct the Permanent Council to continue to consider this topic with a view to proceeding towards achievement of the goal of making the Western Hemisphere an antipersonnel-land-mine-free zone.

7. To instruct the General Secretariat to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4188/03 corr. 1
2 June 2003
Original: English

Item 40 on the agenda

DRAFT RESOLUTION

THE AMERICAS AS AN ANTIPERSONNEL-LAND-MINE-FREE ZONE

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly (AG/doc..../02), in particular, the section on the matters entrusted to the Committee on Hemispheric Security; and

The Report of the General Secretariat (CP/doc. .../03) on the implementation of resolutions “Support for Action Against Mines in Peru and Ecuador” AG/RES. 1875 (XXXII-O/02); “Support for the Program of Integral Action Against Antipersonnel Mines in Central America” AG/RES. 1878 (XXXII-O/02); and

RECALLING its resolutions “The Western Hemisphere as an Antipersonnel-Land-Mine-Free Zone” [AG/RES. 1889 (XXXII-O/03), AG/RES. 1794 (XXXI-O/01), AG/RES. 1644 (XXIX-O/99), AG/RES. 1569 (XXVIII-O/98) , AG/RES. 1496 (XXVII-O/97) and AG/RES. 1411 (XXVI-O/96)] and, “Cooperation for Security in the Hemisphere” [AG/RES. 1744 (XXX-O/00)] which reaffirmed the goals of the global elimination of antipersonnel land mines and the conversion of the Western Hemisphere into an antipersonnel-land-mine-free zone;

REITERATING its profound concern over the presence in the Americas of thousands of antipersonnel-land-mines and other undetonated explosive devices;

RECOGNIZING WITH GREAT SATISFACTION that the Government of Costa Rica declared itself mine-free in December 2002, making it the first mine-affected State in the world to do so since the signing of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) in December 1997;

RECOGNIZING WITH SATISFACTION:

The efforts being made by all governments that currently have integral mine-action programs, and in particular the efforts by the Governments of Argentina, Chile, Colombia, Ecuador, Guatemala, Honduras, Nicaragua, and Peru in mine-clearance and stockpile destruction, as well as programs of those countries and in Costa Rica and El Salvador aimed at the physical and psychological rehabilitation of victims and the socioeconomic reclamation of demined areas in their countries;

That the Ottawa Convention is in force for 31 sovereign states of the region;

That the Amended Mines Protocol to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects is in force for 14 sovereign states of the region;

The important coordination work of the Organization of American States' General Secretariat, through the Unit for the Promotion of Democracy's Mine Action Team, together with the technical assistance of the Inter-American Defense Board; and

The valuable contribution by member states and permanent observer states to, and the support of the Committee on Hemispheric Security for, the goal of making the Americas an antipersonnel-land-mine-free zone; and

TAKING NOTE OF:

The Integral Mine Action Cooperation Framework Agreement signed between the Government of Colombia and the Organization of American States in March 2003; and

The cooperation between the OAS and the Government of Canada, with the Governments of Argentina and Chile respectively, in the area of stockpile destruction,

RESOLVES:

1. To reaffirm the goals of the global elimination of antipersonnel-land-mines and the conversion of the Americas into an antipersonnel-land-mine-free zone.

2. To urge member states to continue considering mine action as a national and regional priority and to foster the necessary political momentum and resources to maintain the leadership that the Americas have acquired globally to further this fundamental humanitarian task.

3. To urge member states which have not yet done so to ratify or consider acceding to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (Ottawa Convention) as soon as possible to ensure its full and effective implementation.

4. To once again urge member states which have not yet done so to become parties to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have

Indiscriminate Effects and the four protocols thereto, as soon as possible; and to request member states to inform the Secretary General when they have done so.

5. To encourage member states either to request assistance from or provide assistance to, as appropriate, the OAS Mine Action Team through its mine clearance, stockpile destruction, mine risk education, and victim assistance programs, in order to advance mine action in the region.

6. To further encourage member states and permanent observer states to provide resources to mine action programs in the region in order to address the financial crisis which is jeopardizing the goal of the Americas as a mine-free zone.

7. To request the Secretary General to consider the possibility of developing new mine action programs in the Americas to assist affected member states, upon request, in fulfilling their commitment to convert the Americas into an antipersonnel-land-mine-free zone.

8. To reiterate the importance of participation by all member states in the OAS Register of Antipersonnel Land Mines by April 15 of each year, in keeping with resolution AG/RES. 1496 (XXVII-O/97), and to commend member states which have regularly submitted their reports to that end.

9. To encourage member states that are parties to the Ottawa Convention to provide to the Secretary General as part of their submissions to the OAS Register of Antipersonnel Land Mines, in keeping with resolution AG/RES. 1496 (XXVII-O/97), a copy of their Ottawa Convention Article 7 transparency reports; and to further encourage member states which are not yet parties to the Ottawa Convention to provide similar information with their annual submissions.

10. To request the Permanent Council to forward any information or recommendations that result pursuant to this resolution to the preparatory body of the Special Conference on Security as a contribution to the preparations for that Conference.

11. To instruct the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4189/03 corr. 1
2 June 2003
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Item 41 on the agenda

DRAFT RESOLUTION

CONSOLIDATION OF THE REGIME ESTABLISHED IN THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (TREATY OF TLATELOLCO)

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc...../03 add.), in particular, the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING its previous resolutions on this topic, especially resolutions AG/RES. 1499 (XXVII-O/97), AG/RES. 1571 (XXVIII-O/98), AG/RES. 1622 (XXIX-O/99), AG/RES. 1748 (XXX-O/00), AG/RES. 1798 (XXXI-O/01) and AG/RES. 1903 (XXXII-O/02);

CONVINCED:

That the creation of nuclear-weapon-free zones that comply with international criteria is an important step that significantly strengthens all aspects of the international nonproliferation regime, thus contributing to the maintenance of international peace and security; and

That, as stated in the preamble to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), militarily denuclearized zones are not an end in themselves, but rather a means for achieving general and complete disarmament at a later stage;

RECOGNIZING that the Treaty of Tlatelolco has become the model for the establishment of other nuclear-weapon-free zones in various regions of the world, such as the South Pacific (Treaty of Rarotonga), Southeast Asia (Treaty of Bangkok), and Africa (Treaty of Pelindaba), which, when they enter into force, will cover more than half the countries of the world and all territories in the Southern Hemisphere; and

NOTING WITH SATISFACTION that, with the deposit of the last instrument of ratification by Cuba on October 23, 2002, the nuclear disarmament regime, established in the vast zone defined by the Treaty of Tlatelolco, moved towards its full force,

RESOLVES:

1. To urge those states of the region that have not yet done so to sign or ratify the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) through its resolutions 267 (E-V), 268 (XII), and 290 (E-VII).

2. To reaffirm the importance of strengthening OPANAL as the appropriate legal and political forum for ensuring unqualified observance of the Treaty of Tlatelolco in its zone of application and cooperation with the agencies of other nuclear-weapon-free zones.

3. To call upon those states that have not yet done so to negotiate and implement, as soon as possible, agreements with the International Atomic Energy Agency for application of that Agency's safeguards to their nuclear activities, as stipulated in Article 13 of the Treaty of Tlatelolco.

4. To reaffirm its commitment to continue striving for a nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect.

5. To entrust the Permanent Council with holding, in the framework of the Committee on Hemispheric Security, a special meeting on consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, with the support of OPANAL and the participation of the United Nations and other international organizations competent in the area.

6. To recognize the work of OPANAL in ensuring compliance with the obligations undertaken in the Treaty of Tlatelolco.

7. To express its appreciation to OPANAL for the recommendations that it presented to the preparatory body of the Special Conference on Security.

8. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

9. To request the Secretary General to transmit this resolution to the Secretary General of OPANAL and to the Secretary-General of the United Nations.

OEA/Ser.P
AG/doc.4190/03
21 May 2003
Original: Spanish

Item 33 on the agenda

DRAFT RESOLUTION

INTER-AMERICAN SUPPORT FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY^{4/}

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc..../03 add.), in particular the section on matters entrusted the Committee on Hemispheric Security;

RECALLING its resolutions AG/RES. 1747 (XXX-O/00), AG/RES. 1791 (XXXI-O/01), AG/RES. 1876 (XXXII-O/02) "Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty";

RECOGNIZING that the establishment of nuclear-weapon-free zones is an effective and concrete mechanism that contributes to the maintenance of international peace and security;

BEARING IN MIND:

That the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) has now entered into full force for all states within the denuclearized zone established by the Treaty;

That, in operative paragraph 4 of resolution AG/RES. ... (XXXII-O/03), "Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)," the General Assembly reaffirms "its commitment to continue striving for a nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect"; and

The commitment by member states to undertake effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, according to Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

4. The delegation of the United States stated that it could not support this resolution.

RECOGNIZING the value of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in strengthening the nuclear non-proliferation and disarmament regimes and its contribution to the consolidation and maintenance of international peace and security;

REAFFIRMING the need for universal adoption of the CTBT, negotiated within the United Nations framework;

NOTING that the CTBT has, thus far, been signed by 28 member states of the OAS and ratified by 19 of them; and, in particular, that it has now been ratified by six of the eight states of the region whose ratification is required for the treaty to enter into force;

WELCOMING the upcoming Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, to be held in Vienna, Austria in September 2003, and the fact that all states, whether or not they have deposited their instruments of ratification of the CTBT, have been invited to participate in that Conference; and

EXPRESSING its gratitude to the Preparatory Commission of the CTBT for its participation in the special meeting of the Committee on Hemispheric Security on the comprehensive nuclear test ban, and for the recommendations made by that Committee to the Special Conference on Security,

RESOLVES:

1. To urge all states of the Hemisphere, whether or not they have signed and/or ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT), to participate, at the highest possible level, in the Conference on Facilitating the Entry into Force of the CTBT, to be held in Vienna, Austria in September 2003.

2. To urge those states of the Hemisphere that have not yet done so, in particular the states listed in Annex 2 to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), as appropriate, to sign and/or ratify the CTBT, so that it may enter into force as soon as possible.

3. To urge the states of the Hemisphere to refrain, until the Treaty comes into force, from contravening the spirit of the obligations set forth therein.

4. To invite all states of the Hemisphere that have International Monitoring System facilities to take the pertinent measures to facilitate the preparatory work for the CTBT's verification regime, which is to be operational when the Treaty enters into force.

5. To entrust the Permanent Council with holding, through its Committee on Hemispheric Security, a special meeting in 2004, on a worldwide comprehensive nuclear test ban, with the participation of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the United Nations, the Preparatory Commission for the CTBT Organization, and other international institutions with competence in the area.

6. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

7. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to the Executive Secretary of the Provisional Technical Secretariat of the Preparatory Commission for the CTBT Organization.

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21 May 2003
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Item 35 on the agenda

DRAFT RESOLUTION

TRANSPARENCY AND CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc...../03 add.) and, in particular, the section on confidence- and security-building in the Americas;

BEARING IN MIND that, under Article 2 of the Charter of the Organization of American States, one of the essential purposes of the Organization is to strengthen the peace and security of the continent;

RECALLING its resolutions AG/RES. 1121 (XXI-O/91) and AG/RES. 1123 (XXI-O/91), on strengthening peace and security in the Hemisphere, and AG/RES. 1179 (XXII-O/92), AG/RES. 1237 (XXIII-O/93), AG/RES. 1284 (XXIV-O/94), AG/RES. 1288 (XXIV-O/94), AG/RES. 1353 (XXV-O/95), AG/RES. 1409 (XXVI-O/96), AG/RES. 1494 (XXVII-O/97), AG/RES. 1566 (XXVIII-O/98), AG/RES. 1623 (XXIX-O/99), AG/RES. 1744 (XXX-O/00), AG/RES. 1801 (XXXI-O/01), and AG/RES. 1879 (XXXII-O/02) on confidence- and security-building measures;

RECALLING ALSO its resolutions AG/RES. 1607 (XXIX-O/99), AG/RES. 1749 (XXX-O/00), AG/RES. 1799 (XXXI-O/01), and AG/RES. 1881 (XXXI-O/02) on the Inter-American Convention on Transparency in Conventional Weapons Acquisitions;

RECOGNIZING that the Inter-American Convention on Transparency in Conventional Weapons Acquisitions entered into force on November 21, 2002;

NOTING WITH SATISFACTION that the Governments of Canada, Guatemala, Ecuador, El Salvador, Nicaragua, Paraguay, Peru, and Uruguay have deposited their instruments of ratification for the above-mentioned Inter-American Convention and that 20 OAS Member States have signed the Convention;

EMPHASIZING the importance of the Consensus of Miami: Declaration of Experts in Confidence- and Security-Building Measures, the Declaration of Santiago and the Declaration of San Salvador on Confidence- and Security-Building Measures, which recommend the application, in the manner that is most suitable, of confidence- and security-building measures;

NOTING the significant progress made in identifying and applying confidence- and security-building measures since the adoption of the Declaration of Santiago which has helped to reduce factors that generate distrust and has contributed to the promotion of transparency and mutual confidence;

NOTING WITH SATISFACTION the study entitled “A Common Standardized Methodology for the Measurement of Defence Spending,” prepared by the Economic Commission for Latin America and the Caribbean (ECLAC) in November 2001 at the request of the Governments of Argentina and Chile, which constitutes a step toward the transparency contemplated in the Declaration of San Salvador on Confidence- and Security-Building Measures of 1998; and

CONSIDERING:

That the Heads of State and Government, at the Second and Third Summits of the Americas (Santiago, 1998 and Quebec City, 2000), pledged to continue promoting transparency in defense and security matters;

That the Heads of State and Government at the aforementioned Summits called for the holding of an “experts meeting, before the Special Conference on Security, as a follow-up to the regional conferences of Santiago and San Salvador on Confidence- and Security-Building Measures, in order to evaluate implementation and consider next steps to further consolidate mutual confidence”; and

That confidence- and security-building measures contribute to enhancing security, safeguarding peace, and consolidating democracy in the Americas, as well as to building transparency, dialogue, and trust in the Hemisphere,

RESOLVES:

1. To urge member states to implement, in the manner they deem most appropriate, the recommendations contained in the Consensus of Miami, the Declaration of Santiago and the Declaration of San Salvador on Confidence- and Security-Building Measures and in General Assembly resolution AG/RES. 1179 (XXII-O/92).

2. To urge all states which have not already done so to consider signing, ratifying, or acceding to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

3. To call on all member states to provide to the General Secretariat, by July 15 of each year, information on the application of the confidence- and security-building measures (CSBMs) contained in the abovementioned Consensus and Declarations.

4. To commend member states that have regularly submitted their reports on the application of confidence- and security-building measures.

5. To request that the Permanent Council periodically constitute the Committee on Hemispheric Security as the Forum for Confidence- and Security-Building Measures, in order to review and evaluate existing CSBMs and to discuss, consider and propose new CSBMs.

6. To request that the competent bodies of the Organization of American States and other appropriate national, sub-regional, and regional institutions elaborate specific confidence- enhancing measures identified in the Illustrative List of Confidence- and Security-Building Measures of the Miami Meeting of Experts on Confidence- and Security-Building Measures.

7. To urge member states to continue promoting transparency in defense policy with regard to, among other things, modernization of the armed forces, including changes in their structure and composition, the acquisition of equipment and materiel, and military expenditures, and by considering the guidelines prepared by the Permanent Council on developing national defense policy and doctrine papers.

8. To request the Inter-American Defense College to provide, when asked to do so, technical advice to the Committee on Hemispheric Security and member states on preparing defense policy and doctrine papers.

9. To maintain as a goal the universal participation in the United Nations (UN) Register of Conventional Arms and the UN Standardized International Reporting of Military Expenditures, in accordance with the pertinent resolutions of the UN General Assembly; and to renew its request that member states provide said information to the OAS Secretary General by July 15 of each year.

10. To request the General Secretariat and Inter-American Defense Board (IADB) to update the inventory of CSBMS based on reports presented by member states, and request that the Board also update its inventory of CSBMS in other regions.

11. To instruct the General Secretariat to make operational the Organization of American States Information System (OASIS) communication network for the instantaneous exchange of information on security matters, including confidence- and security-building measures.

12. To instruct the Permanent Council to continue to encourage the exchange of experiences in the area of confidence- and security-building measures with other regions, which may include the exchange of information between the Committee on Hemispheric Security and other international organizations working on the subject, such as the United Nations, the Organization for Security and Cooperation in Europe (OSCE), and the Association of South-East Asian Nations Regional Forum (ARF).

13. To request the Permanent Council to hold the next round of OAS-OSCE consultations and OAS-ARF consultations.

14. To instruct the Permanent Council to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

15. To request the Secretary General to update each year, on the basis of information submitted by member states, the roster of experts on confidence- and security-building measures, and to circulate it to the member states each year by July 15.

16. To request the Secretary General to present a report to the Permanent Council, prior to the thirty-fourth regular session of the General Assembly, on the status of signatures, ratifications, and accessions to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

17. To request the Permanent Council to report on the implementation of this resolution to the General Assembly at its thirty-fourth regular session.

18. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations, the Secretary General of the OSCE, the Chairman of the ARF, and other pertinent regional organizations.

OEA/Ser.P
AG/doc.4192/03 corr. 1
2 June 2003
Original: English

Item 35 on the agenda

DRAFT RESOLUTION

DEVELOPMENT OF AN INTER-AMERICAN STRATEGY TO COMBAT THREATS TO CYBERSECURITY

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc...../02), in particular, the section on the matters entrusted to the Committee on Hemispheric Security;

NOTING that the Committee on Hemispheric Security (CSH) of the Permanent Council, at its meeting on December 3, 2002, addressed the security of critical information systems and considered the need for member states to develop a strategy to address threats to cybersecurity; and

CONSIDERING:

The action of the United Nations General Assembly in December 2002 approving Resolution 57/239 concerning Principles for the Creation of a Global Culture of Cybersecurity for Information Systems and Networks;

That at the XII Meeting of the Permanent Executive Committee of CITELE (COM/CITELE) the Inter-American Telecommunications Commission (CITELE) agreed that "building a culture of cyber security to protect telecommunication infrastructures by raising awareness among all participants in the Americas in information systems and networks concerning the risk to those systems and by developing necessary measures to address security risks to respond quickly to cyber incidents" is within its objectives and mandates;

That the Inter-American Committee Against Terrorism (CICTE) at its Third Regular Session adopted the Declaration of San Salvador (CICTE/DEC.1/03 rev. 2 corr1), which recognized threats to cybersecurity as emerging terrorist threats, and, in its Recommendations to the Special Conference on Security (CICTE/doc.6/03 rev. 2), called on member states to strengthen cooperation, identify emerging terrorist threats, whatever their origin, such as international terrorist activities and threats to

cybersecurity, and to adopt measures that raise awareness about those threats, including seminars, training, sharing of experiences, and strengthening of cooperation;

That the Final Report of the Fourth Meeting of REMJA (REMJA-IV), held in Trinidad and Tobago, recommended that the Group of Governmental Experts be reconvened for the purpose of following up on implementation of the recommendations and mandates provided by REMJA III and IV related to cyber-crime and including the development of comprehensive legal frameworks and legislation to combat cyber-crime and promote international cooperation; and

That the offer made by Argentina during the Third Regular Session of CICTE to host a cybersecurity conference/workshop in Buenos Aires in July 2003 is intended to address all aspects of cybersecurity and to foster coordination among the various OAS organizations and entities responsible for the same, and urge Member States to attend with delegations of appropriate level and composition,

RESOLVES:

1. To direct that the Inter-American Committee Against Terrorism (CICTE), the Inter-American Telecommunications Commission (CITEL), and the Group of Governmental Experts on Cyber-Crime of the Meeting of Ministers of Justice of the Americas (REMJA) ensure that the Organization of American States' (OAS) cybersecurity conference, proposed by Argentina, begin work on the development of a draft integral OAS cybersecurity strategy that addresses the multidimensional and multidisciplinary aspect of cyber security, and that they report on the results of the meeting, along with any follow up work deemed appropriate, to the Committee on Hemispheric Security for its consideration.

