

CONSEJO PERMANENTE



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ACTA
DE LA SESIÓN ORDINARIA
CELEBRADA
EL 11 DE FEBRERO DE 2000

Aprobada en la sesión del 5 de abril de 2000

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GE/REMJA/doc.54/99 rev. 4, Proyecto de calendario y actividades especiales de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas

CP/doc.3262/00, Elección de un nuevo miembro del Fondo Panamericano Leo S. Rowe

CP/doc.3264/00, Informe de la Secretaría General sobre el estado de las cuotas del Fondo Regular y las contribuciones al FEMCIDI al 31 de diciembre de 1999

CONSEJO PERMANENTE DE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS

ACTA DE LA SESIÓN ORDINARIA CELEBRADA EL 11 DE FEBRERO DE 2000

En la ciudad de Washington, a las doce y diez de la tarde del viernes 11 de febrero de 2000, celebró sesión ordinaria el Consejo Permanente de la Organización de los Estados Americanos. Asistió la sesión el Excelentísimo señor Lloyd Axworthy, Ministro de Relaciones Exteriores del Canadá. Presidió la sesión el Embajador James S. Murphy, Representante Permanente de Belice y Presidente del Consejo Permanente. Asistieron los siguientes miembros:

Embajador Richard Bernal, Representante Permanente de Jamaica
Embajadora Beatriz M. Ramacciotti, Representante Permanente del Perú
Embajador Denis G. Antoine, Representante Permanente de Grenada
Embajador Osbert W. Liburd, Representante Permanente de Saint Kitts y Nevis
Embajador Flavio Darío Espinal, Representante Permanente de la República Dominicana
Embajador Peter M. Boehm, Representante Permanente del Canadá
Embajadora Sonia Merlyn Johnny, Representante Permanente de Santa Lucía
Embajador Michael Anthony Arneaud, Representante Permanente de Trinidad y Tobago
Embajadora Laura Elena Núñez de Ponce, Representante Permanente de Honduras
Embajador Carlos Alberto Leite Barbosa, Representante Permanente del Brasil
Embajador Luis Alfredo Ramos, Representante Permanente de Colombia
Embajadora Virginia Margarita Contreras Navarrete, Representante Permanente de Venezuela
Embajador Diego Abente Brun, Representante Permanente del Paraguay
Embajador Luis J. Lauredo, Representante Permanente de los Estados Unidos
Embajador Marcelo Ostría Trigo, Representante Permanente de Bolivia
Embajadora Margarita Escobar, Representante Permanente de El Salvador
Consejera Natasha Halfhuid, Representante Interina de Suriname
Ministro Juan José Arcuri, Representante Interino de la Argentina
Consejera Sheila G. Carey, Representante Interina del Commonwealth de las Bahamas
Ministra María Mercedes Andrade Sigui, Representante Interina de Guatemala
Embajador Max José López Cornejo, Representante Interino de Panamá
Embajador Víctor M. Silva, Representante Interino de Nicaragua
Ministra Consejera Deborah-Mae Lovell, Representante Interina de Antigua y Barbuda
Ministra Consejera Cecily Norris, Representante Alterna de San Vicente y las Granadinas
Segundo Secretario Pierre Daniel Laviolette, Representante Alterno de Haití
Ministro Rafael Veintimilla, Representante Alterno del Ecuador
Ministro Consejero Ricardo Varela, Representante Alterno del Uruguay
Embajador Jorge Rhenán Segura, Representante Alterno de Costa Rica
Ministro Juan Manuel Gómez-Robledo, Representante Alterno de México
Primer Secretario Philip St. Hill, Representante Alterno de Barbados
Consejero Fernando Varela, Representante Alterno de Chile
Primera Secretaria Deborah Yaw, Representante Alterna de Guyana
Consejero Nestor Mendez, Representante Alterno de Belice

También estuvieron presentes el Secretario General de la Organización, doctor César Gaviria, y el Secretario General Adjunto, Embajador Christopher R. Thomas, Secretario del Consejo Permanente.