2. To instruct the Permanent Council to develop, through its Committee on Hemispheric Security, a draft cybersecurity strategy for Member States, in coordination and collaboration with CITEL, CICTE, the Group of Governmental Experts on Cyber-Crime of REMJA and any other bodies of the OAS that it may deem appropriate, with deference to their respective mandates, missions, and existing reporting requirements, taking into consideration any relevant activity in Member States related to the protection of critical infrastructure, and to present this draft cybersecurity strategy to the Permanent Council for its consideration.

3. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4193/03 corr.1
2 June 2003
Original: Spanish

Item 35 on the agenda

DRAFT RESOLUTION

THE AMERICAS AS A BIOLOGICAL- AND CHEMICAL-WEAPONS-FREE REGION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the annual report of the Permanent Council to the General Assembly (AG/doc.../03), in particular the section on the Committee on Hemispheric Security;

BEARING IN MIND the determination of the international community to eradicate the development, production, use, stockpiling, and transfer of biological and chemical weapons;

RECALLING resolutions AG/RES. 1236 (XXIII-O/93), "Cooperation for Security and Development in the Hemisphere. Regional Contributions to Global Security," and AG/RES. 1624 (XXIX-O/99), "Inter-American Support for the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction";

RECOGNIZING that the establishment of biological- and chemical-weapon-free zones is an effective and concrete mechanism which contributes to the maintenance of international peace and security;

TAKING INTO ACCOUNT the urgent need to address this threat to humankind in the framework of the Organization of American States and by means of international cooperation; and

REAFFIRMING the aforementioned resolution, AG/RES. 1236 (XXIII-O/93) and the importance of preventing all forms of proliferation of weapons of mass destruction and their delivery systems by the adoption of appropriate controls on the exportation of dual-use goods and technologies, taking due account of their legitimate use for peaceful purposes,

RESOLVES:

1. To express the goal of making the Americas a biological- and chemical-weapons-free region.

2. To reaffirm their commitment to the principles of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the 1925 Geneva Protocol to the 1907 Hague Convention.

3. To urge those member states that have not yet done so to consider acceding to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, as well as to consider subscribing to the International Code of Conduct against Ballistic Missile Proliferation (ICOC) (CP/CSH/INF. 21/03).

4. To urge member states to adopt, at the national level measures, for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

5. To request the Secretary General to compile a report on the measures taken by other international organizations on matters dealing with the proliferation of biological and chemical weapons and to present it to the Permanent Council prior to the thirty-fourth regular session of the General Assembly.

6. To request the Secretary General to transmit this resolution to the United Nations Secretary-General.

7. To request the Secretary General to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4194/03
21 May 2003
Original: English

Item 38 on the agenda

DRAFT RESOLUTION

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES
OF THE CARIBBEAN

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.... /03), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING that the Ministers of Foreign Affairs and Heads of Delegations recognized, as stated in the Declaration of Bridgetown, that security threats, concerns, and other challenges in the hemispheric context are diverse in nature and multidimensional in scope, and that the traditional concept and approach must be expanded to encompass new and nontraditional threats, which include political, economic, social health, and environmental aspects;

RECALLING ALSO resolutions AG/RES. 1886 (XXXII-O/02) "Special Security Concerns of Small Island States of the Caribbean, AG/RES. 1497 (XXVII-O/97), AG/RES. 1567 (XXVIII-O/98), AG/RES. 1640 (XXIX-O/99)], and AG/RES. 1802 (XXXI-O/01)], "Special Security Concerns of Small Island States" and AG/RES. 1410 (XXVI-O/96), "Promotion of Security in the Small Island States";

REITERATING that the security of small island states has peculiar characteristics which render these states specially vulnerable and susceptible to risks and threats of a multidimensional and transnational nature, involving political, economic, social, health, environmental, and geographic factors; and that multilateral cooperation is the most effective approach for responding to and managing the threats and concerns of small island states;

AWARE that the small island states remain deeply concerned about the possible threats posed to their economies and maritime environment should a ship transporting toxic nuclear waste have an accident or be the target of a terrorist attack while transiting the Caribbean Sea and other sea-lanes of communication in the Hemisphere;

MINDFUL of the potential negative impact of acts of terrorism on the stability and security of all states in the Hemisphere, particularly in the small and vulnerable island states; and

RECOGNIZING that the Second High-Level Meeting on the Special Security Concerns of Small Island States reaffirmed that the political, economic, social, health, and environmental integrity and stability of small island states is integral to the security of the hemisphere,

RESOLVES:

1. To strengthen and enhance the OAS agenda and the Inter-American security system by addressing hemispheric security issues in the context of the multidimensional nature of security.

2. To endorse the recommendations of the Second High-Level Meeting on the Special Security Concerns of Small Island States as set out in the Declaration of Kingstown on the Special Security Concerns of Small Island States of the Caribbean.

3. To call on member states to collaborate with the small island states of the Caribbean with a view to developing effective ways of addressing the security issues of these small island states.

4. To instruct the Permanent Council to remain seized of the issues which impact the security of small island states, and to this end, through its Committee on Hemispheric Security to hold a meeting dedicated to the consideration of these issues.

5. To instruct the Permanent Council to evaluate the results of the study coordinated by the Office of the Secretary General on “Defense and Security Planning for Small Island States to Adequately Respond to an Incident or a Terrorist Attack on Nuclear Waste-bearing Ships Crossing the Caribbean Sea” (CP/doc.3731/03).

6. To request the organs, agencies and entities of the inter-American system to support the efforts of the small island states in addressing their security concerns, including:

- i. the establishment and implementation of a virtual private network to facilitate regional sharing of criminal intelligence and other relevant data bases in the fight against terrorism and of critical information among border control authorities to strengthen border-control capacity in the fight against drug trafficking and terrorism; and
- ii. developing training programs to allow existing entities to meet the new challenges; and
- iii. developing proposals for strategic planning and cooperation and ways to deal with common threats.

7. To instruct the organs, agencies and entities of the inter-American system to provide technical assistance to the small island states of the Caribbean for the development and adoption of an implementation plan for the “Security Management Model on special threats, concerns and challenges

of small island states” pursuant to the Declaration of Kingstown on the Special Security Concerns of Small Island States of the Caribbean, and to consult with the CARICOM Regional Task Force on Crime and Security and the Regional Security System (RSS) in complying with this instruction.

8. To request the Secretary General to transmit this resolution to other relevant and interested multilateral institutions, including the Association of Caribbean States, the Caribbean Community, the CARICOM Regional Task Force on Crime and Security, the Regional Security System, the United Nations, the United Nations Development Program, the Economic Commission for Latin America and the Caribbean, the Central American Integration System, and the Commonwealth.

9. To request the Secretary General to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

10. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4195/03
21 May 2003
Original: Spanish

Item 35 on the agenda

DRAFT RESOLUTION

RECOGNITION OF THE SOUTH AMERICAN ZONE OF PEACE AND COOPERATION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

BEARING IN MIND that, according to Article 2 of the Charter of the Organization of American States, one of the essential aims of the Organization is to strengthen peace and security in the Hemisphere;

RECALLING:

That at the Second Meeting of Presidents of South America, held in Guayaquil, Ecuador, on July 26 and 27, 2002, the presidents adopted the Consensus of Guayaquil on Integration, Security and Infrastructure for Development, in which, inspired by the vocation and aspiration of their peoples to attain a future of fruitful and peaceful coexistence and of permanent cooperation and well-being, and convinced that peace, security, and cooperation should be grounded in commitments that reinforce mutual trust and promote development and the overall well-being of their peoples and of the region as a whole, they declared South America to be a Zone of Peace and Cooperation;

That the Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures, states that new confidence- and security-building and transparency measures have to be implemented in the region to overcome the traditional threats to security, confront the new threats, concerns, and other challenges of the 21st century, and address the security realities of the American subregions;

That the Consensus of Miami states that the Declaration on the South American Zone of Peace, signed in Guayaquil in July 2002, and the Declaration of MERCOSUR, Bolivia, and Chile as a Zone of Peace, signed in Ushuaia, Argentina, in 1998, constitute progress in the area of confidence- and security-building measures and in other matters relating to hemispheric security; and

That in the Lima Commitment: Andean Charter for Peace and Security, signed in Lima on June 17, 2002, the Andean countries established the mechanisms and criteria for instituting a Peace Zone in the Andean Community and also agreed to promote its recognition by the international community;

BEARING IN MIND:

Resolution 57/13, of November 14, 2002, adopted by the United Nations General Assembly, in which it welcomed the declaration of the presidents of South America, adopted at their second meeting, in Guayaquil, Ecuador, on July 27, 2002, establishing the region as a South American Zone of Peace and Cooperation; and

Operative paragraph 7 of that resolution, in which the United Nations General Assembly called upon states in the other regions to contribute to and cooperate with the objectives established in the Declaration on the South American Zone of Peace and Cooperation; and

CONVINCED of the need to promote actions or initiatives aimed at strengthening institutions in the Americas and cooperation among them on the various aspects of defense and security, so as to strengthen peace in the Americas, strictly in keeping with the rules of international law set forth in the Charters of the United Nations and the Organization of American States,

RESOLVES:

1. To recognize with satisfaction and to emphasize as an important achievement for hemispheric security, the declaration of the South American presidents, adopted at their second meeting, held in Guayaquil, Ecuador, on July 27, 2002, establishing the region as a South American Zone of Peace and Cooperation.

2. To express the commitment of the Organization of American States to contribute effectively to initiatives carried out at the regional and subregional levels to strengthen peace and security.

3. To urge the member states to consider holding seminars, courses, and studies on the establishment and operation of zones of peace and cooperation in the region, and to exchange among themselves the experience derived from such academic events.

4. To express its satisfaction at the adoption by the United Nations General Assembly of resolution 57/13, of November 14, 2002, in which it welcomed the declaration of South American presidents establishing the region as a South American Zone of Peace and Cooperation.

5. To request that the Secretary General transmit this resolution to the Secretary-General of the United Nations.

OEA/Ser.P
AG/doc.4196/03 corr. 1
2 June 2003
Original: English

Item 39 on the agenda

DRAFT RESOLUTION

PROLIFERATION OF AND ILLICIT TRAFFICKING IN
SMALL ARMS AND LIGHT WEAPONS

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc./03), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING:

The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA); and

Its resolutions AG/RES. 1642 (XXIX-O/99), AG/RES. 1744 (XXX-O/00), AG/RES. 1796 (XXXI-O/01), AG/RES. 1797 (XXXI-O/01) and AG/RES. 1888 (XXXII-O/02), "Proliferation of and Illicit Trafficking in Small Arms and Light Weapons", and the United Nations Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

REAFFIRMING member states' commitment to respect the United Nations Security Council arms embargoes through the adoption, as may be necessary, of appropriate national norms;

ENCOURAGED by the technical and financial assistance available for the destruction of surplus weapons and illegal weapons seized as a result of interdicting illicit trafficking;

CONVINCED of the need to continue and to intensify multilateral cooperation as an important contribution to addressing the problems associated with the proliferation of and the illicit trafficking in small arms and light weapons;

NOTING the adoption by the United Nations General Assembly of an international protocol to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, in the framework of the United Nations Convention on Transnational Organized Crime; and

ACKNOWLEDGING:

The importance of the Inter-American Drug Abuse Control Commission's (CICAD) work and training programs to develop the capacity of member states to address the proliferation of and illicit trafficking in small arms and light weapons, and the need to continue and intensify multilateral cooperation to address these issues; and

The important efforts of the CICAD Experts Group on the Control of Firearms, which convened on April 7-9, 2003, in Managua, Nicaragua, to prepare model brokering regulations for adoption by the states of the Hemisphere,

RESOLVES:

1. To encourage member states to implement the United Nations Program of Action on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Program of Action).

2. To request that the Permanent Council hold, at the level of the Committee on Hemispheric Security, an annual meeting on small arms and light weapons, which would review the status of implementation of national, regional, and global elements of the UN Program of Action.

3. To encourage member states to report to the United Nations on their implementation of national, regional, and global elements of the UN Program of Action and to request that they provide the same report to the General Secretariat, by July 15 of each year.

4. To commend member states that have submitted their reports on the implementation of the UN Program of Action.

5. To continue to encourage member states to adopt such measures concerning arms brokering as may be necessary to combat the illicit trafficking in firearms.

6. To request that CICAD, in consultation with the Consultative Committee of CIFTA, continue its training programs in order to contribute to the capabilities of member states to implement CIFTA and the UN Program of Action.

7. To request the General Secretariat to make arrangements, in coordination with the Inter-American Defense College, for a seminar on identification, collection, stockpile management, and destruction of small arms and light weapons.

8. To encourage member states to adopt the proposed confidence- and security- building measures, set out in the Consensus of Miami, which call on member states to identify and secure excess stocks of small arms and light weapons as well as seized small arms and light weapons, and, in accordance with their national laws and the international agreements to which they are a party, to

define programs for the destruction of said weapons and to invite international representatives to observe their destruction.

9. To encourage member states that have not done so to consider signing or ratifying the United Nations Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

10. To instruct the Permanent Council to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

11. To request the Secretary General to transmit this resolution to the United Nations Secretary-General.

12. To request the Permanent Council and the Secretary General to report on the implementation of this resolution to the General Assembly at its thirty-fourth regular session.

OEA/Ser.P
AG/doc.4197/03
21 May 2003
Original: Spanish

Item X on the agenda

DRAFT RESOLUTION

LIMITATION OF MILITARY SPENDING

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc...../03 add.), in particular the section on the Committee on Hemispheric Security;

BEARING IN MIND:

That among the essential purposes of the OAS set forth in its Charter are to strengthen peace and security in the Hemisphere; guarantee the sovereignty, independence and territorial integrity of the States; eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere; and achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states;

That in the Declaration of Québec City, the Heads of State and Government decided to strive to limit military expenditures while maintaining capabilities commensurate with our legitimate security needs and promote greater transparency in the acquisition of arms;

That in that same declaration the Heads of State and Government undertook to develop effective, practical, and compassionate solutions for the problems that confront our societies; and

That in the Declaration of Santiago, Chile, the Ministers of Defense of the Americas referred to the need to promote and develop transparency in defense and public security policies, considering that they contribute to stability and security among states in the region;

CONSIDERING:

That confidence- and security-building measures contribute to enhancing security, safeguarding peace, and consolidating democracy in the Americas, as well as to building transparency, dialogue, and trust in the Hemisphere;

That the study “Common Standardized Methodology for the Measurement of Defense Expenditures,” developed by the Economic Commission for Latin America and the Caribbean (ECLAC) at the request of the Governments of Argentina and Chile, is a step forward in the area of confidence- and security-building measures; and

That the United Nations Standardized Reporting of Military Expenditures is a contribution to transparency and confidence-building;

APPLAUDING the contributions to disarmament and arms limitation and control in the region made by the states of the Hemisphere, especially in the 1974 Declaration of Ayacucho; the 1987 Esquipulas Agreements; the 1995 Framework Treaty on Democratic Security in Central America; the Strategic Arms Reduction Treaties (START I and II); the September 1991 Mendoza Commitment; the Quadripartite Agreement on safeguards signed by Brazil, Argentina, the IAEA, and ABACC in December 1991; the 1991 Declaration of Guadalajara and 2001 Declaration of Lima of the Ibero-American Summits; 1999 Political Declaration of MERCOSUR, Bolivia, and Chile as a Zone of Peace (Declaration of Ushuaia); the study “Common Standardized Methodology for the Measurement of Defense Expenditures,” developed by ECLAC at the request of the Governments of Argentina and Chile; the Lima Commitment: 2002 Andean Charter for Peace and Security and the Limitation and Control of the Expenditure on Foreign Defense; and the 2003 Consensus of Miami: Declaration of the Experts in Confidence- and Security-Building Measures: Recommendations to the Summit-mandated Special Conference on Security, which are exemplary initiatives of historic leadership; and

RECALLING its resolution AG/RES. 1887 (XXXII-O/02), “Limitation of Military Spending,”

RESOLVES:

1. To promote in the Hemisphere an environment conducive to arms control, the limitation of conventional weapons, and the nonproliferation of weapons of mass destruction, making it possible to devote a larger amount of resources to the economic and social development of the member states, which is an essential aim set forth in the Charter of the Organization of American States, bearing in mind the fulfillment of international commitments and the legitimate security and defense needs of the member states.

2. To urge member states to continue to implement confidence- and security-building measures that contribute to transparency so as to attain the goals indicated in the preceding paragraph, which represent a concrete step forward in strengthening peace and security in the Hemisphere.

3. To instruct the Permanent Council to continue considering, in the context of the work of the Committee on Hemispheric Security and in compliance with the mandate contained in the Declaration of Quebec City, the topic "limitation of military expenditure and the promotion of greater transparency in the acquisition of arms," bearing in mind, among other elements, the legitimate security needs of the states and the unilateral, bilateral, subregional and hemispheric perspective of the topic, and to organize a meeting of the Committee with the participation of experts on the subject and representatives of relevant subregional and international bodies.

4. To instruct the Permanent Council to consider including in the Draft Political Declaration of the Special Conference on Security the topic of military spending limits and greater transparency in arms acquisitions, taking into account progress made at the unilateral, bilateral, subregional, and hemispheric levels.

5. To instruct the Permanent Council to continue developing, in the context of the preparatory work for the Special Conference on Security, the most appropriate common approaches that allow discussion of the issues referred to in this resolution.

6. To request member states to provide to the Permanent Council their comments on the topic "Dividends for Peace," in accordance with resolution AG/RES. 1694 (XXIX-O/99).

7. To instruct the General Secretariat to support, within the resources allocated in the program-budget of the Organization and other resources, the activities of the Permanent Council that may be required for implementation of this resolution.

8. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4198/03
21 May 2003
Original: Spanish

Item 42 on the agenda

DRAFT RESOLUTION

SPECIAL CONFERENCE ON SECURITY

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc..../03 add.) and, in particular, the section that refers to the Committee on Hemispheric Security, especially as it relates to the preparatory work for the Special Conference on Security;

RECALLING:

That the Heads of State and Government, gathered at the Second Summit of the Americas, held in Santiago, Chile, in 1998, instructed the Committee on Hemispheric Security, *inter alia*, to analyze the meaning, scope, and implications of international security concepts in the Hemisphere, with a view to developing the most appropriate common approaches by which to manage their various aspects, including disarmament and arms control, and to “pinpoint ways to revitalize and strengthen the institutions of the Inter-American System related to the various aspects of Hemispheric Security” with a view to holding a Special Conference on Security in the framework of the OAS;

That at the Third Summit of the Americas, held in Québec City in April 2001, the Heads of State and Government decided to hold the aforementioned Special Conference on Security in 2004, to which end the OAS Committee on Hemispheric Security must complete the review of all the topics related to international security approaches in the Hemisphere, as stipulated at the Santiago Summit;

That the Twenty-third Meeting of Consultation of Ministers of Foreign Affairs instructed the Committee on Hemispheric Security, by way of resolution RC.23/RES. 1/01 corr. 1, “Strengthening Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism,” to “expedite preparations for the Special Conference on Security”; and

Resolutions AG/RES. 1643 (XXIX-O/99), “Work Program of the Committee on Hemispheric Security in Preparation for the Special Conference on Security,” AG/RES. 1795 (XXXI-O/01), “Preparations for the Summit-Mandated Special Conference on Security,” and, in particular,

AG/RES. 1908 (XXXII-O/02), “Special Conference on Security,” in which the General Assembly convened the Conference for the first half of May 2003 in Mexico;

RECALLING ALSO the mandates related to the Special Conference on Security included in declaration AG/DEC. 27 (XXXII-O/02), “Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security”; resolution AG/RES. 1848 (XXXII-O/02), “The OAS Restructuring and Modernization Process”; resolution AG/RES. 1874 (XXXII-O/02), “Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials”; resolution AG/RES. 1877 (XXXII-O/02), “Support for the Work of the Inter-American Committee against Terrorism”; resolution AG/RES. 1879 (XXXII-O/02), “Confidence- and Security-Building in the Americas”; resolution AG/RES. 1880 (XXXII-O/02), “Summit-Mandated Meeting of Experts on Confidence- and Security-Building Measures in the Region”; resolution AG/RES. 1882 (XXXII-O/02), “Annual Report of the Inter-American Drug Abuse Control Commission and the Multilateral Evaluation Mechanism”; resolution AG/RES. 1885 (XXXII-O/02), “Natural Disaster Reduction”; resolution AG/RES. 1886 (XXXII-O/02), “Special Security Concerns of Small Island States of the Caribbean”; resolution AG/RES. 1887 (XXXII-O/02), “Limitation of Military Spending”; resolution AG/RES. 1889 (XXXII-O/02), “The Western Hemisphere as an Antipersonnel-Land-Mine-Free Zone”; and resolution AG/RES. 1903 (XXXII-O/02), “Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)”;

RECOGNIZING the progress made with respect to the preparation of the Special Conference, in particular the adoption of the Agenda and Rules of Procedure by the Permanent Council (CP/SA.1362/03), and in the development of the draft political declaration of the Conference by the Committee on Hemispheric Security, in its capacity as preparatory body of this Conference;

GRATEFUL FOR:

The recommendations to the Special Conference on Security issued in fulfillment of the resolutions mentioned in the preceding paragraph by the Second High-Level Meeting on the Special Security Concerns of Small Island States (Kingstown, January 2003), by the Meeting of Experts on Confidence- and Security-Building Measures (Miami, February 2003), by the various OAS bodies, including CICTE, the IACNDR, CICAD, and the Consultative Committee of CIFTA; and for member state contributions on bilateral and subregional issues, presented to the Committee on Hemispheric Security in its capacity as preparatory body of the Conference; and

The contributions to the Conference presented to the Committee on Hemispheric Security, in its capacity as preparatory body of the Conference, by international organizations, nongovernmental organizations, academics, and independent experts;

NOTING the documents approved by the Fifth Conference of Ministers of Defense of the Americas, as well as the report on the results of that Conference, presented by the Minister of National Defense of Chile to the Committee on Hemispheric Security as a contribution to the preparatory work for the Special Conference on Security; and

BEARING IN MIND Permanent Council resolution CP/RES. 843 (1365/03), "Extension of the Deadline for Holding the Special Conference on Security," which recommended to the General Assembly that the Special Conference on Security be held in Mexico in the last quarter of 2003, taking into consideration the date of the Special Summit of the Americas,

RESOLVES:

1. That the Special Conference on Security shall be held in Mexico City, Mexico, on October , 2003.
2. To request that the Permanent Council, through the Committee on Hemispheric Security in its capacity as preparatory body of the Special Conference on Security,
 - a. Continue and finalize the pending preparatory work for the Conference, in particular the negotiation of the final documents of the Conference;
 - b. Complete the study on the problems of and risks to peace and security in the Hemisphere and on conflict prevention and resolution in the Hemisphere, referred to in operative paragraph 8.a of resolution AG/RES. 1908 (XXXII-O/02); and
 - c. Complete the study and recommendations on the modernization and changes needed to provide the OAS with technical, advisory, and educational expertise on defense and security issues in order to support the ongoing examination of the institutions of the inter-American system related to hemispheric security, as mentioned in operative paragraph 9 of resolution AG/RES. 1908 (XXXII-O/02).
3. To instruct the Permanent Council to carry out the activities specified in this resolution within the resources allocated in the program-budget of the Organization and other resources.
4. To instruct the General Secretariat to continue providing the technical and secretariat resources necessary for the preparation and holding of the Conference, in accordance with the resources allocated in the program-budget of the Organization and other resources.
5. To request the Special Conference on Security to present a report, through the Permanent Council, to the General Assembly at its thirty-fourth regular session on the Conference held and its conclusions and recommendations.
6. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the fulfillment of this resolution and to present such recommendations as it considers appropriate.

OEA/Ser.P
AG/doc.4199/03 corr. 1
2 June 2003
Original: Spanish

Item XV on the agenda

DRAFT RESOLUTION

PROMOTION OF WOMEN'S
HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Secretary General (CP/doc. /03);

REAFFIRMING that the empowerment of women, their full participation in the development of our societies, and equal opportunity for them to exercise leadership are essential to the strengthening of democracy and the economic and social development of our peoples;

RECALLING the endorsement by the Heads of State and Government in the Plan of Action of the Third Summit of the Americas of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP);

BEARING IN MIND that the objective of resolution AG/RES. 1732 (XXX-O/00), "Adoption and Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality," is the integration of a gender perspective as a decisive strategy for implementing the Program and achieving the ultimate aim of promoting and protecting women's human rights and gender equity and equality;

EMPHASIZING that the adoption of the Inter-American Program reaffirmed the member states' commitment to promote equal rights and opportunities for women and men, with a gender perspective, which will require the ongoing participation of the OAS and, in particular, of the Inter-American Commission of Women (CIM), as the principal forum for generating hemispheric policy on gender equity and equality, as well as cooperation between the OAS and the different regional and subregional agencies and entities;

BEARING IN MIND resolution AG/RES. 1853 (XXXII-O/02), "Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality," whereby the General Assembly received the second report of the Secretary General on implementation of the Program;

RECALLING ALSO resolution AG/RES. 1741 (XXX-O/00), "Integrating a Gender Perspective in the Summits of the Americas," which recommended that the Meetings of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States be held every four years, and that they take the Inter-American Program into account and contribute to the preparatory and follow-up activities of the Summits of the Americas;

CONSIDERING the commitment made by the Organization of American States, in particular through the Inter-American Commission of Women (CIM), to facilitate the integration of a gender perspective in the work of its organs, agencies, and entities by developing training programs and disseminating information on women's human rights, and to supporting governments in the systematic compilation and dissemination of statistical data disaggregated by sex; and

RECALLING that a firm political commitment and ongoing action from the member states and the organs, agencies, and entities of the Organization is essential to attainment of the objectives established in the Inter-American Program,

RESOLVES:

1. To reaffirm its support for the work of the Inter-American Commission of Women as the principal forum for generating hemispheric policy on gender equity and equality and the promotion of women's human rights.
2. To support the efforts of the Inter-American Commission of Women to:
 - a. Follow up on and implement the Inter-American Program, including coordination of the *ad hoc* Inter-institutional Forum on Gender Equality;
 - b. Integrate a gender perspective as a decisive strategy for developing the programs and actions of each of the Organization's organs, agencies, and entities;
 - c. Implement activities and programs for integrating a gender perspective into the results of ministerial meetings on labor, justice, and education;
 - d. Implement its Plan of Action on Women's Participation in Power and Decision-Making Structures; and
 - e. Continue developing the topic "women, free trade, and economic integration," the main item on the agenda for the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the

Advancement of Women in the Member States (REMIM-II), with a special focus on women's economic empowerment.

3. To request the Permanent Council, in fulfillment of the mandates of the Summit of the Americas and the Inter-American Program, to:

- a. Integrate a gender perspective into its resolutions, activities, and initiatives, as appropriate, to ensure that they benefit women and men on an equal basis, availing itself of the expertise of the CIM;
- b. Consider convening a special meeting, in conjunction with the CIM and with participation by civil society organizations, in order to move forward with the implementation of the Inter-American Program in the member states; and
- c. Continue promoting, in coordination with the CIM and the Unit for the Promotion of Democracy (UPD), activities related to the participation of women in political processes, in follow-up to the special meeting held in November 2002 at OAS headquarters.

4. To request the Inter-American Council for Integral Development (CIDI), through its Permanent Executive Committee, to follow up on the implementation of the Strategic Plan for Partnership for Development 2002-2005, regarding the integration, by CIDI and its subsidiary bodies, of a gender perspective, both in policy formulation and in implementing cooperation programs, projects, and activities in the different priority areas of the Strategic Plan.

5. To take note of the third report of the Secretary General on the implementation and promotion of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, presented in fulfillment of resolution AG/RES. 1853 (XXXII-O/02); and to urge him to continue to give it his full support, with special emphasis on the priorities set by the Assembly of Delegates of the Inter-American Commission of Women at its thirty-first regular meeting.

6. To encourage efforts by member states to develop public policies, strengthen institutional mechanisms, and ensure compliance with laws that promote women's human rights and gender equity and equality, including equal opportunity for men and women at all levels.

7. To call upon the Secretary General to:

- a. Convene, for April 2004, pursuant to operative paragraph 4.c of resolution AG/RES. 1853 (XXXII-O/02), the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States;
- b. Continue to integrate a gender perspective in all programs and policies of the Organization, building on the work thus far carried out in developing and implementing the OAS Gender Analysis Training Program;

- c. Reiterate the request to the organs, agencies, and entities of the Organization to include in their annual reports to the General Assembly information on their efforts to integrate a gender perspective into their policies, programs, projects, and activities;
 - d. Support the activities marking the 75th anniversary of the CIM; and
 - e. Report to the General Assembly at its thirty-fourth regular session, in coordination with the CIM, on the implementation of the Program and of this resolution by the organs, agencies, and entities of the inter-American system.
8. To instruct the Permanent Council to consider increasing the resources allocated to the CIM in the program-budget, enabling it fully to carry out its mandates.

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AG/doc.4200/03 corr. 2
2 June 2003
Original: Spanish

Item XV on the agenda

DRAFT RESOLUTION

THIRD BIENNIAL REPORT ON FULFILLMENT OF RESOLUTION AG/RES. 1456 (XXVII-O/97), "PROMOTION OF THE INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT, AND ERADICATION OF VIOLENCE AGAINST WOMEN, 'CONVENTION OF BELÉM DO PARÁ'"

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Third Biennial Report on Fulfillment of Resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Pará'" (CP/doc. /03);

RECALLING resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Pará,'" which instructed the Permanent Secretariat of the Inter-American Commission of Women (CIM), in order to ensure follow-up of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, to report to the General Assembly every two years on progress made in its application and on experiences and results achieved through the initiatives and programs pursued in the member states to combat violence against women;

RECALLING ALSO resolutions AG/RES. 1626 (XXIX-O/99) and AG/RES. 1768 (XXXI-O/01), concerning the first and second biennial reports on fulfillment of resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Pará'";

CONSIDERING that, to date, 31 countries have ratified the Convention of Belém do Pará, thereby demonstrating their commitment to the fulfillment of the Convention's objectives for the elimination of violence against women, and that the states are duty-bound to respect and fulfill the obligations they have assumed;

CONSIDERING ALSO that the Plans of Action of the Summits of the Americas, the Strategic Plan of Action of the Inter-American Commission of Women, and the Inter-American Program for the Promotion of Women's Human Rights and Gender Equity and Equality have considered violence against women as an area for priority attention;

RECOGNIZING that, despite efforts to implement the objectives of the Convention of Belém do Pará, violence persists and is of such magnitude that it is imperative that efforts continue, unabated, to implement strategies to rid women of this scourge;

TAKING INTO ACCOUNT the project "Violence in the Americas," the recommendations of the four subregional meetings held by the CIM, and the report submitted by that specialized organization;

BEARING IN MIND in resolution CP/RES. 807 (1307/02), the Permanent Council reiterated that the Regular Fund shall only be used to defray the costs of conferences and meetings already programmed in the budget of the Organization; and

BEARING IN MIND ALSO that the Assembly of Delegates of the CIM, at its thirty-first regular meeting, adopted resolution CIM/RES. 224 (XXXI-O/02), "Follow-up of the Convention of Belém do Pará," in which it expressed an interest in studying the most appropriate way to follow up on the Convention of Belém do Pará,

RESOLVES:

1. To take note of the Third Biennial Report on Fulfillment of Resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Para,'" and to express concern regarding its conclusions.

2. To express its support for the work of the Inter-American Commission of Women and the member states in promoting the Convention and in pursuing its objectives, in keeping with the priorities established in the Plans of Action of the Summits of the Americas, the Strategic Plan of Action of the CIM, and the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality.

3. To request the General Secretariat to provide necessary support to the meeting of experts which, pursuant to resolution CIM/RES. 224 (XXI-O/02), will consider the document prepared by the CIM as well as other contributions and proposals with a view to making recommendations on the most appropriate way to follow up on the Convention of Belém do Pará.

4. To urge the Secretary General to convene, in coordination with the CIM, a conference of states parties to the Convention of Belém do Pará for it to decide on the most appropriate way to follow up on the Convention, to which those member states that are not parties to the Convention and the Inter-American Commission on Human Rights (IACHR) would be invited. The costs of this meeting shall be financed from resources available in subprogram 10W of the Regular Fund, subject to a favorable recommendation from the Committee on Administrative and Budgetary Affairs on the plan for that meeting presented by the CIM. Any additional expense, or

expense unforeseen in the Regular Fund, shall be covered with external funds or by the country offering to host the meeting.

5. To request the Rapporteur of the Inter-American Commission on Human Rights on women's human rights to bear in mind the recommendations contained in the Third Biennial Report of the Inter-American Commission of Women on fulfillment of resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Pará,'" (CP/doc.3718/03 corr. 1) as well as those issued by the subregional meetings on "Violence in the Americas," held in the framework of the CIM.

6. To exhort all member states to continue to promote measures to prevent, punish, and eradicate violence against women in the Hemisphere, in particular by adapting their legislation in pursuit of this objective.

7. To encourage those member states that have not yet done so to consider, as the case may be, ratifying or acceding to the Convention of Belém do Pará.

8. To invite the member states of the Organization to contribute to financing activities aimed at providing appropriate follow-up to the Convention of Belém do Pará.

OEA/Ser.P
AG/doc.4201/03
21 May 2003
Original: Spanish

Item 18 on the agenda

DRAFT RESOLUTION

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST
CORRUPTION AND ITS PROGRAM FOR COOPERATION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council (CP/doc. /03 add.);

BEARING IN MIND the mandates contained in resolution AG/RES. 1870 (XXXII-O/02),
“Follow-up to the Inter-American Convention against Corruption and Its Program for Cooperation”;

CONSIDERING that the Plan of Action of the Third Summit of the Americas devotes a special chapter to the fight against corruption and that commitments are made therein on the Inter-American Convention against Corruption, the Inter-American Program for Cooperation in the Fight against Corruption, and the establishment of a follow-up mechanism for implementation of said Convention, as well as the strengthening of the Inter-American Network for Cooperation against Corruption, the strengthening of civil society participation in the respective states in the fight against corruption, and the adoption of policies, processes, and mechanisms to protect the public interest;

CONSIDERING ALSO the importance of the Inter-American Convention against Corruption and the fact that it has been signed by 30 member states and was ratified by a further three member states in the past year, thereby bringing the total to 28, and the launch of the first round of review, which included consideration of country reports in the framework of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, as well as participation therein by five new states, bringing the number of member states now participating to 27;

BEARING IN MIND that the Inter-American Convention against Corruption points out that
“fighting corruption strengthens democratic institutions and prevents distortions in the economy, improprieties in public administration and damage to a society's moral fiber”;

BEARING IN MIND ALSO that in resolution CP/RES. 807 (1307/02) the Permanent Council reiterated that the Regular Fund should be used only to cover the costs of conferences and meetings already included in the program-budget of the Organization;

TAKING INTO ACCOUNT the legal cooperation programs and activities carried out by the General Secretariat in developing the Inter-American Program for Cooperation in the Fight against Corruption, with a view to promoting ratification and implementation of the Inter-American Convention against Corruption, as well as the dissemination and exchange of information through the Inter-American Network for Cooperation against Corruption;

TAKING INTO ACCOUNT ALSO that major advances can be made in the fight against corruption through information exchange, coordination of efforts, and partnership-building among the different branches and levels of government, parliamentarians, the private sector, and interested civil society organizations; and

RECOGNIZING the valuable efforts made by member states in combating impunity in cases of corruption-related offenses,

RESOLVES:

1. To urge those member states of the OAS that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention against Corruption and to participate in the Follow-up Mechanism for its implementation.

2. To urge the states parties to the Convention to take any measures they deem necessary to adjust their domestic legislation and comply with the commitments they undertook upon ratification of or accession to the Convention.

3. To urge the states parties to the Inter-American Convention against Corruption, on the basis of the Convention and the applicable laws and treaties, to provide the broadest reciprocal cooperation and assistance in processing requests emanating from authorities who, under their domestic law, are authorized to investigate or prosecute the acts of corruption described in the Convention, with a view to combating impunity.

4. To invite those states parties that are members of the Follow-up Mechanism and have not yet done so to authorize the publication, by the Technical Secretariat for Legal Cooperation Mechanisms, of their replies to the questionnaire of the first round of review.

5. To request member states that have not yet done so to reply promptly to the Questionnaire on Ratification and Implementation of the Inter-American Convention against Corruption (CP/GT/PEC-68/00 rev. 3), so that the Permanent Council may continue to examine replies from states in order to enhance implementation of the Convention, strengthen cooperation, and provide technical assistance to those that request it.