El PRESIDENTE: [Pausa.] I am pleased to call to order this regular meeting of the Permanent Council, convened to consider the items on the order of business, document CP/OD.1222/00.

[El orden del día contiene los siguientes puntos:

1. Presentación del Excelentísimo señor Ministro de Relaciones Exteriores del Canadá, señor Lloyd Axworthy
2. Informe oral del Presidente del Grupo Especial Encargado de dar cumplimiento a las recomendaciones de las Reuniones de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas:
 - a) Proyecto de temario (GE/REMJA/doc.58/00)
 - b) Proyecto de calendario de la Tercera Reunión (GE/REMJA/doc.54/99 rev. 4)
 - c) Convocatoria de la primera reunión del Consejo Directivo del Centro de Estudios de Justicia de las Américas
3. Elección de un nuevo miembro del Fondo Panamericano Leo S. Rowe (CP/doc.3262/00)
4. Informe de la Secretaría General sobre el estado de las cuotas del Fondo Regular y las contribuciones al FEMCIDI al 31 de diciembre de 1999 (CP/doc.3264/00)
5. Aprobación del acta de la sesión celebrada el 15 de noviembre de 1999 (CP/ACTA 1210/99)
6. Otros asuntos.]

PRESENTACIÓN DEL EXCELENTÍSIMO MINISTRO DE RELACIONES
EXTERIORES DEL CANADÁ, SEÑOR LLOYD AXWORTHY

El PRESIDENTE: [Pausa.] This Council is honored by the presence of His Excellency the Honorable Lloyd Axworthy, Minister of Foreign Affairs of Canada.

Your Excellency, I have the pleasure to welcome you on behalf of the members of the Permanent Council of the Organization of American States. We are privileged this afternoon to have you among us, Excellency, and we look forward with much anticipation to your address.

I invite Your Excellency to address this Council.

El MINISTRO DE RELACIONES EXTERIORES DEL CANADÁ: Thank you very much, Mr. Chairman.

Mr. Secretary General, Ambassador Thomas, distinguished ambassadors:

Tout d'abord, je voudrais vous remercier pour votre invitation à cette distinguée assemblée. Pour moi, c'est un grand honneur d'être parmi vous pour discuter, en particulier, de l'Assemblée générale et de cette Organisation. Ce sera un grand événement pour le Canada d'être le hôte de cette très importante réunion.

A couple weeks ago I visited the Caribbean and South America, and one of the great privileges was having a breakfast meeting in Cartagena with Gabriel García Márquez. He remarked to me, as we ranged over a number of topics, that when he is travelling in rural Colombia, villagers tell him that the magical, fantastic, and unpredictable events that he describes in his fictional town of Macondo are very ordinary and humdrum compared with the reality they encounter every day.

I thought that would be an appropriate theme for my discussions, because it strikes me, if the observation holds true, that the reality of our joint experiences throughout the Americas—from Ungava in Canada's Far North to Ushuaia in the southern tip of Argentina—demonstrates our creativity, diversity, and complexity and how marvelous a hemisphere we really have.

I also discovered something that perhaps demonstrates the ties that bind. When I was in Argentina, I was warmly welcomed by the Welsh community in Patagonia. I discovered that my great-grandfather left that area just about 100 years ago. There was a certain historical reflection when I saw a picture of John Colset Thomas who, at the time, was a school teacher for a small colony in Argentina. He then migrated to Yorktown, Saskatchewan, from whence I came. I realized that in those far off parts of the Hemisphere, from the north to the south, we were able to all of a sudden discover relatives. Some of them were pretty old, but they were certainly very warm and hospitable, and they entertained us in an absolute replica of the Welsh tea houses in the mining hills of Northern Wales. So, coming full circle, it did give me an opportunity to realize that we have so many ties that bind us along the way.