6. To acknowledge the importance of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, as well as the progress made by the Committee of Experts of the Follow-up Mechanism for the Implementation of the Inter-American Convention

against Corruption, through, *inter alia*, the launch of the first round of review, and the consideration, adoption, and publication of the first country report; and to invite the Committee to continue to move forward in this process.

7. To thank those states parties that have made voluntary contributions to the operation of the Follow-up Mechanism, technical cooperation activities, and other initiatives designed to implement the Convention; and to urge all states parties and states not parties to the Convention to make voluntary contributions to facilitate and ensure its implementation.

8. To request the OAS General Secretariat to continue to serve as secretariat of the Follow-up Mechanism for Implementation of the Inter-American Convention against Corruption and to provide it with all necessary technical support.

9. To invite the Conference of States Parties to the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption to consider, at its second meeting, among other important topics, the progress made by the Follow-up Mechanism as well as issues regarding the funding thereof. The costs of this meeting shall be financed from resources available in subprogram 10W of the Regular Fund, subject to a favorable recommendation from the Committee on Administrative and Budgetary Affairs (CAAP) on the plan for that meeting presented by the Secretariat for Legal Affairs. Any additional expense, or expense unforeseen in the Regular Fund, shall be covered with external funds allocated to that Secretariat, or by the country offering to host the meeting.

10. To instruct the Permanent Council to continue to foster the exchange of experiences and information among the OAS, multilateral organizations, and international financial institutions, in order to coordinate, strengthen, and identify cooperation activities in the area. Also to foster the participation of civil society and, in particular, the private sector, among other pertinent entities, in these activities.

11. To request the General Secretariat to continue carrying out, in the execution of the Inter-American Program for Cooperation in the Fight against Corruption, technical cooperation activities to provide assistance in the signature or ratification of, or accession to, the Inter-American Convention against Corruption and in its implementation, and in the exchange of information and experiences among government authorities responsible for this area, including those of the Inter-American Network for Cooperation against Corruption.

12. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4202/03 corr. 1
2 June 2003
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Item 20 on the agenda

DRAFT RESOLUTION

THE PROTECTION OF REFUGEES, RETURNEES, AND STATELESS AND INTERNALLY DISPLACED PERSONS IN THE AMERICAS

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 1892 (XXXII-O/02), “The Protection of Refugees, Returnees, and Internally Displaced Persons in the Americas,” and resolutions AG/RES. 774 (XV-O/85), AG/RES. 838 (XVI-O/86), AG/RES. 951 (XVIII-O/88), AG/RES. 1021 (XIX-O/89), AG/RES. 1039 (XX-O/90), AG/RES. 1040 (XX-O/90), AG/RES. 1103 (XXI-O/91), AG/RES. 1170 (XXII-O/92), AG/RES. 1214 (XXIII-O/93), AG/RES. 1273 (XXIV-O/94), AG/RES. 1336 (XXV-O/95), AG/RES. 1416 (XXVI-O/96), AG/RES. 1504 (XXVII-O/97), and AG/RES. 1602 (XXVIII-O/98), in which it has reiterated its concern for persons in the Americas, such as refugees, returnees, stateless persons, and internally displaced persons, who are in need of international protection and/or humanitarian assistance;

NOTING that Canada, Colombia, El Salvador, Mexico, Paraguay, and Peru have adopted national legislation on refugees and that various member states are in the process of so doing, in fulfillment of resolutions adopted by this General Assembly, AG/RES. 1693 (XXIX-O/99), AG/RES. 1762 (XXX-O/00), AG/RES. 1832 (XXXI-O/01), and AG/RES. 1892 (XXXII-O/02);

WELCOMING the Declaration adopted at the Ministerial Meeting of States Parties to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, held in Geneva in December 2001 with the participation of 23 OAS member states; and supporting the Agenda for Protection of the Office of the United Nations High Commissioner for Refugees (UNHCR), which sets out concrete goals and objectives and guides member states, the UNHCR, and other pertinent players, in seeking to strengthen the international protection of asylum-seekers and refugees in the Americas and worldwide;

NOTING THAT next year will be the 20th anniversary of the 1984 Declaration of Cartagena on Refugees;

UNDERSCORING that to promote enhanced protection for refugees, comprehensive strategies are needed that include, among other aspects, voluntary repatriation, local integration, and resettlement, in the context of increasing solidarity and effective cooperation among all states, in keeping with the pertinent international conventions; and

REAFFIRMING that the protection of asylum-seekers, refugees, stateless persons, and internally displaced persons is strengthened through the increasing cooperation among the pertinent organs of the inter-American system with the Office of the United Nations High Commissioner for Refugees and other relevant players, which is reflected in the dialogue held each year in the Committee on Juridical and Political Affairs,

RESOLVES:

1. To urge the states parties to fully and effectively implement their obligations under the 1951 Convention and/or its 1967 Protocol in accordance with the intent and purpose of these instruments, by taking or continuing to take measures to strengthen asylum and render refugee protection more effective, including, *inter alia*, the adoption and implementation of national refugee provisions and procedures for the determination of refugee status and for the treatment of asylum-seekers and refugees, in keeping with international and regional instruments, according special attention to vulnerable groups and to the differentiated protection needs of women, children, and the elderly.

2. To urge those member states that have not yet done so to consider signing, ratifying, or acceding to, as the case may be, the international instruments on refugees and statelessness, or to consider the possibility of withdrawing the reservations entered at the time of ratification or accession, and to consider adopting the procedures and institutional mechanisms necessary for their effective implementation, in keeping with the principles established in international and regional instruments.

3. To urge member states, with a view to promoting the protection of refugees, returnees, and stateless and internally displaced persons in the Americas, as appropriate:

- a. To apply protection measures that are consistent with international principles of international refugee protection, including, *inter alia*, non-refoulement, family unity, and confidentiality in cases of asylum;
- b. To adopt procedures to identify those persons in need of international protection, in keeping with the 1951 Convention and its 1967 Protocol, and with other pertinent international and regional instruments;
- c. To facilitate access to refugee status determination procedures;
- d. To facilitate procedures for processing claims for refuge- and asylum-seekers, taking gender and age into account, and including measures for victims of sexual abuse and trauma, as well as unaccompanied and separated children; and

- e. To provide, as appropriate and with the assistance of the UNHCR, adequate training to the appropriate authorities on international refugee law and on the provisions for the treatment of asylum-seekers and refugees.
4. To renew its appeal for international and inter-American cooperation in cases of the mass flight of refugees to facilitate their voluntary repatriation and, when appropriate and feasible, the local integration or resettlement of refugees in a third country, in keeping with the international provisions.
5. To continue and increase the support provided by member states and the organs of the inter-American system to the Office of the United Nations High Commissioner for Refugees (UNHCR).

OEA/Ser.P
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2 June 2003
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Item 26 on the agenda

DRAFT RESOLUTION

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW^{5/}

(Approved by the Permanent Council at its meeting held on May 21, 2003)

THE GENERAL ASSEMBLY,

REAFFIRMING the principles and purposes of the Charter of the Organization of American States and the Charter of the United Nations;

RECALLING its resolutions AG/RES. 1270 (XXIV-O/94), AG/RES. 1335 (XXV-O/95), AG/RES. 1408 (XXVI-O/96), AG/RES. 1503 (XXVII-O/97), AG/RES. 1565 (XXVIII-O/98), AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), and AG/RES. 1904 (XXXII-O/02);

DEEPLY CONCERNED over persistent violations of international humanitarian law affecting the world's civilian populations, in particular children and women;

AWARE that the aim of international humanitarian law is the protection of the civilian population and all persons affected by armed conflict and that it also establishes that the right of parties to armed conflict to choose the methods and means of war is not unlimited;

RECOGNIZING that international humanitarian law sets forth appropriate provisions for preventing and alleviating human suffering in situations of armed conflict; the need to reinforce its provisions by achieving their universal acceptance and their widest possible dissemination and application; and the importance of developing it;

RECALLING that it is the obligation of all states to observe and enforce, in all circumstances, the standards established in the 1949 Geneva Conventions and, for the states that are parties thereto, those contained in the 1977 Additional Protocols to those conventions;

5. The United States reserves on paragraphs 2.b and 9 of this resolution and requests that the text of its statement be placed on record. The text of the statement appears as an annex to this resolution.

REITERATING the need for states to adopt legislative, administrative, educational, and practical measures for the application, at the national level, of international humanitarian law;

AWARE of the need to punish those responsible for war crimes, crimes against humanity, and other grave breaches of international humanitarian law;

RECALLING that the Statute of the International Criminal Court defines war crimes and crimes against humanity that its states parties have committed must not go unpunished;

TAKING NOTE OF the holding of the first meeting of the International Criminal Court, on March 11, 2003;

TAKING NOTE ALSO of the entry into force, on February 12, 2002, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

CONCERNED over the disappearance of persons and the taking of hostages, particularly during armed conflict, and the suffering this causes to families and loved ones during and after the conflict;

TAKING INTO ACCOUNT the results of the international conference of government and nongovernmental experts on disappeared persons, held in Geneva, Switzerland, from February 19 to 21, 2003;

UNDERSCORING the need to protect cultural heritage from the effects of armed conflicts;

NOTING the decision of the States Parties to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects to commence negotiations with a view to adopting a new instrument on explosive remnants of war;

RECOGNIZING the important part played by the national committees or commissions established in numerous countries for the dissemination and application of international humanitarian law in ensuring that the Geneva Conventions and, where applicable, the Additional Protocols thereto, as well as the other instruments of international humanitarian law, are incorporated into the domestic law of states parties to those instruments, so as to ensure proper compliance with and dissemination of those instruments;

UNDERSCORING ONCE MORE the ongoing efforts of the International Committee of the Red Cross (ICRC) to promote and disseminate knowledge of international humanitarian law and the activities it carries out as an organization that is impartial, neutral, and independent under any and all circumstances; and

EXPRESSING its satisfaction with the fruitful cooperation between the OAS General Secretariat and the ICRC in furtherance of the agreement signed on May 10, 1996, and with the holding of a special meeting of the Committee on Juridical and Political Affairs, at OAS

headquarters, on March 20, 2003, to discuss the promotion of international humanitarian law and its observance, on which a report was prepared by the Committee Chair (DIH/doc.23/03),

RESOLVES:

1. To urge member states and all parties to an armed conflict to respect their obligations under international humanitarian law, particularly those that apply to protection of the civilian population.

2. To urge member states of the Organization that have not yet done so to consider becoming parties to the following treaties:

- a. The 1977 Additional Protocols (I and II) to the 1949 Geneva Conventions; and that they consider making the declaration contemplated in Article 90 of Protocol I;
- b. The 1998 Statute of Rome of the International Criminal Court;
- c. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction;
- d. The 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, including the amendment to its Article I adopted in 2001 and its four protocols;
- e. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, its 1954 Protocol, and its 1999 Second Protocol, on enhanced protection;
- f. The 1989 Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict, which includes their participation in hostilities and their recruitment into armed forces and armed groups;
- g. The 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA); and
- h. The 1994 Convention on the Safety of United Nations and Associated Personnel.

3. To urge the member states and all parties to an armed conflict to respect the impartiality, neutrality, and independence of humanitarian action in accordance with the guiding principles adopted by the United Nations General Assembly in its resolution 46/182, dated December 19, 1991, and to ensure the well-being of the staff of humanitarian missions.

4. To urge member states to adopt the necessary measures to implement, at the national level, the provisions contained in the instruments of international humanitarian law to which they are parties; to enlist, if necessary, the technical assistance of the ICRC; to bring about widest possible dissemination of international humanitarian law throughout the population, particularly among the armed forces and security forces, by including it in doctrine, military manuals, and official instruction programs.

5. To invite member states to continue to support the work of national advisory committees or commissions or similar bodies for the dissemination and implementation of international humanitarian law where they already exist, and to consider establishing such bodies where this is not already the case, with support from the International Committee of the Red Cross.

6. To urge the parties to an armed conflict to take immediate measures to determine the identity and status of persons reported as missing and to invite member states to consider the dissemination and application of the observations and recommendations issued at the international conference of government and nongovernmental experts on disappeared persons, held in Geneva, Switzerland, from February 19 to 21, 2003.

7. To urge member states to apply the necessary measures to protect cultural property from the effects of armed conflicts, such as the identification, registration, or distinctive marking of such property.

8. To urge states, in accordance with international legal obligations they have assumed both in times of peace and in times of armed conflict, to pay special attention to the obligation, in the study, development, acquisition, or adoption of a new weapon or means or method of warfare, to determine whether its employment would be contrary to international humanitarian law, and, in that event, neither to adopt it for use by the armed forces nor to manufacture it for such purposes.

9. To invite the states parties to the Rome Statute to define in their criminal legislation, in addition to crimes that must be repressed by other international humanitarian law treaties, those set forth in the Statute, and that they adopt all measures necessary to cooperate effectively with the International Criminal Court.

10. To invite member states to contribute to the quest for a solution to the problem of explosive remnants of war by means of a new instrument and to take part in the negotiations under way for that purpose at the United Nations.

11. To urge member states to consider adopting the appropriate measures, at the national level, to address the grave humanitarian consequences of the unregulated availability of arms, in keeping with the Programme of Action adopted at the United Nations Conference to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, July 9-20, 2001).

12. To request the General Secretariat to continue to organize, through the Secretariat for Legal Affairs and in coordination with the ICRC, governmental conferences to disseminate and reinforce the implementation of international humanitarian law and related inter-American conventions.

13. To instruct the Permanent Council, with support from the General Secretariat and in cooperation with the ICRC, to continue to organize special meetings on topical issues in the area of international humanitarian law.

14. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

STATEMENT BY THE DELEGATION OF THE UNITED STATES

The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. We stand for justice and the promotion of the rule of law. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide and crimes against humanity, but we cannot support the seriously flawed International Criminal Court. Our position is that states are primarily responsible for ensuring justice in the international system. We believe that the best way to combat these serious offenses is to build and strengthen domestic judicial systems and political will and, in appropriate circumstances, work through the United Nations Security Council to establish ad hoc tribunals as in Yugoslavia and Rwanda. Our position is that international practice should promote domestic accountability. The United States has concluded that the International Criminal court does not advance these principles.

The United States has not ratified the Rome Treaty and has no intention of doing so. This is because we have strong objections to the International Criminal Court, which we believe is fundamentally flawed. The International Criminal Court undermines national sovereignty with its claim to jurisdiction over the nationals of states not party to the agreement. It has the potential to undermine the role of the United Nations Security Council in maintaining international peace and security. We also object to the Court because it is not subject to adequate checks and balances. We believe that an independent court with unchecked power is open to abuse and exploitation. Its structure lends itself to the great danger of politically-motivated prosecutions and decisions. The inclusion of the still-undefined crime of aggression within the statute of the Court creates the potential for conflict with the United Nations Charter, which provides that the Security Council determines when an act of aggression has occurred.

The United States notes that in past decades several Member States have reached national consensus for addressing historic conflicts and controversies as part of their successful and peaceful transition from authoritarian rule to representative democracy. Indeed, some of those sovereign governments, in light of new events, evolved public opinion, or stronger democratic institutions, have decided on their own and at a time of their choosing to reopen past controversies. These experiences provide compelling support for the argument that Member States – particularly those with functioning democratic institutions and independent functioning judicial systems – should retain the sovereign discretion to decide as a result of democratic and legal processes whether to prosecute or to seek national reconciliation by other peaceful and effective means. The United States is concerned that the International Criminal Court has the potential to undermine the legitimate efforts of Member States to achieve national reconciliation and domestic accountability by democratic means.

Our policy on the ICC is consistent with the history of our policies on human rights, the rule of law and the validity of democratic institutions. For example, we have been a major proponent of the Special Court in Sierra Leone because it is grounded in sovereign consent, combines domestic and international participation in a manner that will generate a lasting benefit to the rule of law within Sierra Leone, and interfaces with the Truth and Reconciliation Commission to address accountability.

The United States has a unique role and responsibility to help preserve international peace and security. At any given time, U.S. forces are located in close to 100 nations around the world, for example, conducting peacekeeping and humanitarian operations and fighting inhumanity. We must ensure that our soldiers and government officials are not exposed to the prospect of politicized prosecutions and investigations. Our country is committed to a robust engagement in the world to defend freedom and defeat terror; we cannot permit the ICC to disrupt that vital mission.

In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Court.

OEA/Ser.P
AG/doc.4204/03
23 May 2003
Original: Spanish

Item 7.h on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN TELECOMMUNICATION COMMISSION

(Approved by the Permanent Council at its meeting of May 23, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Telecommunication Commission (CITEL) (CP/doc. /03);

TAKING INTO ACCOUNT that agreement was reached at the Third Regular Meeting of the Assembly of CITEL, held from August 12 to 16, 2002, in Washington, D.C., on principles for continuing to strengthen CITEL, with a view to enabling it fully to meet its obligations; and

CONSIDERING:

That, in fulfillment of its mandates during 2002, the Inter-American Telecommunication Commission pursued different activities, among which the following are particularly noteworthy:

1. Development of an Agenda for Connectivity and a Plan of Action that address the topic of connectivity in the Americas and serve as a guide for the development of individual connectivity agendas and plans of action in countries where this is deemed appropriate;
2. Preparation and distribution of publications on the Global Information Infrastructure and on tele-education in the Americas;
3. Advanced implementation of the Mutual Recognition Agreement on Conformity Assessment of Telecommunications Equipment with the eight countries participating or having indicated that they will participate in Phase I in 2003, which includes the Procedures for Mutual Recognition of Testing Laboratories As Conformity Assessment Bodies and Mutual Acceptance of Test Reports, and the two countries participating in Phase II, which includes the Procedures for Mutual Recognition of

Certification Bodies as Conformity Assessment Bodies and Mutual Acceptance of Equipment Certifications;

4. Publication of the CITEL Magazine, which underscores the activities of the Commission and current topics pertaining to the telecommunications community in the Americas;
5. Development of Common Inter-American Proposals, which were presented to and, for the most part, adopted by the 2002 World Telecommunication Development Conference and the 2002 Plenipotentiary Conference of the International Telecommunication Union, thereby ensuring that the region of the Americas is loudly heard within the International Telecommunication Union global forum;
6. Different activities to ensure coordinated spectrum allocation in the region, including the ongoing updating of the spectrum usage database available via the CITEL Web page in French, English, and Spanish;
7. Partnerships established through cooperation agreements with nine telecommunication organizations from different parts of the world to improve coordination with other telecommunication organizations for the development and implementation of effective and sustainable programs. These agreements were not a CITEL initiative and are therefore indicative of the status CITEL has acquired in the eyes of the telecommunications community worldwide;
8. Provision of an appropriate environment for its member states to exchange experiences and best practices, thereby making it possible to keep updated legal and regulatory frameworks that are predictable, consistent, nondiscriminatory, and transparent and that will contribute to the development of, and universal access to, telecommunications;
9. Shared experiences during the training courses and over 200 fellowships awarded to individuals in the Americas for the study of telecommunications topics essential to the region. Relations with the CITEL Regional Training Centers and the ITU Center of Excellence for the Americas Region were strengthened;
10. Improvement of working methods by making more competent use of electronic documents.
11. Increased participation of Associate Members by promoting their activities and organizing seminars and workshops.

RESOLVES:

1. To recognize the efforts of the Inter-American Telecommunication Commission in facilitating and promoting the ongoing development of telecommunications in the Hemisphere.

2. To take note of the important activities undertaken and accomplished by the Inter-American Telecommunication Commission in 2002.

3. To request the Inter-American Telecommunication Commission to present a follow-up report to the General Assembly at its thirty-fourth regular session.

OEA/Ser.P
AG/doc.4205/03
21 May 2003
Original: Spanish

Item 7.h on the agenda

DRAFT RESOLUTION

AMENDMENTS TO THE STATUTE OF THE
INTER-AMERICAN TELECOMMUNICATION COMMISSION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Telecommunication Commission (CITEL) (CP/doc. /03);

CONSIDERING:

That, pursuant to Article 34 of the Statute of CITEL, the Statute of CITEL may only be amended by the General Assembly of the Organization, at its own initiative or upon CITEL's request; and

That, at its Third Regular Meeting, in resolution CITEL/RES. 34 (III-02), the Assembly of CITEL requested the General Assembly to amend Articles 7, 17, 23, and 24 of the Statute of CITEL in the manner and for the reasons expressed therein,

RESOLVES:

To approve the amendments to the Statute of the Inter-American Telecommunication Commission as contained in the Appendix hereto.

AMENDMENTS TO THE STATUTE OF CITEL

Article 7

Participation in the CITEL Assembly

...

- f. International and national organizations that are parties to agreements or arrangements establishing relations of cooperation with the Organization, with its organs, organizations, or agencies, when such agreements or arrangements provide for participation of observers.

...

- h. The Associate Members of the Permanent Consultative Committees.

Article 17

Functions of COM/CITEL

The functions of COM/CITEL are the following:

...

- m. To review and approve a work program based on the program-budget approved by the General Assembly and an annual proposed budget for CITEL in pursuance of the provisions of Article 112.c of the Charter of the Organization, ensuring the strictest possible economy but mindful of the obligation upon CITEL to achieve satisfactory results from the work programs undertaken.

Article 23

Structure of the Permanent Consultative Committees Organization

The CITEL Assembly shall organize the Permanent Consultative Committees it considers necessary to attain the objectives defined in Article 3 and shall elect the host countries of the Permanent Consultative Committees, observing to the extent possible, an equitable geographic distribution.

Article 24
Participation in the Permanent Consultative Committees:
Members, Associate Members, and Observers

Member States and Associate Members of CITEL, whose rights and obligations are defined in this Statute, collaborate with a view to attaining the objectives of CITEL.

Associate Members

1. Any agency, organization, or institution related to the telecommunications industry, which has legal personality, with the approval of the corresponding Member State of CITEL, may become an associate member of a Permanent Consultative Committee. The Member State shall notify the Chairman of COM/CITEL in writing of the names of the agencies, organizations, or institutions it has approved. An agency, organization, or institution shall cease to be an Associate Member in the event that approval is withdrawn by the Member State.

2. An international or regional inter-governmental organization with multiple memberships of States of the Americas that is related to telecommunications and has legal personality may become an Associate Member of a Permanent Consultative Committee with the approval of COM/CITEL. This international or regional organization shall cease to be an Associate Member in the event that approval is withdrawn by the COM/CITEL.

3. Associate Members of a Permanent Consultative Committee may fully participate in all the activities of that Permanent Consultative Committee, with voice but without vote. They may present technical papers and receive the documents of the Committee to which they pertain.

OEA/Ser.P
AG/doc.4206/03
21 may 2003
Original: Spanish

Item 7.h on the agenda

DRAFT RESOLUTION

AMENDMENT TO THE INTER-AMERICAN CONVENTION
ON AN INTERNATIONAL AMATEUR RADIO PERMIT

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Telecommunication Commission (CITEL) (CP/doc. /03);

BEARING IN MIND resolution CITEL/RES. 32 (III-02), adopted at the Third Regular Meeting of the Assembly of CITEL, held in Washington, D.C., United States, from August 12 to 16, 2002;

CONSIDERING:

- a. That the Assembly of CITEL serves as an inter-American forum in which the highest telecommunication officials of the CITEL Member States may share views and experiences and take appropriate decisions to direct their activities towards attaining the objectives and fulfilling the mandates of CITEL; and
- b. That the Permanent Executive Committee (COM/CITEL), as CITEL's executive body, is authorized, in conjunction with CITEL's Secretariat, to prepare drafts of inter-American conventions and treaties relating to telecommunications in the Americas;

RECOGNIZING that CITEL's objective is to facilitate and promote, by all means available to it, the ongoing development of telecommunications in the American states; and

CONVINCED that the Protocol to the Inter-American Convention on an International Amateur Radio Permit (IARP) will promote and facilitate, through multilateral licensing mechanisms, a valuable exchange of ideas and technology among amateur radio operations in Europe and the Americas,

RESOLVES:

To adopt the following Protocol to the Inter-American Convention on an International Amateur Radio Permit.

PROTOCOL OF AMENDMENT TO THE
INTER-AMERICAN CONVENTION ON AN INTERNATIONAL
AMATEUR RADIO PERMIT

THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES,

CONSIDERING that the European Conference of Postal and Telecommunications Administrations (“CEPT”) permits holders of the CEPT Radio Amateur License from any CEPT Member States that has implemented CEPT’s Recommendation T/R 61-01 to operate temporarily in all other CEPT member states that have implemented that Recommendation without having to obtain a license from those other states;

TAKING INTO ACCOUNT that the CEPT Radio Amateur License is similar in scope and purpose to the International Amateur Radio Permit (“IARP”) issued and recognized by the State Parties to the Inter-American Convention on an International Amateur Radio Permit (“IARP Convention”);

BEARING IN MIND that substantial benefits in reduced administrative and logistical costs can be realized by allowing amateur radio operators with either the CEPT Radio Amateur License or the IARP to operate temporarily in both CEPT member states and IARP State Parties without having to obtain additional licenses and without having to pay additional duties, taxes, and fees; and

CONSIDERING that CEPT is authorized to obligate its member states to provide amateur radio operators from non-CEPT states the same exemption from licensing and other related requirements enjoyed by holders of the CEPT Radio Amateur License and has expressed its interest in doing so for IARP licensees from State Parties to the IARP Convention who sign an agreement with CEPT for that purpose,

HAVE AGREED UPON THE FOLLOWING:

ARTICLE I

Articles 5-12 of the IARP Convention shall be renumbered Articles 6-13, respectively.

ARTICLE II

The new Article 5 of the IARP Convention shall state as follows:

Reciprocity with Member States of the European Conference of Postal and Telecommunications Administration.

ARTICLE 5

Radio amateurs holding an amateur radio license from a Member State of the European Conference of Postal and Telecommunications Administration (“CEPT Radio Amateur License”) which has implemented Recommendation T/R 61-01 of the Conference of Postal and Telecommunications Administration (“CEPT”) shall be entitled to the same rights and privileges enjoyed by holders of the IARP, provided, however, that CEPT accords all holders of the IARP the same rights and privileges enjoyed by holders of the CEPT Radio Amateur License in CEPT Member States that have implemented Recommendation T/R 61-01. Such rights and privileges granted under this Article shall be subject to the corresponding conditions established in the IARP Convention and T/R 61-01 respectively.

ARTICLE III

For purposes of applying the new Article 5 of the IARP Convention set out in Article II of this Protocol above, the term “holders of the IARP” means only those holders of the IARP from State Parties to this Protocol.

ARTICLE IV

State Parties to the IARP Convention may become State Parties to this Protocol by:

- a. Signature not subject to ratification, acceptance, or approval;
- b. Signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval; or
- c. Accession.

Ratification, acceptance, approval, or accession shall be effected by deposit of the appropriate instrument with the General Secretariat of the Organization of American States in its capacity as a depository.

ARTICLE V

Each State may make reservations to this Protocol at the time of signature, ratification, acceptance, approval, or accession, provided that each reservation concerns at least one specific provision and is not incompatible with the objectives and purposes of the Convention.

ARTICLE VI

This Protocol shall enter into force on the thirtieth day following the date on which two States have become Parties to it. For the remaining States, this Protocol shall enter into force on the thirtieth day after their compliance with the procedures established in Article IV.

ARTICLE VII

This Protocol shall remain in force indefinitely, but may be terminated by agreement of the State Parties. Any of the State Parties to this Protocol may denounce it. The instrument of denunciation shall be deposited with the General Secretariat of the Organization of American States. After one year from the date of deposit of the instrument of denunciation, the Protocol shall no longer be in effect for the denouncing State Party, but shall remain in effect for the other State Parties.

ARTICLE VIII

The original instrument of this Protocol, the English, French, Portuguese, and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which shall forward a certified copy of its text to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of its Charter, and to the General Secretariat of the International Telecommunication Union.

The General Secretariat of the Organization of American States shall notify the State Parties when it receives: the signatures, deposits of instruments of ratification, acceptance, approval, accession and denunciation, and any reservations.

DONE IN _____, the _____ day of _____, two thousand and three.

OEA/Ser.P
AG/doc.4207/03 corr. 1
2 June 2003
Original: English

Item 7.g on the agenda

DRAFT RESOLUTION

FIGHTING THE CRIME OF TRAFFICKING IN PERSONS, ESPECIALLY WOMEN, ADOLESCENTS, AND CHILDREN

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Commission of Women (CIM) (CP/doc. /03);

BEARING IN MIND the resolution of the Inter-American Commission of Women entitled "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children" [CIM/RES. 225/02 (XXXI-O/02)], in which it was decided that "a multilateral response from governments, in consultation with civil society organizations, is necessary in order to formulate policies to prevent trafficking in persons, protect victims, and punish traffickers";

BEARING IN MIND resolution AG/RES. 1776 (XXXI-O/01), "Support for the United Nations Convention against Transnational Organized Crime," which urged all OAS member states to consider signing and ratifying, ratifying, or acceding, as the case may be, to the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

CONSIDERING that, in keeping with the Plan of Action of the Third Summit of the Americas, in Quebec in 2001, in which the Heads of State and Government pledged to "[i]mplement collective strategies, including those that emerge from the Meetings of Ministers of Justice of the Americas ... in order to jointly combat emerging forms of transnational criminal activity, including trafficking in persons and the laundering of the proceeds and assets of crime and cyber-crime," the Inter-American Commission of Women conducted research on trafficking in persons in nine countries of the region and intends to expand this study to include the remaining member states; and

REAFFIRMING that trafficking in persons, especially in women, adolescents, boys, and girls is a modern form of slavery,

RESOLVES:

1. To urge the member states, in accordance with their national legal systems and the international instruments in force in each state, to adopt the measures necessary to implement the recommendations of the resolution entitled "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children" [CIM/RES. 225/02 (XXXI-O/02)], so as to enhance their legal, judicial, and administrative systems, and to consider the establishment, where appropriate, of a national coordination mechanism to prevent and combat the crime of trafficking in persons and to protect victims.
2. To request the Permanent Secretariat of the Inter-American Commission of Women (CIM):
 - a. To facilitate the exchange of information and best practices among member states that so request with a view to fighting the crime of trafficking in persons and expanding its research to include other member states.
 - b. To present to the Permanent Council a report on CIM activities in the member states in connection with trafficking in persons, especially women and children.
3. To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution on CIM activities in the countries of the region in connection with trafficking in persons, especially women, adolescents, and children.
4. To instruct the Secretary General to appoint an "OAS Coordinator on the Issue of Trafficking in Persons, Especially Women, Adolescents and Children," who is to be housed in the Permanent Secretariat of the CIM and to be funded by a specific fund created for this purpose with contributions from member states and other external resources, to serve as a focal point to facilitate information exchange and the efforts of member states that so request to prevent and combat trafficking in persons, especially women, adolescents, and children.

OEA/Ser.P
AG/doc.4208/03 corr. 1
2 June 2003
Original: Spanish

Item 7.e on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.3711/03);

REAFFIRMING its commitment to the principles and purposes set forth in the 1986 Inter-American Program of Action of Rio de Janeiro against the Illicit Use and Production of Narcotic Drugs and Psychotropic Substances and Traffic Therein and in the Anti-Drug Strategy in the Hemisphere, in particular, that anti-drug efforts are a common and shared responsibility that require a comprehensive and balanced approach with respect to the principles established in the UN Charter and in international law;

PROFOUNDLY CONCERNED by the grave threats posed by the links between illicit drug trafficking, terrorism, and other national and transnational criminal activities, such as money laundering, corruption, the illicit trafficking in arms, and the diversion of precursor chemicals;

RECOGNIZING that alternative development is an important component of national anti-drug policies, which creates and promotes sustainable licit economic options to replace the cultivation of illicit crops, and that alternative development programs require continued funding;

NOTING WITH CONCERN the rising trend in the abuse of synthetic drugs and pharmaceuticals in the Hemisphere, in addition to an increase in injecting drug use and related negative health consequences;

FURTHER CONCERNED by the significant increase in heroin trafficking in the Hemisphere in recent years, as suggested by a greater volume of seizures;

NOTING with satisfaction the approval by CICAD at its thirty-second regular session of the hemispheric report and 34 national reports resulting from implementation of the second round of the Multilateral Evaluation Mechanism (MEM), and

CONSIDERING that in the CICAD Declaration in Mexico City (CICAD/doc.1206/02 rev. 3), the member states reaffirmed the priorities for inter-American cooperation in the area of drug control, and in particular, by enhancing integral prevention actions with special emphasis on supply and demand reduction, while combating corruption and transnational organized crime; renewing their commitment to the Multilateral Evaluation Mechanism, and recognizing that hemispheric cooperation is the path to follow,

RESOLVES:

1. To thank the Inter-American Drug Abuse Control Commission (CICAD) for presenting its annual report for 2002 (CP/doc.3711/03).

2. To recognize the important role that CICAD plays in the control of all aspects of the drug problem, and to note with appreciation the progress made in the programs and projects undertaken by CICAD under the mandates issued in the plans of action of the Second and Third Summits of the Americas concerning efforts to combat the world drug problem.

3. To urge member states to continue to strengthen their drug abuse prevention policies and programs for specific populations deemed to be high risk, and to carry out research in order to determine the true dimensions of the problem of drug abuse, in order to design appropriate prevention, treatment, and rehabilitation programs in accordance with the needs of each country.

4. To urge member states, permanent observers, and international trade institutions to seek to maintain and strengthen existing trade preference systems that support alternative development programs aimed at reducing illicit crops in the region, and to continue to contribute funding for those programs and projects in order to ensure that they continue.

5. To urge member states and permanent observers, in line with the principle of shared responsibility, to promote the opening of markets, where appropriate, for products of alternative development programs designed to eliminate the production of illicit crops, in order to improve the competitiveness of those products and enhance the sustainability of these programs

6. To urge member states that, with the goal of preventing, controlling, and eliminating the funding of terrorist activities and, in general, all criminal acts of transnational organized crime, they incorporate into their respective national legislation the provisions of the CICAD Model Regulations on Money Laundering Control, including the amendments to them proposed by the CICAD Group of Experts and adopted at the thirty-second regular session of CICAD in Mexico City, making terrorist financing a predicate offence to money laundering and incorporating the eight special recommendations on terrorist financing drawn up by the Financial Action Task Force (FATF).

7. To urge countries to strengthen the mechanism for pre-export notification of chemical substances used in the production of organic and synthetic drugs, established in Article 12 of the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 as

an effective instrument to prevent the diversion of these substances to illicit markets, among other methods for the effective control of chemical substances.

8. To encourage states to strengthen international judicial cooperation and extradition mechanisms among member states, in order better to address crimes related to the global drug problem, corruption, and the manifestations of transnational organized crime, as well as to combat their impunity.

9. To invite member states to incorporate into their national legislations the provisions of the CICAD Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition, including measures to reinforce controls on exports, imports, and transit of firearms, and to urge CICAD at its thirty-fourth regular session to consider the draft Model Regulations on Arms Brokering, prepared by the CICAD Group of Experts on Firearms Control, in order to strengthen controls over the brokering of firearms.

10. To thank CICAD for the recommendations it made to the Preparatory Body of the Special Conference on Security (CICAD/doc.1203/02 rev. 5), in accordance with General Assembly resolution AG/RES.1882 (XXXIII-O/02).

11. To instruct the Executive Secretariat of CICAD:

- a. Through the Inter-American Observatory on Drugs, to step up efforts to assist member states to develop and maintain uniform data collection systems that will make it possible to measure the problem of substance abuse, and to follow up on new trends in drug abuse.
- b. To promote the evaluation of substance abuse prevention and treatment programs, to determine which are the most effective and have the greatest positive impact on the target groups.
- c. To assist member states and nongovernmental organizations to develop substance abuse prevention programs for primary school children and step up its professional training programs in the demand reduction field.
- d. To assist member states to strengthen actions to control the diversion of controlled pharmaceutical products and chemical substances used in the production of organic and synthetic drugs and to improve the mechanisms for timely information exchange on matters related to the application of control measures.
- e. To continue to provide technical and financial assistance for implementation of alternative development projects in member states affected by the presence of illicit crops, and to continue to identify viable funding sources for programs that aim to prevent and eliminate illicit crops.
- f. To give priority to providing technical assistance to member states to help them strengthen their national drug control commissions and other national entities involved in combating the drug problem in all of its manifestations.

- g. To continue, where appropriate, assisting member states in strengthening financial controls through the establishment and implementation of their Financial Intelligence Units (FIU) and the training of prosecutors and financial sector personnel.
- h. To assist member states in the adoption of national laws and regulations, in accordance with pertinent international instruments, including the CICAD Model Regulations on Money Laundering Control, to prevent the activities of the financial and non-financial sectors from being used to launder assets deriving from drug trafficking and other related crimes.
- i. To help member states incorporate into their national legislations the provisions of the CICAD Model Regulations for the Control of the International Movement of Firearms, their Parts and Components, and Ammunition, including measures to strengthen controls over the exports of firearms.
- j. To support the work programs and activities of the CICAD Expert Groups dedicated to the following five thematic areas: Firearms Control, Pharmaceuticals, Chemical Precursors, Money Laundering, and Demand Reduction; so that they may continue to improve and facilitate cooperation and coordination and information exchange among member states in these areas.
- k. To strengthen cooperation and information exchange among the various pertinent inter-American committees and mechanisms, in particular, the Inter-American Committee against Terrorism (CICTE), and the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), whose work is related to control of the drug problem and other manifestations of transnational organized crime.
- l. To prepare a study on the status of illicit maritime drug trafficking in the Hemisphere.