Avec ces différences et ces signes similaires, nous avons bâti des sociétés dynamiques. Entre autochtones et émigrants arrivés d'Europe ou d'Afrique, nous avons partagé l'Hémisphère d'une façon qui distingue les Américains du reste du monde, qui nous donne une perspective unique, qui nous a bien préparés pour l'avenir et dont nous sommes fiers. Cela est très important d'évaluer les expériences communes pour le futur.

So these vibrant societies we have built are the source of our strength and our commitment. As we address these challenges—and I think we have no choice but to address them—we must confront the reality that the villagers of rural Colombia spoke about: the scourge of drugs; the abuse of small arms and light weapons; the abuse, sometimes, of civil populations.

I suggest that one of the most important focal points of our common hemispheric efforts is the need to give people a greater sense of their own personal security. In other words, we have to put people first. That, to me, is the tie that binds, and that means our collective institutions, with the OAS heading the list, should begin to look at the demands of a human security agenda. I believe the Organization is on the right track and is proving to be increasingly responsible and flexible, and I want to express my appreciation to Secretary General Gaviria and his staff for providing such leadership in this area.

But we need to keep building on and reflecting on this dialogue, and I hope we can use the occasion this morning to do that. As we look forward to hosting the thirtieth regular session of the

General Assembly in Windsor, we are quite confident that we will serve as another step in this process of *renouvellement*. As part of that effort, I will be inviting the foreign ministers to participate in the general meeting on human security issues on the first morning of the Assembly. There, we can engage in an open, honest, frank dialogue about the respective ways that our countries and our multilateral institutions can advance that cause of protecting people against fear.

In advance of those discussions, I would like to outline today some of the issues and challenges that I see in the three areas of enhancing security: ensuring that people sense that their institutions are there to protect them; promoting inclusion so that people feel that they are involved; and strengthening the governance of our organizations. In so doing, we can reflect upon the role that the OAS can play in supporting those areas of endeavors.

First, let me talk about security. Without a doubt, maintaining peace between states remains a key security concern in the Hemisphere. In the Americas, the OAS must retain its traditional role of helping resolve interstate conflict. The way in which the Organization helped to consolidate the peace agreement last year between Ecuador and Peru stands as a clear example of that. Through the present demining efforts along the borders, the OAS remains active in implementing the conditions of that peace.

Also, I want to pay tribute to the work of Ambassador Luigi Einaudi, the Secretary General's Special Envoy, who has helped lower tensions between Nicaragua and Honduras and continues to work with the parties towards a solution.

But to me it is equally evident that threats to our security are changing; they are not simply the traditional, cross-border interferences or invasions. It's a concept that is embedded in our laws, but the reality of the world makes it imperative that we change our view of security. We must look in a broader context at how the threat to security is so much more personal.

A clear example in this organization is the work of the Multilateral Evaluation Mechanism (MEM) of the Inter-American Drug Abuse Control Commission (CICAD). The MEM has proved that this institution can begin to respond to one of the most serious scourges that the peoples of the Hemisphere face. It's a matter of bringing the security issue down to their kitchen table, to their front door steps. These are the kinds of security issues that they confront in their daily lives, and it's important that this organization begin to demonstrate how it can respond. I think we've been doing that through the work of CICAD.

The Dialogue on Drugs was initiated by our Prime Minister at the Santiago Summit two years ago. We have followed through with further discussions at the ministerial level, as a way of complementing the CICAD process, by bringing this human security threat into broader focus.

It was interesting that during my visits in early January with a number of CARICOM ministers, we examined very extensively how we could strengthen the information-based systems developed by CICAD. The aim would be to reinforce Caribbean efforts to combat trafficking and the use of illicit drugs by sharing information and practices, and the concept of public education on prevention, treatment, and rehabilitation. It's a way of taking some of the modern tools of technology to strengthen our battle against the traffickers.

Let me also demonstrate another angle of the human security agenda. One of the things that has bothered me the most as foreign minister over these past four years is the way in which conflict, particularly internal conflict, has drawn young children into its orbit. They are recruited as combatants who find that the conflicts affect them directly by disrupting and invading their rights as children. That's why we have worked very hard, and I can report with some success, to deal with the problem of child soldiers.

One of the significant demonstrations of how we can address the security problem is the Optional Protocol to the Convention on the Rights of the Child that was agreed upon in Geneva two weeks ago. It establishes new standards for the deployment and use of children and provides means of rehabilitation, demilitarization, and bringing children back to our communities.

I congratulate the Government of Colombia on its decision to retire all its military personnel under the age of 18. It's a very significant step for this hemisphere and one that we should all carefully examine.

Canada will be hosting a major international conference early this year to address the problems and find solutions. Because all of your countries were active participants in the land mine campaign, some of you will remember the major coalition that was built up to stop the abuse of land mines and their impact upon people. Well, we hope for a similar kind of coming together of likeminded governments, NGOs, and coalitions so that we can address the problem of child combatants.

As one travels in all our countries, you can see that the challenge is very much there. Many of our countries have had good experience in coping with these challenges—experiences that could be used to help children elsewhere. During my trip, I spent evenings in some of the projects in Bogotá and Río that deal with street children. These are rehabilitation projects and halfway homes that take in children who have been in the streets for years and subject to widespread abuse. These projects demonstrate, through community-based initiatives supported by the governments, that these children can be restored to a sense of dignity and integrity and can find, once again, that their lives have some useful purpose. Those kinds of experiences demonstrate how we can respond effectively to our challenges.

At the Santiago Summit, our leaders mandated a hemispheric security review that is under consideration by the OAS's Committee on Hemispheric Security. Clearly there was a mandate to deal with the traditional security concerns. I hope that we can begin to expand our horizon to include broader human security issues. To me, that is the essence of so much of what we can do, as representatives of our governments, to demonstrate to our populations that we understand and can respond to their deepest concerns, and it demonstrates a willingness to face the new realities that the villagers of Colombia talked about.

Let me talk about the second area that I hope the General Assembly can address: inclusion. All our citizens must be able to live in societies that reflect their interests; satisfy their aspirations; and guarantee real participation in the social, economic, and political life of their communities. This is a cornerstone of the human dimension; yet, this does not exist in some of our societies and certainly can be strengthened in all of them.

We have spent many hours talking about the benefits and advantages of globalization, but globalization can also exacerbate problems. Its benefits may bypass large elements and segments of our populations, and its frenetic pace of change may leave people even further marginalized than they are now.

In these circumstances, the OAS and, indeed, the entire family of inter-American institutions, must endeavor to reflect the needs of all sectors of our societies. From Patagonia to Nunavut, indigenous peoples, for example, are often the most marginalized and the most at risk. It's important to recognize that negotiations are moving forward on a Proposed American Declaration on the Rights of Indigenous Populations, including their full and effective involvement, but we must strengthen the impact of the Declaration by also looking at institutional renewal. I would suggest that the Inter-American Indian Institute (III) be a focus of that review. At the behest of the Secretary General and in partnership with Mexico, the Government of Canada and our National Assembly of First Nations are prepared to consult with both states and indigenous peoples about how to revitalize the Institute to give resonance to the realities we face. Our hope is to see a proposal at the Windsor General Assembly for a renewed Institute that can respond to the real needs of our indigenous peoples.

Equally important is the promotion of gender equality and the human rights of women. Canada certainly supports the efforts of the Inter-American Commission of Women (CIM) to place a gender perspective on mainstream OAS activities. In this context, the Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States, to be held in Washington D.C. in April, 2000, represents an important step forward. We look forward to its judgments and recommendations as an area of consideration at the General Assembly in Windsor.

One of the things that also struck me during my conversations with my colleagues in the Americas in these last several months is that we must pay real attention to civil society. If we don't, it's to our own peril, and the events of Seattle showed why. The adoption by the OAS of guidelines for civil society participation makes it clear that this organization has anticipated the need to engage new partners, and we must follow through to ensure that our intentions become the practice.