OEA/Ser.P
AG/doc.4209/03 corr. 1
2 June 2003
Original: Spanish

Item 7.e on the agenda

DRAFT RESOLUTION

IMPLEMENTATION OF THE MULTILATERAL EVALUATION MECHANISM OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual report of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.3711/03);

RECALLING that during the Second Summit of the Americas, with the intention of strengthening mutual confidence, dialogue, and hemispheric cooperation, the Heads of State and of Government undertook to establish a singular and objective process of multilateral governmental evaluation based on the principles of respect for the sovereignty and territorial jurisdiction of the states, reciprocity, shared responsibility, and an integrated, balanced approach, in order to monitor the progress of their individual and collective efforts in dealing with the diverse manifestations of the drug problem and related crimes;

RECOGNIZING that the Multilateral Evaluation Mechanism (MEM) is a central pillar of hemispheric cooperation and a necessary instrument for the design of effective policy in combating all manifestations of the drug problem;

NOTING that the hemispheric report and the 34 national reports resulting from the implementation of the second round of the MEM were approved by CICAD at its thirty-second regular session, held in Mexico City in December 2002, and were published, with their recommendations, in January 2003; and

WELCOMING the Declaration of CICAD in Mexico City, adopted by the Commission at its thirty-second regular session, in which member states renewed their commitment to the MEM,

RESOLVES:

1. To note with satisfaction the hemispheric report and the 34 national reports resulting from the implementation of the second round of the Multilateral Evaluation Mechanism (MEM) approved by CICAD at its thirty-second regular session.
2. To endorse the recommendations contained in those reports, and to request CICAD to report to the General Assembly at its thirty-fourth regular session on the implementation of those recommendations.
3. To urge the member states to continue to carry out activities designed to meet fully the national and hemispheric recommendations formulated during the first and second rounds of implementation of the Multilateral Evaluation Mechanism, and to renew the commitment demonstrated during the first and second evaluation rounds and continue to participate actively and fully, and in a timely fashion, in the third round of the MEM.
4. To express its appreciation and recognition of the work of the Governmental Experts Group (GEG) responsible for preparing the evaluation reports.
5. To urge member states, permanent observers, and international financial institutions to increase their financial contributions to CICAD to enable it to step up its assistance to member states as they seek to comply with the recommendations of the MEM.
6. To instruct CICAD:
 - a. To continue fulfilling the mandates given by the Third Summit of the Americas held in Quebec City, specifically those that refer to refining and promoting the Multilateral Evaluation Mechanism process and its results, and those that refer to the provision of assistance to member states for effective implementation of the recommendations;
 - b. To focus resources on those areas identified by the MEM as priorities, such as the development of national information systems and the strengthening of information exchange mechanisms and national and international cooperation on all aspects of the problem; and
 - c. To continue to assist member states in complying with the recommendations contained in the national and hemispheric MEM reports, "Evaluation of Progress in Drug Control 2001-2002," and in participating fully in the next round of evaluations of the MEM process.

OEA/Ser.P
AG/doc.4210/03
21 May 2003
Original: Spanish

Item 7.k on the agenda

DRAFT RESOLUTION

PROMOTION AND PROTECTION OF THE HUMAN RIGHTS
OF CHILDREN IN THE AMERICAS

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Children's Institute (CP/doc. /03);

TAKING INTO ACCOUNT its resolutions AG/RES. 1667 (XXIX-O/99), AG/RES. 1733 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1787 (XXXI-O/01), AG/RES. 1835 (XXXI-O/01), AG/RES. 1883 (XXXII-O/02), AG/RES. 1891 (XXXII-O/02), and AG/RES. 1847 (XXXII-O/02);

REITERATING the appeal made in the Plan of Action of the Third Summit of the Americas, concerning the full integration of the human rights of children and adolescents into the work of hemispheric institutions, including the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and the Inter-American Children's Institute, as well as the need to reinforce the role of the Inter-American Children's Institute as an advisor to the Summit Implementation Review Group (SIRG) on the matter;

BEARING IN MIND the provisions of the Convention on the Rights of the Child, the optional protocols to the Convention on the involvement of children in armed conflict and on the sale of children, child prostitution, and child pornography; Convention No. 29 of the International Labour Organization on forced or compulsory labor; Convention No. 138 on the minimum age for admission to employment; and Convention No. 182 on the prohibition of the worst forms of child labor and immediate action to eliminate them; and the Inter-American Convention on Support Obligations, the Inter-American Convention on the International Return of Children, the Inter-American Convention on Conflict of Laws concerning the Adoption of Minors, and the Inter-American Convention on International Traffic in Minors; as well as other pertinent human rights instruments;

REAFFIRMING the commitment to create a world fit for children, in which sustainable human development, taking into account the best interest of the child, is founded on principles of democracy, equality, nondiscrimination, peace and social justice, and the universality, indivisibility, interdependence, and interrelatedness of all human rights, including the right of development;

RECOGNIZING the input provided by the Inter-American Children's Institute in preparing a model national children's system for the overall protection of children from the viewpoint of their rights; model public policies and plans of action for children and adolescents in situations of vulnerability and social risk; and prototype legal standards on child labor, sexual exploitation, drug abuse, and disabilities; information systems for monitoring rights; and information campaigns on children's rights, on the basis the Strategic Plan 2000-2004 of the Inter-American Children's Institute;

RECOGNIZING the role of the Special Rapporteur for Children of the Inter-American Commission on Human Rights in protecting and promoting the rights of children; and taking note of Advisory Opinion OC-17, "Legal Status and Human Rights of Children," adopted by the Inter-American Court of Human Rights on August 28, 2002; and

TAKING INTO ACCOUNT the Institute's Strategic Plan 2000-2004, adopted by the Directing Council at its 75th Meeting and ratified by the General Assembly, which identifies a group of priority areas for action and technical assistance to member states, among them, child labor, sexual exploitation, drug abuse, disabilities, abandoned children, international adoption, and birth registration,

RESOLVES:

1. To reaffirm the fundamental importance of the promotion and protection of the human rights of children for the future of the Hemisphere.
2. Further, to reaffirm support for the work of the Inter-American Children's Institute as a specialized organization of the Organization of American States, which is entrusted with promoting the study of subjects relating to mothers, children, adolescents, and the family in the Americas and the adoption of measures for solving their problems, in particular, its activities to assist member states in their efforts to promote the establishment of national children's systems and the professionalization of the national authorities entrusted with the topic of children.
3. To request the Special Rapporteur on Children of the Inter-American Commission on Human Rights to continue to pay special attention to the protection and promotion of the human rights of children in the Hemisphere, and to recognize the work that Rapporteur has been doing, especially with respect to the promotion of mechanisms of the inter-American human rights system in this area.
4. To urge member states to consider ratifying or acceding to, as the case may be, international or regional treaties that protect the human rights of children, to develop, as appropriate, national laws, policies, and practices that give effect to their international legal obligations, and to be guided by international standards in adopting pertinent national measures.

5. To urge member states to ensure that the human rights of children are included on the working agendas of the specialized organizations and conferences and the organs and entities of the Organization so as to meet the specific needs of children; and to request the Secretary General to support these efforts by reinforcing coordination within the Organization and, in particular, the areas of the General Secretariat, and with the appropriate multilateral organizations.

6. To urge the Inter-American Agency for Cooperation and Development to strengthen communication and coordination with the Inter-American Children's Institute in the area of technical cooperation, and to give special follow-up to the components related to the human rights of children in partnership-for-development activities.

7. To request the Secretary General to present a report on the implementation of this resolution, including an evaluation of the implementation of the Strategic Plan 2000-2004 of the Inter-American Children's Institute, to the Permanent Council.

8. To request the Permanent Council to conduct periodic follow-up of the work of the Inter-American Children's Institute, bearing in mind the recommendations of the Institute's Directing Council, and to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4211/03 corr. 1
2 June 2003
Original: Spanish

Item 4 on the agenda

DRAFT RESOLUTION

SUPPORT FOR THE WORK OF THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations on the Report of the Chair of the Inter-American Committee against Terrorism to the General Assembly at its thirty-third regular session: Activities 2002-2003 (CP/doc.3714/03);

NOTING WITH SATISFACTION that the third regular session of the Inter-American Committee against Terrorism (CICTE) was held in San Salvador, El Salvador, from January 22 to 24, 2003, on which occasion the member states adopted the Declaration of San Salvador on Strengthening Cooperation in the Fight against Terrorism, the recommendations of CICTE to the Special Conference on Security, the CICTE Work Plan, and resolution CICTE/RES. 1/03 rev. 2 "Revision of the Statute and Rules of Procedure of the Inter-American Committee against Terrorism (CICTE)";

REAFFIRMING that terrorism, whatever its origin or motivation, has no justification whatsoever, and that, in keeping with the Declaration of San Salvador on Strengthening Cooperation in the Fight Against Terrorism, adopted by the member states during the third regular session of CICTE, terrorism constitutes a serious threat to democratic values and to international peace and security, destabilizes and undermines the foundations of society as a whole, and seriously affects economic and social development in the states of the region;

RECONOGNIZING WITH CONCERN that the links that often exist between terrorism and illicit trafficking in drugs, the laundering of assets, illicit trafficking in arms, and other forms of transnational organized crime aggravate this threat, and that their proceeds are used by terrorist groups to finance and support their activities, for which reason stronger measures are needed to prevent and suppress them;

RECALLING its resolutions AG/RES. 1650 (XXIX-O/99), "Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism," AG/RES. 1734 (XXX-O/00), "Observations and Recommendations on the Annual Report of the Inter-American Committee against Terrorism," and AG/RES. 1789 (XXXI-O/01) and AG/RES. 1877 (XXXII-O/02), both entitled "Support for the Work of the Inter-American Committee against Terrorism";

BEARING IN MIND United Nations Security Council resolution S/RES/1373(2001), in which member states are urged to take specific measures to combat international terrorism; and

WELCOMING the increasing collaboration between the CICTE Secretariat and subregional and international organizations, including the Caribbean Financial Action Task Force, the Central American Inter-Parliamentary Commission, the UN Counter-Terrorism Committee (CTC), the Organization for Security and Co-operation in Europe (OSCE), and the Financial Action Task Force (FATF),

RESOLVES:

1. To reaffirm its commitment to continue strengthening hemispheric cooperation and implementing specific measures to prevent, combat, and eliminate international terrorism.
2. To express satisfaction with the progress made by member states in the adoption of effective measures to prevent, combat, and eradicate terrorism; and to underscore the need to continue strengthening their application and that of cooperation mechanisms in the fight against terrorism at the bilateral, subregional, regional, and international levels.
3. To endorse the Declaration of San Salvador on Strengthening Cooperation in the Fight against Terrorism and encourage member states to do their utmost to pursue the commitments contained in that Declaration.
4. To express its satisfaction with the work of the Inter-American Committee against Terrorism (CICTE) in identifying urgent measures to strengthen hemispheric cooperation to prevent, combat, and eliminate terrorism.
5. To urge CICTE to facilitate ongoing dialogue among member states with a view to undertaking preventive measures that anticipate and address emerging terrorist threats, whatever their origin, such as the activities of international terrorist groups and threats to cyber-security.
6. To express its appreciation to those member states, permanent observer states, and the Inter-American Defense Board for having contributed personnel and other resources for the CICTE Secretariat and to support the implementation of the CICTE Work Plan.
7. To call on member states, permanent observer states, and other members of the international community to provide, maintain, or increase, as appropriate, their financial contributions to CICTE and to consider designating personnel for the CICTE Secretariat.

8. To commend the member states that already are parties to the Inter-American Convention against Terrorism, and to call upon the remaining member states to sign, ratify, or accede to that Convention, as the case may be, so that it may enter into force.

9. To urge member states to:

- a. Intensify their actions to comply strictly with the provisions of United Nations Security Council resolution S/RES/1373 (2001), in particular the obligation to refrain from providing any kind of support to entities or persons who participate in the commission of terrorist acts, the obligation to deny refuge and/or safe haven to those who finance, plan, support or commit terrorist acts, and the duty to prevent their territories from being used to finance, plan, and facilitate the commission of such acts;
- b. Continue their efforts to implement the recommendations on financial and border controls adopted at the third regular session of CICTE, including, as appropriate, the incorporation of those recommendations in their domestic law, as well as the adoption of measures necessary for intensifying the exchange of information on the activities of terrorist groups;
- c. Report to the fourth regular session of CICTE on measures taken to implement those recommendations; and provide, if they have not yet done so, a copy of their most recent reports on measures taken to implement United Nations Security Council resolution S/RES/1373 (2001);
- d. Respond, if they have not yet done so, to the CICTE Questionnaire, which instrument is essential for identifying and addressing the cooperation needs of member states;
- e. Continue encouraging the broadest cooperation, within the appropriate OAS organs, on matters related to the objectives and purposes of the Inter-American Convention against Terrorism.

10. To reiterate the importance of strengthening collaboration, coordination, and information exchange on counter-terrorism programs and activities between CICTE and the appropriate inter-American committees and mechanisms, including the Inter-American Drug Abuse Control Commission (CICAD) and the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the member states, the permanent observer states, and the UN Counter-Terrorism Committee, with the aim of combating the links that often exist between terrorism and illicit trafficking in drugs, illicit trafficking in arms, and other forms of transnational organized crime.

11. To instruct the General Secretariat to continue providing, within the resources allocated in the program-budget of the Organization and other resources, administrative and any other necessary support for the CICTE Secretariat and the fourth regular session of CICTE, including the preparatory meetings for that regular session, and for the meeting of points of contact which will take place at the OAS on July 14 and 15, 2003.

12. To request the Chair of CICTE to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4212/03
21 May 2003
Original: Spanish

Item 7 on the agenda

DRAFT RESOLUTION

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORTS OF THE ORGANS, AGENCIES, AND ENTITIES OF THE ORGANIZATION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (CP/doc. /03) on the annual reports presented by the Inter-American Council for Integral Development (CIDI) (CP/doc.3738/03), the Inter-American Institute for Cooperation on Agriculture (IICA) (CP/doc.3708/03), the Inter-American Indian Institute (IIC) (CP/doc.3712/03), the Pan American Health Organization (PAHO) (CP/doc.3710/03 and add. 1), the Inter-American Commission of Women (CIM) (CP/doc.3702/03), the Inter-American Telecommunication Commission (CITEL) (CP/doc.3695/03), the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.3711/03), the Inter-American Children's Institute (IACI) (CP/doc.3699/03), the Justice Studies Center of the Americas (CEJA) (CP/doc.3713/03), and the Administrative Tribunal (CP/doc.3697/03);

CONSIDERING that the Permanent Council's observations and recommendations recognize the successful endeavors of the Organization's organs, agencies, and entities in furtherance of the principles and objectives of the Organization and of the inter-American system;

TAKING INTO ACCOUNT that, in resolution AG/RES. 1883 (XXXII-O/02), the OAS organs, agencies, and entities were instructed to report on "the measures taken to implement the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality and to mainstream the gender perspective into their programs, projects, and activities," to include in their annual reports a section on the quantifiable results obtained, and to include the draft resolutions that they saw fit to transmit to the General Assembly, after consideration by their respective members or specialists in the area; and

UNDERSCORING that these reports have been submitted in keeping with the provisions of Article 91.f of the OAS Charter,

RESOLVES:

1. To take note of the observations and recommendations of the Permanent Council on the annual reports and to transmit them to the organs, agencies, and entities of the Organization.
2. To thank the organs, agencies, and entities that complied with the statutory deadline for the presentation of annual reports, and once again to urge all organs, agencies, and entities to include a section on the quantifiable results obtained, in keeping with the provisions of resolution AG/RES. 1909 (XXXII-O/02).
3. To remind all the organs, agencies, and entities of the Organization that annual reports must be submitted by the statutory deadline, which is 90 days prior to the start of the General Assembly session.
4. To urge all the organs, agencies, and entities to approve their annual reports, following the procedures applicable for each report, at least 120 days prior to the General Assembly session.
5. To reiterate to all the organs, agencies, and entities of the OAS that, in presenting their annual reports, they must take into account the provisions of prior General Assembly resolutions, in particular resolutions AG/RES. 1452 (XXVII-O/97), AG/RES. 1669 (XXIX-O/99), AG/RES. 1839 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), and AG/RES. 1883 (XXXII-O/02).
6. To recognize the important activities carried out by the Inter-American Council for Integral Development and its subsidiary bodies, and to request it to continue promoting hemispheric dialogue and to redouble its efforts to promote partnership for development among the member states with a view to supporting their integral development and, in particular, to contributing to the elimination of poverty.
7. To underscore the important activities conducted by the Pan American Health Organization (PAHO) in fulfillment of its purposes and objectives.
8. To commend the Inter-American Commission of Women (CIM) for its 75 years of service in promoting women's rights in the Americas; and to support its efforts to implement the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, especially its collaboration on the Gender Mainstreaming Project at the OAS General Secretariat.
9. To renew its recognition of the Inter-American Institute for Cooperation on Agriculture (IICA) and to encourage it to continue its efforts to support the member states in their quest for progress and prosperity in the Hemisphere, through modernization of the rural sector, promotion of food security, and development of a competitive, technologically trained, environmentally managed, and socially equitable agricultural sector for the peoples of the Americas.
10. To renew its recognition of the Inter-American Telecommunication Commission (CITEL) for its important activities in pursuit of its purposes and objectives and in fulfillment of the Summits of the Americas mandates.

11. To commend the Inter-American Children's Institute (IACI) for its projects now in execution under the Strategic Plan 2000-2004 and to urge it to continue its efforts to increase funding for the projects agreed upon in that plan.

12. To recognize the work of the Inter-American Indian Institute (III) and to express the support of the member states for its restructuring process, taking into account the importance of indigenous issues on the OAS agenda.

13. To underscore the efforts of the Justice Studies Center of the Americas (CEJA) to generate and disseminate instruments to improve awareness of justice in the Americas; and to express its satisfaction with the measures taken to increase cooperation and the exchange of experiences among key players in the justice sector at the regional level.