That also means inclusion within states. Last year's Dialogue on Drugs focused our attention on the disproportionate impact of the illicit drug trade on the small island states of the Caribbean and the smaller countries of Central and South America. The Internet-connection project that I referred to is an example of how we can provide concrete resistance. But I want to underline this as strongly as I can: Efforts to promote the inclusion of the Hemisphere's small states must go further. They deserve a greater voice in the Organization and greater attention to their needs.

The third area that I want to put on the agenda for the Assembly is how to strengthen governance. If inclusion is a cornerstone of human security, the bricks and mortar are the promotion of democratic values, tolerance, respect for human rights, and stable political institutions. In this regard, we have much to celebrate, but recent events in Ecuador should give us pause to reflect on how fragile that can sometimes be. The Hemisphere has responded resolutely. The OAS sent a strong message that constitutional governance was of the utmost importance, and it has played a leading role in the continuation of civilian rule.

Nevertheless, Ecuador's situation underlines the importance of governance there and elsewhere in the Hemisphere, and where support is needed. That was one of the purposes behind the

establishment of the Unit for the Promotion of Democracy (UPD). Indeed, effective hemispheric institutions can go a long way towards building stable, coherent national institutions and vice versa.

This relationship also refers directly to the promotion of human rights. The current inter-American human rights system is in difficulty; I think we all recognize this. Through the discussions here and in the Ad Hoc Working Group on Human Rights, which is meeting in Costa Rica right now, attempts are underway to reform the system. I want to suggest that Canada is prepared to look at how we can become more active participants in this system and help in the reform procedure. We'd like to see a greater financial commitment to the Inter-American Commission on Human Rights (IACHR), based upon the adoption by the Commission of more expeditious procedures in its functions and activities.

I'd also like to mention the importance of parliamentarians, because they are in the front line of governance. They are the elected officials who serve as the link between people and governments. Links between them at the hemispheric level can consolidate democratic practices at home and expand cooperation in a variety of areas. Those are the purposes behind Canada's support for a Parliamentary Network of the Americas, and I am encouraged that, as a first step, the chairs of our respective parliaments' foreign affairs committees will meet next month. The inclusion and participation of our elected members strengthens this institution, broadens its reach, and allows us to develop much stronger consensus in our assemblies at home.

However, good governance is not just about good government. With globalization, much more attention is being paid to the positive and negative impacts of corporate behavior. Corporations can certainly play a constructive role in the promotion and protection of human rights, democratic development, conflict prevention, environmental protection, and disaster response.

On the other hand, a small number of corporations are engaged in activities that can compromise the security of the communities where they operate. It's therefore important to engage the corporate sector in order to raise the standard of behavior in this hemisphere. To that end, I would like to find a place for global corporate citizenship on the Windsor agenda so that we can discuss how that can be done.

Good governance also applies to hemispheric institutions—making them coherent, taking advantage of new technologies, and providing them with the resources to work effectively. The Summit of the Americas process provides the momentum to revitalize the entire family of inter-American institutions and ensure that they work together. I propose to invite the heads of the Inter-American Development Bank (IDB), the Pan American Health Organization (PAHO), the World Bank, and the UN Economic Commission for Latin America and the Caribbean (ECLAC) to join our private dialogue with Secretary General Gaviria and foreign ministers in Windsor prior to the General Assembly. The aim will be to explore the broad themes in this area for the 2001 Quebec City Summit.

Enfin, face aux problèmes communs nous devons nous mobiliser collectivement pour maintenir nos institutions. Notre Organisation continue d'être confrontée à une grave crise financière. Des projets centraux restent sans financement et de nouvelles missions reposent sur des fondations très instables.

I think we all recognize that the OAS cannot work if it doesn't have the resources to make it work. It will be incumbent upon the ministers during our discussions at Windsor to determine how we can address the very serious financial crisis this institution faces.

Let me also say that the new Inter-American Agency for Cooperation and Development (IACD) will promote cooperation for technical assistance, and this is a positive step in the OAS's renewal. Canada would like to play a role on the management board of that agency. I make this plea to members of this Council because Canada's long experience in cooperative development around the world would be useful to the Agency during its first years and can be brought to bear on this very important new initiative.

Il est impératif que tous les Etats membres qui participe activement à cette nouvelle initiative qui est très importante. Mais nous ne pouvons exiger toujours plus de l'Organisation tout en ignorant les ressources qui pèseront pour agir. J'ai félicité le Secrétaire général Gaviria pour ses efforts afin de réduire les dépenses et de rationaliser les opérations. Nous devons maintenant lui donner le soutien nécessaire pour façonner une institution adaptée à ce siècle.

I want to thank you all for hearing me out on this initial agenda. I want to emphasize that it's not set in stone; it's open for further discourse and dialogue, and we strongly invite further ideas and participation. I believe this is a cornerstone meeting at the beginning of this new century, and we can use it to help set a new direction for this institution and for the Hemisphere. I'm very pleased that the General Assembly is meeting in Canada because, as the newest member to this organization, we want to underline the sense of responsibility that we take for its actions.

Let me conclude with another story by one of the great literary giants of this hemisphere. In his story "The Library of Babel," Jorge Luis Borges imagines a library in which every book ever written and still to be written is found in no apparent order. Book after book is pulled down at random from the shelves by ever more frantic library goers, producing only meaningless gibberish as a result. But just as the library contains every book, there also exists a catalogue, a single volume that brings meaning to the cacophony of interests contained in that great literary treasure.

As the OAS enters the new century, our challenge is to work together to find that one catalogue that will order our efforts to discard the meaningless and useless, to identify our common values, and to bring together our shared experiences for the benefit of all our peoples. Unlike the unfortunate librarians in the story by Borges, we need not depend on chance to discover the key. Our hemispheric catalogue begins and ends with the safety and well-being of people.

I hope I've been able to outline to you three ways to advance this goal: enhancing security, promoting inclusion, and strengthening governance. I look forward to working with you to that end at Windsor and beyond.

Gracias por su atención. [Aplausos.]

El PRESIDENTE: Thank you very much, Honorable Minister. I take this opportunity to extend to you and to the Government of Canada this Council's appreciation for your engaging remarks. We have listened with great interest, and we will include them in our work and convey them to our respective governments.

I now offer the floor to representatives who may wish to comment on the Minister's remarks. There being no requests for the floor, I would like to request that the distinguished representatives stand as His Excellency Minister Axworthy and his entourage leave the room.

[Acompañado del Secretario General, el excelentísimo señor Ministro de Relaciones Exteriores del Canadá abandona la sala.]

INFORME ORAL DEL PRESIDENTE DEL GRUPO ESPECIAL ENCARGADO
DE DAR CUMPLIMIENTO A LAS RECOMENDACIONES DE LAS REUNIONES
DE MINISTROS DE JUSTICIA O DE MINISTROS O PROCURADORES GENERALES
DE LAS AMÉRICAS

EL PRESIDENTE: The next item on the order of business is the oral report of the Chair of the Special Group to Implement the Recommendations of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas. I am pleased to give the floor to Ambassador Jorge Rhenán Segura, Alternate Representative of Costa Rica and Chair of the Special Group.

EL PRESIDENTE DEL GRUPO ESPECIAL DE JUSTICIA: Muchas gracias, señor Presidente. En mi calidad de Presidente del Grupo Especial de Justicia de este Consejo Permanente, me permito presentar a la consideración de este honorable Consejo las decisiones acordadas por el Grupo sobre asuntos concernientes a la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas.

a. Proyecto de temario

En primer lugar, señor Presidente, me voy a referir al proyecto de temario de la citada reunión, aprobado por unanimidad en el Grupo Especial. Los temas se transcriben en el proyecto de resolución, documento GE/REMJA/doc.58/00. De ello destaco lo referente al delito cibernético, extradición, decomiso de activos y asistencia jurídica mutua, política carcelaria y penitenciaria y acceso a la justicia.