14. To recognize the important activities carried out by the Administrative Tribunal of the OAS.

OEA/Ser.P
AG/doc.4213/03 corr. 1
2 June 2003
Original: English

Item 8 on the agenda

DRAFT RESOLUTION

PROMOTION OF CORPORATE SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on promotion of corporate social responsibility in the Hemisphere (CP/CG-1521/03 rev. 2);

RECALLING that, through resolution AG/RES. 1871 (XXXII-O/02), “Promotion of Corporate Social Responsibility in the Hemisphere,” the General Assembly instructed the Permanent Council to “continue to foster exchange of experience and information among the OAS, other multilateral organizations, international financial institutions, the private sector, and civil society organizations, among other pertinent bodies, in order to coordinate and strengthen cooperation activities in the area of corporate social responsibility”;

BEARING IN MIND that the Plan of Action of the Third Summit of the Americas supported “the continued analysis and consideration in the OAS of corporate social responsibility” and the discussion of “ways to promote the development, adoption and implementation by the business community of principles of good conduct that will advance corporate social and environmental responsibility”;

RECOGNIZING that businesses play a central role in the creation of prosperity and the flow and maintenance of trade and investment in the Hemisphere and that they can make important contributions to sustainable development and increase access to opportunities, which can include reducing inequality in the communities in which they operate;

TAKING INTO CONSIDERATION the increasing expectations on the part of our citizens that business will conduct their operations in a manner consistent with their social responsibilities;

MINDFUL that attention to corporate social responsibility is increasing worldwide, and in particular in the Hemisphere and that the concept is being addressed in various multilateral forums;
and

RECOGNIZING the cross-cutting nature of corporate social responsibility and its ties with issues under the responsibility of a variety of organs, agencies, and entities of the OAS,

RESOLVES:

1. To congratulate the organizers, sponsors, and participants on the success of the “Americas Conference on Corporate Social Responsibility, Alliances for Development,” hosted by the Inter-American Development Bank (IDB), the World Bank, and the Organization of American States (OAS), with the support of the Government of Canada and of the Government of the United States of America through its Inter-American Foundation (IAF), which was held in Miami, USA, from September 22 to 24, 2002, with the participation of over 500 representatives of OAS member state governments and civil society, including business and labor groups, compliant with the mandate assigned to them by the Heads of State and Government in the Plan of Action of the Third Summit of the Americas.

2. To welcome the sponsorship by the Government of Panama, with the support of the IDB, of the “Conference on Corporate Social Responsibility in the Americas, as a Tool for Competitiveness,” to be held in Panama City, October 26 to 28, 2003.

3. To request the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to:

- a. Ensure that proper follow-up is given to the abovementioned conferences in the OAS context, in keeping with the Plan of Action of the Summit of the Americas.
- b. Convene a joint session to discuss the complementarities between corporate social responsibility and economic development to maximize the benefits from corporate social responsibility; and to encourage member states, should they see fit, to report on progress in this area within their countries at this opportunity.
- c. Undertake jointly to foster the exchange of experience and information among member states and the different organs, agencies, and entities of the OAS, in close collaboration with the Trade Unit of the OAS General Secretariat, the Secretariat for the Summit Process, and the Inter-American Agency for Cooperation and Development (IACD), in order to coordinate and strengthen cooperation activities in the area of corporate social responsibility.

4. To encourage OAS member states, insofar as possible, to inform their private sector, business associations, unions, academic institutions, and civil society organizations about the upcoming “Conference on Corporate Social Responsibility in the Americas, as a Tool for Competitiveness,” in Panama, and to promote their participation and that of experts and officials.

5. To instruct the General Secretariat to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

6. To instruct the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

OEA/Ser.P
AG/doc.4214/03 corr. 1
2 June 2003
Original: Spanish

Item 9 on the agenda

DRAFT RESOLUTION

APPOINTMENT OF WOMEN TO SENIOR MANAGEMENT POSITIONS AT THE OAS

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the appointment of women to senior management positions at the OAS (CP/doc. /03);

BEARING IN MIND Article 120 of the Charter of the Organization of American States and Article 37 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States, which stipulate that first consideration shall be given to efficiency, competence, and integrity in the recruitment of General Secretariat personnel, but that importance shall also be attached to the criterion of the widest possible geographic distribution in hiring personnel at all levels; and Article 137 of the Charter of the Organization, which states that the Organization of American States does not allow any restriction based on race, creed, or sex with respect to eligibility to hold positions in the Organization and to participate in its activities;

CONSIDERING that resolution AG/RES. 1627 (XXIX-O/99), resolution AG/RES. 1790 (XXXI-O/01), and resolution AG/RES. 1872 (XXXII-O/02), "Appointment of Women to Senior Management Position at the OAS," urged the Secretary General to establish as an objective that, by the year 2005, women should occupy 50% of posts in all categories of the OAS system;

CONSIDERING ALSO that the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, which was adopted by the OAS General Assembly, by resolution AG/RES. 1732 (XXX-O/00), calls for the OAS General Secretariat to "implement measures to ensure full and equal access by men and women to all categories of posts in the OAS system, particularly in decision-making positions";

REAFFIRMING the commitment expressed at the highest levels in the Plan of Action of the Third Summit of the Americas to promote gender equity and equality and women's human rights by strengthening and fostering women's full and equal participation in decision-making at all levels, women's empowerment, and their equal opportunities to exercise leadership;

ACKNOWLEDGING that ensuing equal opportunities for women in leadership and decision-making positions is only one important element of a continuum of actions, policies, and activities required to achieve gender equality in the workplace, and improve gender mainstreaming throughout the OAS;

BEARING IN MIND ALSO that a review of the Organizational Framework and Personnel Structure of the General Secretariat of the OAS (Management Study) is currently being conducted and that its final report is to be presented at the General Assembly in 2004; and

HAVING SEEN the distribution of professionals by grade and sex annexed to the present resolution,

RESOLVES:

1. To urge the Secretary General to:
 - a. redouble efforts to achieve the urgent goal that by the year 2005, women should occupy 50% of posts at each level within the OAS organs, agencies and entities, particularly at the P-5 level and above, in order to achieve gender balance in all positions at the OAS, bearing in mind the criterion of geographic distribution in professional positions;
 - b. continue to make gender equity and equality, which includes equal opportunities for men and women at all levels, one of the priorities in his efforts to establish a new institutional culture in the Organization;
 - c. continue his work to establish policies of gender equality in the workplace and to make each manager accountable for the application of these policies;
 - d. appoint qualified women as representatives and special envoys to represent the Secretary General in matters relating to all areas and sectors;
 - e. take into account the objective of gender balance and the criterion of geographic distribution when filling vacancies in the OAS, especially positions of higher authority;
2. To request the Permanent Council to take this resolution into account when making decisions on the personnel structure of the General Secretariat based on the Management Study that will be presented in compliance with resolution AG/RES. 1909 (XXXII-O/02).
3. To urge all member states to support the efforts of the Secretary General and of the President of the CIM by identifying, and regularly submitting, through their permanent missions to the OAS, the most highly-qualified women candidates to occupy positions of trust within the OAS and to encourage more women to apply for vacant positions, which will have been widely publicized in all member states.

4. To call on the organs, agencies, and entities of the OAS to:
 - a. meet the goal of 2005 and to continue to accelerate their recruitment of qualified women for vacant positions;
 - b. include the objective of improving gender balance in their action plans of human resources management;
 - c. encourage that specific activities be undertaken to address gender issues within the workplace, according to individual circumstances of departments and offices, as one of the follow-up actions to the Gender Mainstreaming Project undertaken by the General Secretariat of the OAS;

5. To request the Secretary General to monitor closely the progress made by the organs, agencies and entities of the Organization in meeting the goal of women occupying 50% of posts at each level by the year 2005, to keep the Permanent Council informed with respect to the implementation of this resolution, providing an annual update with relevant statistics from the Department of Human Resource Services and detailed information on the strategies and actions taken to implement this resolution and reach that goal, and to report thereon to the General Assembly at its thirty-fourth regular session.

APPENDIX I

Grade	Dec. 31, 2000			Dec. 31, 2001			Dec. 31, 2002		
	Male	Female	% F	Male	Female	% F	Male	Female	% F
P-5	65	19	23	66	20	23	64	22	25.6
D-1	19	8	30	18	7	28	18	6	25
D-2	8	1	11	8	2	20	8	2	20
Not classified	5		0				5	0	0

OEA/Ser.P
AG/doc.4215/03
21 May 2003
Original: English

Item 10 on the agenda

DRAFT RESOLUTION

NATURAL DISASTER REDUCTION

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council as it pertains to the Inter-American Strategic Plan for Policy on Vulnerability Reduction, Risk Management and Disaster Response (IASP), submitted by the Inter-American Committee on Natural Disaster Reduction (IACNDR) (CP/doc.3737/03);

BEARING IN MIND that the IASP contains information that is of significant importance to policymakers in member states responsible for emergency preparedness, vulnerability reduction, disaster response, and disaster recovery and reconstruction efforts;

OBSERVING the increasing impact of natural hazard events on the populations and the economic and social infrastructure of the member states as they relate to meeting sector development objectives and supporting the tenets and mandates related to sustainable development;

BEARING IN MIND that the member states have committed themselves to progress on disaster reduction and have requested of the General Secretariat of the Organization of American States as well as regional, hemispheric, and international specialized agencies support in carrying out their mandates; and

TAKING NOTE of the measures proposed by the IACNDR and set out in the IASP for strengthening cooperation among member states, which will be considered by the preparatory body of the Special Conference on Security, scheduled to be held in Mexico in October 2003,

RESOLVES:

1. To thank the Inter-American Committee on Natural Disaster Reduction for the preparation and submission of the Inter-American Strategic Plan for Policy on Vulnerability

Reduction, Risk Management and Disaster Response (IASP), in response to AG/RES. 1885 (XXXII-O/02).

2. To urge member states to give priority consideration to the implementation of the measures contained therein.

3. To request that the Permanent Council, through the Committee on Hemispheric Security and in consultation with CEPCIDI, examine the measures proposed in the IASP with a view to assisting member states in the implementation of elements of the plan.

4. To request the IACNDR to continue to stimulate the active participation of the relevant inter-American agencies and subregional programs in its three working groups.

5. To request the IACNDR to report periodically to the Permanent Council on its compliance with this and other previous resolutions and on the progress of its work.

OEA/Ser.P
AG/doc.4216/03
21 May 2003
Original: Spanish

Item 11 on the agenda

DRAFT RESOLUTION

COOPERATION BETWEEN THE ORGANIZATION OF AMERICAN STATES
AND THE UNITED NATIONS SYSTEM, THE GENERAL SECRETARIAT
OF THE CENTRAL AMERICAN INTEGRATION SYSTEM, AND THE
GENERAL SECRETARIAT OF THE CARIBBEAN COMMUNITY

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the implementation of resolution AG/RES. 1893 (XXXIII-O/02), 'Cooperation between the Organization of American States and the United Nations System, the General Secretariat of the Central American Integration System, and the General Secretariat of the Caribbean Community' (CP/doc.3744/03),

RESOLVES:

1. To take note of the report of the Secretary General on the implementation of resolution AG/RES. 1893 (XXXII-O/02), which outlines the activities carried out under the cooperation agreements between the General Secretariat of the OAS and the secretariats of the United Nations, the Caribbean Community (CARICOM), and the Central American Integration System (SICA).

2. To request the General Secretariat to implement, within available resources, the recommendations of the October 2002 general meeting and of previous general meetings and to consider the possibility of holding, in 2004, such meetings with the United Nations, with SICA, and with CARICOM in an effort to define new and updated modalities for cooperation between the General Secretariat and the secretariats of these organizations.

3. To request the Secretary General to continue and to strengthen activities involving cooperation between the General Secretariat of the OAS and each of the following organizations: the United Nations system, the General Secretariat of the Central American Integration System, and the General Secretariat of the Caribbean Community.

4. To request the Secretary General to facilitate increased intersectoral contacts with the heads of the technical areas of the three organizations mentioned above.

5. To request the Secretary General to report on these actions to the General Assembly at its thirty-fourth regular session.

OEA/Ser.P
AG/doc.4217/03 corr. 1
2 June 2003
Original: Spanish

Item IX on the agenda

DRAFT RESOLUTION

PROMOTION AND STRENGTHENING OF DEMOCRACY.
FOLLOW-UP TO THE INTER-AMERICAN DEMOCRATIC CHARTER

(Approved by the Permanent Council at its meeting of May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the implementation of resolutions AG/RES. 1869 (XXXII-O/02) and AG/RES. 1907 (XXXII-O/02);

MINDFUL that the Charter of the Organization of American States establishes in its preamble “that representative democracy is an indispensable condition for the stability, peace and development of the region” and that it establishes that one of the essential purposes of the Organization is “to promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

BEARING IN MIND the Declaration of Quebec City, adopted at the Third Summit of the Americas, which contains a democracy clause and the Plan of Action of the Third Summit, which establishes that “the maintenance and strengthening of the rule of law and strict respect for the democratic system are, at the same time, a goal and a shared commitment,” and confers on the Organization important mandates to strengthen democratic systems in the region;

BEARING IN MIND ALSO that the ministers of foreign affairs of the Americas, meeting at a special session of the General Assembly, in Lima, Peru, adopted the Inter-American Democratic Charter, which is a milestone for the promotion, defense, and consolidation of democracy in the Hemisphere and which states that “the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it,” that “democracy is essential for the social, political, and economic development of the peoples of the Americas,” and that “the participatory nature of democracy in our countries in different aspects of public life contributes to the consolidation of democratic values and to freedom and solidarity in the Hemisphere”;

CONSIDERING that one of the challenges facing the Hemisphere is the consolidation of the democratic institutional framework for the purpose of ensuring democratic governance in the Americas;

RECALLING that, in resolution AG/RES. 1907 (XXXII-O/02), "Promotion of Democracy," the member states reaffirmed their commitment to democracy and their determination to assign the highest priority to developing programs and activities to promote democratic principles and practices through the work of the Organization; and

BEARING IN MIND resolution AG/RES. 1869 (XXXII-O/02), "Promotion of Democratic Culture," which encouraged member states to develop strategies promoting democratic culture in the Americas, on the basis of the principles and values set out in the Inter-American Democratic Charter, and that the Plan of Action adopted in Quebec City recognized that education is key to strengthening democratic institutions,

RESOLVES:

1. To reaffirm the commitment of the OAS member states to the full exercise and application in the Hemisphere of the democratic principles and values set forth in the OAS Charter, the Inter-American Democratic Charter and other relevant international instruments.
2. To urge member states to promote and publicize the Inter-American Democratic Charter and to continue implementing it.
3. To support the efforts of the member states to strengthen democratic governance in the Americas, to consolidate democracy and the rule of law, and to promote and respect human rights and fundamental freedoms.
4. To adopt the topic "Follow-up and Development of the Inter-American Democratic Charter" as a permanent General Assembly agenda item, so that member states that deem it appropriate report on their progress in promoting, publicizing, and implementing the Inter-American Democratic Charter.
5. To instruct the Permanent Council, in the context of the commitments and mandates arising from the OAS Charter, the Summits of the Americas process, and the Inter-American Democratic Charter:
 - a. To organize, with support from the General Secretariat, through the Unit for the Promotion of Democracy and the Unit for Social Development and Education, within the resources allocated in the program-budget of the Organization and other resources, a special meeting on the topic "Promotion of Democratic Culture through Education" in the last quarter of 2003, with the participation of political parties, civil society organizations, academic institutions, and other entities associated with the topic;

- b. To hold a meeting each year, in April, to review activities undertaken by the Organization in the preceding calendar year to promote and strengthen democracy, and to determine possible additional activities;
 - c. To study the possibility of holding, with support from the General Secretariat, through the Unit for the Promotion of Democracy and within the resources allocated in the program-budget of the Organization and other resources, a special meeting with a view to fostering an exchange of views on the challenges to democratic governance in the Hemisphere;
 - d. To continue to promote the exchange of experiences and best practices, so as to institutionalize dialogue as a means of promoting democratic governance and resolving conflicts.
6. To request the General Secretariat, through the Unit for the Promotion of Democracy,
to:
- a. Coordinate the activities and programs of the various units and offices of the General Secretariat relating to the promotion of representative democracy, so as to give appropriate attention to fulfilling the mandates on the inter-American agenda;
 - b. Promote the exchange of best practices on how governments dialogue with civil society, especially in the area of the promotion of democracy—an activity for which the Inter-American Democratic Charter will provide particularly useful guidance and support;
 - c. Develop strategies to strengthen democratic culture in the Hemisphere and promote democratic principles and practices, employing public information campaigns that focus on the essential elements and components of representative democracy.
7. To recognize the work of the Unit for the Promotion of Democracy in the promotion and strengthening of democracy, the implementation of its work plan, and its report “Inventory of Activities. Promotion and Consolidation of Representative Democracy, 2002-2003,” presented to the Permanent Council of the Organization; and to that end to request the General Secretariat, through the UPD:
- a. To prepare the aforementioned yearly inventory as a working document, for consideration by the Permanent Council at its annual meeting at which it reviews activities of the Organization to promote, defend, and consolidate democracy in the Hemisphere. The inventory shall include specific recommendations for improving the scope and impact of the Organization’s activities;
 - b. To develop a program for comprehensive consideration of democracy-building topics, based on the commitments and mandates arising from the Summits of the Americas and the Inter-American Democratic Charter;

- c. To promote activities making it possible to link more actively the Organization's democracy agenda with processes for promoting development, with special emphasis on the fight against poverty and topics stemming from the Monterrey Consensus;
 - d. To take into account in its activities the role of the media as instruments of special importance in promoting democracy and disseminating democratic principles and values, as well as the vital contribution which information and communications technologies can make to developing more just, open, and democratic societies;
 - e. To support, through its activities and programs, efforts by the member states to modernize the state, promote access to information, transparency, accountability, and responsibility in public administration;
 - f. To continue its efforts to strengthen political parties and other political organizations, through the Inter-American Forum on Political Parties, and, in that regard, to present a proposal to the Permanent Council in February 2004 at the latest on the organization of a possible special meeting with political parties of the Americas;
 - g. To develop, in conjunction with the Secretariat for the Summit Process of the General Secretariat, activities to promote full participation by civil society in the political system;
 - h. To continue developing mechanisms for dialogue and instruments for the prevention and settlement of conflicts, so as to support the member states in their interactions with various political and social players.
 - i. To present reports every four months on progress made in the implementation of its work plan.
8. To urge all bodies of the inter-American system, especially the Inter-American Commission on Human Rights and the Inter-American Commission of Women, to work actively on programs and projects to remove obstacles to full participation by women and men in democratic processes and political party structures.
9. To urge OAS member states and permanent observers to contribute to the Special Fund for Strengthening Democracy, the Fund for Peace: Peaceful Settlement of Territorial Disputes, and the Permanent Specific Fund to Finance Activities Related to OAS Electoral Observation Missions.
10. To instruct the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution.