También, y siguiendo lo acordado por la Asamblea General en su vigésimo sexto período extraordinario de sesiones celebrado el 15 de noviembre pasado, aparece en el temario lo referente a la sede del Centro de Estudios de Justicia de las Américas, difícil decisión que tendrán que tomar los señores Ministros de Justicia o Procuradores Generales, previo informe que el Consejo Directivo debe presentar a su consideración.

b. Proyecto de calendario de la Tercera Reunión

Como segunda parte de mi presentación tenemos, señor Presidente, el proyecto de calendario de actividades especiales de la Reunión, documento GE/REMJA/doc.54/99 rev. 4. El documento explica por sí mismo la distribución del temario en los tres días de trabajo y, por supuesto, estará sujeto a los cambios que sean del caso según el desarrollo de la Reunión. Este proyecto ha sido igualmente aprobado por el Grupo Especial de Justicia.

c. Convocatoria de la primera reunión del Consejo Directivo del Centro de Estudios de Justicia de las Américas

Por último, señor Presidente, dentro del marco de lo establecido en el Estatuto del Centro de Justicia de las Américas, aprobado recientemente por el vigésimo sexto período extraordinario de sesiones de la Asamblea General, y en nombre del Grupo Especial de Justicia, me permito presentar a la consideración de este Consejo un proyecto de resolución que convoca a la Primera Reunión del Consejo Directivo del Centro de Estudios de Justicia de las Américas para los días 24 y 25 del presente mes. Esta fecha se estableció, señor Presidente, después de realizadas las consultas con los señores expertos.

Solicitamos de esta manera a la Secretaría General brindar el apoyo técnico y administrativo que sea necesario, sobre la base de las contribuciones voluntarias específicas que se reciban para tal fin, de conformidad con lo establecido por el artículo 17 del Estatuto del Centro de Estudios de Justicia de las Américas.

Señor Presidente, quiero aprovechar la oportunidad para solicitar a los señores Embajadores se sirvan transmitir la lista de la delegación que asistirá a la Reunión de Ministros de Justicia a realizarse en mi país.

Antes de concluir, quiero agradecer a todas las delegaciones que asistieron al Grupo Especial de Justicia, con especial atención a las Delegaciones de Perú y Trinidad y Tobago, Vicepresidentes de este Grupo, el apoyo y colaboración que me han brindado en los trabajos preparatorios de tan importante evento que tendrá lugar en San José de Costa Rica. Muchas gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador, for your remarks. I now offer the floor to representatives who may wish to comment on the draft resolution and the draft agenda included therein. There being no observations, the Chair suggests that this Council approve the draft resolution and the draft agenda included therein and transmit it to the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), to be held in Costa Rica in March of this year. Approved.^{1/}

I now offer the floor to delegations for their remarks on the draft schedule of the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas. There being no observations, the Chair suggests that this draft schedule be transmitted to the Meeting.

The final point under this item is the convening of the first meeting of the Board of Directors of the Justice Studies Center for the Americas. I offer the floor to delegations for their remarks. The Chair suggests that this Council approve the draft resolution presented by the Chair of the Special Group to Implement the Recommendations of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas. Approved.^{2/}

1. Resolución CP/RES. 766 (1222/00), anexa.

2. Resolución CP/RES. 765 (1222/00), anexa.

ELECCIÓN DE UN NUEVO MIEMBRO DEL FONDO PANAMERICANO
LEO S. ROWE

El PRESIDENTE: The next item refers to the election of a new member to the Committee of the Leo S. Rowe Pan American Fund. As we all know, the membership of Honduras on the Committee of the Leo S. Rowe Pan American Fund expired on December 21, 1999. In accordance with the Statutes of the Committee, the Permanent Council should elect a new member.

Before proceeding with the election, I am pleased to give the floor to Ambassador Sonia Johnny, Permanent Representative of Saint Lucia and Chair of the Committee of the Leo S. Rowe Pan American Fund.

La REPRESENTANTE PERMANENTE DE SANTA LUCÍA: Thank you, Mr. Chairman.