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Item XIII on the agenda

DRAFT RESOLUTION

PROGRAM-BUDGET OF THE ORGANIZATION FOR 2004;
QUOTAS AND CONTRIBUTIONS TO FEMCIDI FOR 2004

(Approved by the Preparatory Committee on May 21, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The proposed program-budget of the Organization for fiscal year 2004, presented by the Secretary General on March 12, 2003 (AG/CP/doc.654/03);

Permanent Council resolution CP/RES. 845 (1367/03), "Authorization of an Adjustment to Object 1: Personnel Costs for 2003";

The report of the Preparatory Committee on the proposed program-budget of the Organization for 2004 (AG/doc.../03);

Resolution CP/RES. 835 (1352/03), "Increasing the 2004 Program-Budget Appropriation for the Inter-American Human Rights System";

The Report of the Board of External Auditors (OAS/Ser.S/JAE/Doc. 33/03) presented to the Permanent Council on May 7, 2003; and

The Declaration of Quebec City and the Plan of Action of the Third Summit of the Americas;

CONSCIOUS of the growth of mandates and the need to eliminate, or to consider transferring to other organizations and entities, those initiatives related to the mandates for which the Organization does not have a comparative advantage;

CONSIDERING:

That, in accordance with Articles 54 and 55 of the Charter, the General Assembly approves the program-budget of the Organization and establishes the bases for fixing the quota that each government is to contribute to the maintenance of the Organization, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner;

That the Organization is mandated to give preference to priorities defined by its members, within the limits of its available resources;

That, pursuant to the salary policy of parity with the United Nations set out in Article 40 of the General Standards to Govern the Operations of the General Secretariat, in 2003 the Secretary General made adjustments in the General Secretariat's net basic salary scales and increased the post adjustment for the Washington, D.C. area, and may make further adjustments in 2004 that will result in increases in object 1 expenses in the 2004 program-budget; and

That these increases in object 1 expenses, coupled with other mandatory increases in expenditures in other objects of expenditure and with no appreciable growth in levels of income to the Organization, will require exceptionally careful management of the personnel structure of the Organization and may require that the 2004 program-budget be revised periodically during the course of 2004 in order to ensure that the needs of the Organization are met;

TAKING NOTE:

That the Declaration of Quebec City instructed the ministries of foreign affairs to advance and deepen the process of reform in the OAS, to improve its functioning and enable the Organization to better implement Summit mandates;

That resolution AG/RES. 1909 (XXXII-O/02) instructed the General Secretariat to present to the Permanent Council a proposal to conduct a review ("Management Study") of the organizational framework and personnel structure of the General Secretariat with the purpose of improving its efficiency and its effectiveness in implementing its mandates and controlling its personnel and overall costs; that the review is being carried out as instructed by the Permanent Council and that the preliminary results of this review will be available to the member states and to the Secretariat in the last quarter of 2003, with the final report due no later than May 1, 2004;

That resolution CP/RES. 831 (1342/02) approved up to one million dollars (US\$1,000,000) to finance the Management Study of the General Secretariat of the Organization, in fulfillment of resolution AG/RES. 1909 (XXXII-O/02) and that the General Secretariat presented its quarterly report (CP/doc.3717/03 add. 4) in compliance with resolution CP/RES. 831 (1342/02);

That United Nations and other international organizations have been successful in raising funds to supplement the funds provided by member states, and that it is necessary to centralize and coordinate fundraising efforts; and

That a new Secretary General of the Organization will take office in the latter half of 2004, and that there will be extrabudgetary expenses pertaining to the change of administration, which will have financial implications for the Organization,

RESOLVES:

I. BUDGET APPROPRIATIONS

1. To approve and authorize the program-budget of the Organization for the fiscal period from January 1 through December 31, 2004, financed by the following funds at the corresponding levels:

	2004 (US\$1,000)
a. Regular Fund	76,600.0
b. FEMCIDI	<u>8,144.0</u>
	84,744.0

2. To approve the specific levels of appropriations, by chapter, program, and subprogram, with the recommendations, instructions, or mandates as detailed below:

	2004 (US \$1,000)
CHAPTER 1 - GENERAL ASSEMBLY AND OTHER ORGANS	<u>12,882.5</u>
10A General Assembly (thirty-fourth regular session)	157.9
10B Administrative Tribunal sessions	50.7
10D Board of External Auditors	154.5
10E Secretariat of the General Assembly, the Meeting of Consultation, and the Permanent Council	1,328.3
10G Secretariat of Conferences and Meetings	5,274.9
10H Inter-American Drug Abuse Control Commission	396.2
10K Meetings of the Inter-American Council for Integral Development and the inter-American committees	151.7
10O Inter-American Commission on Human Rights	3,429.9

	2004 (US \$1,000)
10P Inter-American Juridical Committee	269.6
10Q Inter-American Court of Human Rights	1,391.3
10W OAS conferences	277.5
CHAPTER 2 – SPECIALIZED ORGANIZATIONS AND OTHER ENTITIES	<u>4,380.3</u>
20A Inter-American Defense Board and the Inter-American Defense College	1,486.9
20B Inter-American Children’s Institute	1,266.6
20C Inter-American Commission of Women	893.0
20D Pan American Development Foundation	140.0
20J Inter-American Telecommunication Commission	593.8
CHAPTER 3 – EXECUTIVE OFFICES OF THE GENERAL SECRETARIAT	<u>10,948.6</u>
30A Office of the Secretary General	2,392.4
30B Office of the Assistant Secretary General	1,310.0
30C Department of Public Information	2,113.5
30D Department of Legal Services	963.4
30E Office of the Inspector General	804.3
30F Museum of Art of the Americas	690.3
30G Columbus Memorial Library	923.0
30H Protocol Office	482.4
30I Official functions (SG/ASG/PC)	40.7

	2004 (US \$1,000)
30J Office of External Relations	452.6
30K Secretariat for the Summit Process	776.0
CHAPTER 4 – UNITS AND SPECIALIZED OFFICES	<u>12,064.1</u>
40A Trade Unit	1,840.0
40B Foreign Trade Information System (SICE)	426.9
41C Unit for the Promotion of Democracy	3,001.2
42D Inter-Sectoral Unit for Tourism and Caribbean Tourism Organization	641.3
43A Executive Office of CICAD	1,850.8
44E Unit for Sustainable Development and Environment	1,666.9
46F Unit for Social Development, Education, and Culture	1,537.2
48H Office of Science and Technology	1,099.8
CHAPTER 5 – INTER-AMERICAN AGENCY FOR COOPERATION AND DEVELOPMENT	<u>11,423.2</u>
50A Office of the Executive Secretary/Director General	1,486.2
50B Department of Cooperation Policy	349.5
51A Department of Program Development	609.6
52A Department of Information Technology and Human Development	8,341.1
54A Department of Operations and Finance	636.8

	2004 (US \$1,000)
CHAPTER 6 – OFFICES OF THE GENERAL SECRETARIAT IN THE MEMBER STATES	<u>5,499.2</u>
60G Offices of the General Secretariat in the Member States	5,499.2
CHAPTER 7 – SECRETARIAT FOR LEGAL AFFAIRS	<u>2,100.3</u>
70A Office of the Assistant Secretary for Legal Affairs	458.8
70B Department of International Law	889.1
70G Secretariat of the Administrative Tribunal	223.2
70H Department of Legal Cooperation and Information	529.2
CHAPTER 8 – SECRETARIAT FOR MANAGEMENT	<u>11,224.8</u>
80M Executive Office of the Assistant Secretary for Management	464.1
80N Department of Financial Services	2,342.4
80P Department of Management Analysis, Planning, and Support Services	2,347.9
80Q Department of Technology and Facility Services	3,126.3
80R Department of Human Resource Services	1,736.1
80T Office of Procurement Management Services	1,208.0
CHAPTER 9 – COMMON SERVICES	<u>6,077.0</u>
90B Computer equipment and supplies	356.3
90C Equipment and supplies	29.9
90D Building management and maintenance	1,902.8
90E General insurance	215.5

	2004 (US \$1,000)
90F Post audits	21.7
90G Recruitment and transfers	53.9
90H Terminations and repatriations	633.3
90I Home leave	199.6
90J Education and language allowance, medical examinations	69.5
90K Pensions for retired executives and health and life insurance for retired employees	2,407.5
90L Human resources development	35.9
90M Contribution to the Staff Association	4.2
90Q Management systems modernization	146.9

II. BUDGET APPROPRIATION REVIEW

1. To authorize the Permanent Council to conduct, in light of the preliminary results of the Management Study, a review of this program-budget, by November 30, 2003, and to approve any such adjustments as it deems appropriate in accordance with operative paragraph I.1 and the final pledges to FEMCIDI.

2. To authorize the Permanent Council to review periodically, as required, during the course of 2004, the implementation of the 2004 program-budget and to determine and approve any necessary adjustments.

III. FINANCING OF THE BUDGET APPROPRIATIONS

1. To set the quotas with which the member states will finance the program-budget of the Organization for the year 2004 corresponding to the Regular Fund, in accordance with resolution AG/RES. 1073 (XX-O/90) and the decision of January 19, 1955 (doc. C-I-269) on income tax reimbursements, using the scale and amounts shown in Table B.

2. To finance the year 2004 program-budget of the Regular Fund only with the quotas of member states; interest and rental income; contributions for technical supervision and administrative support from FEMCIDI and from trust and specific funds; and all other miscellaneous income.

3. To authorize the contribution from FEMCIDI to the Regular Fund for technical supervision and administrative support under Article 79 of the General Standards at the statutory percentage of the level of approved programming in the year 2003, for execution in 2004, in accordance with the FEMCIDI Statutes.

IV. GENERAL PROVISIONS

A. BUDGETARY

1. Personnel

- a.
 - i. To instruct the Permanent Council to analyze the preliminary and the final recommendations of the Management Study, undertaken pursuant to resolution AG/RES. 1909 (XXXII-O/02).
 - ii. To authorize the Permanent Council to implement the study's recommendations, as needed, for the purpose of improving the Secretariat's efficiency and effectiveness in carrying out its mandates and controlling its personnel and overall costs.
 - iii. To request the Permanent Council to report to the General Assembly at its next regular session on the implementation of these activities.
- b. To instruct the Secretary General to refrain from filling any post financed by the Regular Fund that may for any reason become vacant during the course of 2004, unless authorized by the Committee on Administrative and Budgetary Affairs. For appointments made effective upon or after the date the new Secretary General takes office, this provision shall not apply;
- c. To extend the Permanent Council's mandate in resolution AG/RES. 1839 (XXXI-O/01) to study the General Secretariat's policies on trust positions, with a view to reducing the number of such positions, and to consider recommendations for any necessary modifications to the General Standards.
- d. To instruct the Committee on Administrative and Budgetary Affairs to examine the application of the provisions of resolution AG/RES. 1873 (XXXII-O/02), in particular Article 19.a.iii of Chapter III of the amended text of the General Standards on the language proficiency requirement, to determine the advisability of applying it to lower level general services posts away from headquarters.
- e. To instruct the Permanent Council to approve a system to establish and periodically adjust salaries of staff members in countries where the United Nations does not circulate salary scales or post adjustments.

2. Fundraising

To instruct the General Secretariat to provide a detailed report to the Permanent Council by October 31, 2003, on the amounts obtained by each dependency of the General Secretariat and of all other organs and entities financed in whole or in part by the Regular Fund. This report should cover the 12-month period ending June 20, 2003, and should include the following information: list of all dependencies and entities involved in fundraising efforts, including any foundations raising funds on behalf of the OAS and its programs; amounts raised, both cash and in-kind; sources of the funds raised; breakdown of cost incurred by the Regular Fund, in terms of personnel and other expenses, to pursue fundraising efforts and to execute programs financed by the funds raised.

3. Performance Contracts (CPRs)

- a. To reiterate the instruction to the General Secretariat set out in paragraph III.A.4 of resolution AG/RES. 1 (XXVII-E/00) to continue to submit to the Permanent Council every six months a report on all CPRs funded by any source. This report should include the source of funds used, the name of the CPR, the duration of the contract, and the amount of the contract. In order to make it possible to identify staff needs in the areas and to ensure that performance contracts are used both sparingly and in accordance with any recommendations for their use set out in the Management Study, the report of the General Secretariat must indicate how many times the person has worked for the OAS on a performance contract and indicate the total amount of time this represents, the area of the Secretariat requiring the CPR, and a detailed justification of the need, as well as a statement of why onboard personnel cannot accomplish the task for which the CPR is needed.
- b. To instruct the Secretary General that if any staff member resigns and, within a two-year period, is awarded a CPR, the fee for services offered under the contract (not including per diem and reimbursement for other expenses) shall not be higher than that of the remuneration (basic salary, post adjustment, dependency allowance, and tax reimbursement) paid previously to the staff member.

4. Offices of the General Secretariat in the Member States

- a. To request the General Secretariat to submit to the Permanent Council, by December 1, 2003, the work plan of each office for 2004, and a report listing all funds or subsidies received from the host government as well as any other income obtained by the office during the past 12 months. These reports should comply with uniform basic guidelines established by the Secretary General.
- b. To extend the Permanent Council's mandate under paragraph III.A.19 of resolution AG/RES. 1839 (XXX-O/01) to review the General Secretariat's evaluation of the operations of the Offices of the General Secretariat in the Member States set out in CP/doc.3532/01.

5. Renovations

To instruct the General Secretariat to continue to provide to the Committee on Administrative and Budgetary Affairs quarterly status reports on the details of the renovation projects. The reports shall include information on completion stages and timetables, refinancing, rental status, and other related matters.

6. Evaluation of Mandates

- a. To instruct the General Secretariat to submit to the Permanent Council a report by December 31, 2003, detailing those ongoing mandates, funded by the Regular Fund, that are more than five years old.
- b. To instruct the Permanent Council to review this report and submit its recommendations to the General Assembly at its next regular session.

7. Scholarships

To authorize the General Secretariat to deposit in the Capital Fund for OAS Fellowship, Scholarship, and Training Programs under Article 18 of the Statutes of the Inter-American Agency for Cooperation and Development (IACD) any unused or deobligated funds from fellowships under object 3 to the extent permitted under Article 99 of the General Standards, including, *inter alia*, savings from the General Secretariat's agreement with "LASPAU: Academic and Professional Programs for the Americas." In implementing this mandate, the General Secretariat shall consult with the IACD Management Board and CEPCIDI and shall report quarterly to it and to the Permanent Council.

8. Scale of Quota Assessments

To instruct the Permanent Council to resume its analysis of the scale of quota assessments mandated under resolutions AG/RES. 1594 (XXVIII-O/98), AG/RES. 2 (XXV-E/98), AG/RES. 1697, (XXIX-O/99) and AG/RES. 1746 (XXX-O/00) and to present a report to the General Assembly at its next regular session for its consideration.

9. Prototypes for Results-Based and Mandate-Based Budgets

To extend until the next session of the General Assembly the consideration of the study presented by the General Secretariat in pursuant to resolution AG/RES. 1839 (XXXI-O/01) (CP/doc.3526/01).

10. Annual Reports

To encourage the organs, agencies, and entities of the Organization to continue to present their annual and special reports to the Secretary General in accordance with Article 35 of the Rules of Procedure of the Permanent Council and the guidelines established in resolution AG/RES. 1883 (XXXII-O/02), and to include in their next annual reports a section summarizing measurable results achieved.

11. Payment of Quotas

To encourage the member states to continue to pay their quotas and their arrears pursuant to resolution AG/RES. 1757 (XXX-O/00), "Measures to Encourage the Timely Payment of Quotas."

12. OAS Conferences – Subprogram 10W

To instruct the General Secretariat to present to the Permanent Council, before October 31, 2003, an informative list of conferences and meetings for the year 2004, in accordance with the procedures outlined in document CP/CAAP-2597/02 rev. 2).

13. Change of Administration

- a. To authorize the Permanent Council to approve, from the Reserve Subfund, supplementary appropriations in an amount not to exceed US\$2.5 million to finance extrabudgetary expenses associated with the projected change of administration.
- b. To waive the requirement of Article 71 of the General Standards to replace in the Reserve Subfund such amounts appropriated by the Permanent Council for this purpose.
- c. To authorize the General Secretariat to obligate such supplementary appropriations, as may be authorized by the Permanent Council, until December 31, 2005, and to return to the Reserve Subfund any unspent appropriations.

B. OTHER

1. Honoraria

To maintain the sum of US\$150 a day for honoraria paid to members of the following bodies entitled to such payment: Administrative Tribunal, Board of External Auditors, Inter-American Commission on Human Rights, Inter-American Juridical Committee, and Inter-American Court of Human Rights.

2. Permanent Observers and Other Donors

To recognize the support of the permanent observers and other donors and to encourage them to continue to provide cash and in-kind contributions to the programs, projects, and other activities of the Organization.

3. Program-Budget for 2005

- a. To instruct the General Secretariat to submit to the Preparatory Committee a proposed program-budget for the Regular Fund for the year 2005, at the level for which the Secretary General can demonstrate available financing, but not

to exceed US\$78.5 million. Income shall include only: quota income; interest and rental income; contributions for technical supervision and administrative support from FEMCIDI and from trust and specific funds; and other miscellaneous income.

- b. The total expenditure for Object 1 shall not exceed US \$49,139,900, plus any statutory increases that may be required. The total expenditure for object 8 shall not exceed the approved figures for object 8 in the 2004 approved program-budget.
- c. The Secretary General should make every effort to reduce, as feasible, expenditures in object 1 and object 8, taking into consideration the recommendations produced on the organizational framework and personnel structure of the General Secretariat (“Management Study”) conducted during 2003.
- d. To reiterate that no resolution requiring Regular Fund financing may be transmitted to the plenary of the General Assembly without an accompanying opinion from the Committee on Administrative and Budgetary Affairs (CAAP) of the Permanent Council or from the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee on the availability of financing from the Regular Fund.

Table A.1
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2004,
APPROVED EXPENDITURES BY CHAPTER FOR 2004
(US\$1,000)

<u>BUDGETARY APPROPRIATIONS</u>	<u>TOTAL</u>	<u>REGULAR FUND</u>	<u>FEMCIDI</u>
1. GENERAL ASSEMBLY AND OTHER ORGANS	12,882.5	12,882.5	
2. SPECIALIZED ORGANIZATIONS AND OTHER ENTITIES	4,380.3	4,380.3	
3. EXECUTIVE OFFICES OF THE GENERAL SECRETARIAT	10,948.6	10,948.6	
4. UNITS AND SPECIALIZED OFFICES	12,064.1	12,064.1	
5. INTER-AMERICAN AGENCY FOR COOPERATION AND DEVELOPMENT	19,567.2	11,423.2	8,144.0
6. OFFICES OF THE GENERAL SECRETARIAT IN THE MEMBER STATES	5,499.2	5,499.2	
7. SECRETARIAT FOR LEGAL AFFAIRS	2,100.3	2,100.3	
8. SECRETARIAT FOR MANAGEMENT	11,224.8	11,224.8	
9. COMMON SERVICES	6,077.0	6,077.0	
TOTAL APPROPRIATIONS	<u>84,744.0</u>	<u>76,600.0</u>	<u>8,144.0</u>

Table A.2
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2004,
FINANCING THE BUDGET OF THE ORGANIZATION FOR THE YEAR 2004
(US\$1,000)

1.	<u>Regular Fund</u>	<u>Total</u>	<u>Regular Fund</u>	<u>FEMCIDI</u>
a.	Quotas	73,727.1	73,727.1	
b.	Contribution for technical supervision and administrative support		1,221.6	(1,221.6)
c.	Other income	1,651.3	1,651.3	
2.	<u>FEMCIDI</u>			
a.	Pledges received			
b.	Pledges pending	<u>8,144.0</u>	0.0	<u>8,144.0</u>
	TOTAL	<u>83,522.4</u>	<u>76,600.0</u>	<u>6,922.4</u>



quotas2004-para
cartas ajustado.xls