For those members who are not too familiar with the work of the Leo S. Rowe Pan American Fund, let me state briefly that the Fund grants loans to competent persons from Latin America and the Caribbean to help them finance their higher education studies in the United States. These loans are granted with the understanding that upon completing their studies, the students will be in a position to give their countries the benefit of their training.

The Fund is administered by this Council through the Committee, which is composed of four members of the Council and a representative of the Secretary General. The members of the Committee serve for periods of four years, and the appointments are staggered so that one committee member completes a term each year.

In December of 1999, the term of the Central American representative, Mr. Carlos Montoya of Honduras, expired. I take this opportunity to thank Mr. Montoya once more for his tremendous contribution to the work of the Committee.

The past year has been extremely difficult for the Committee, not because we were in need of funds, but because there was a need to revamp the Secretariat of the Fund to make the Fund function expeditiously and efficiently. We are in the process of doing so with a superb team, headed by Mr. Atilio Nieto, the Technical Secretary. Mr. Chairman, you will hear a little more from me about the Fund when I present my report, hopefully at the next Permanent Council meeting.

In the meantime, there is a vacancy for a Central American representative for the Fund. We are in receipt of the candidature of El Salvador, and since there is only one candidate, Mr. Chairman, I propose that El Salvador be elected by acclamation.

Thank you.

El PRESIDENTE: Thank you very much, Ambassador, for your very informative intervention. Given that the sole candidate to fill the vacancy is El Salvador, the Chair suggests that this Council elect El Salvador as the new member of the Committee of the Leo S. Rowe Pan American Fund. It is so agreed.

I recognize the distinguished Representative of El Salvador.

La REPRESENTANTE PERMANENTE DE EL SALVADOR: Muchas gracias, señor Presidente. Quisiera, en nombre de mi Delegación, agradecer el apoyo de este Consejo a la candidatura que presentara mi país para ser miembro de la Comisión del Fondo Panamericano Leo S. Rowe. Quisiera, además, agradecer especialmente la presentación que de esa candidatura también hiciera la distinguida Embajadora de Santa Lucía.

El Fondo vio aprobados sus Estatutos por el Consejo de la OEA en 1952, lo que hace que por casi cincuenta años se haya labrado un prestigio cierto por la valiosa ayuda que presta a los estudiantes latinoamericanos y caribeños que aspiran estudiar en los Estados Unidos. Por eso, la responsabilidad de decidir respecto a la seguridad y a la inversión del capital del Fondo y los desafíos para ampliar la cobertura del mismo constituyen las funciones principales de la Comisión del Fondo. En esta ocasión, mi Delegación y mi país se obligan al compromiso de coadyuvar las labores que ha venido desarrollando la Comisión.

También tomaremos, por cierto, muy en cuenta el tratar de responder adecuadamente a los Estados insulares al realizar esa tarea. Es la mejor forma de honrar la memoria del doctor Leo Rowe y el legado que, por disposición testamentaria, él tuvo a bien ceder a la Unión Panamericana.

Deseamos, de nuevo, reiterar el aprecio de nuestra Delegación al apoyo brindado por este Consejo. Gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador, for your intervention.

INFORME DE LA SECRETARÍA GENERAL SOBRE EL ESTADO DE LAS CUOTAS
DEL FONDO REGULAR Y LAS CONTRIBUCIONES AL FEMCIDI
AL 31 DE DICIEMBRE DE 1999

El PRESIDENTE: The next item refers to the report of the General Secretariat on the status of quotas of the Regular Fund and contributions to the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) as of December 31, 1999, document CP/doc.3264/00.

I am pleased to give the floor to the Assistant Secretary for Management to inform us on this matter.

El SUBSECRETARIO DE ADMINISTRACIÓN: Thank you very much, Mr. Chairman. It's a pleasure to inform the members of the report and to highlight certain issues.

First and foremost, quotas received in 1999 amounted to only \$35.9 million out of an established quota of some \$73 million, meaning that there was a substantial shortfall in member states' contributions for the year. On a cash basis, the Organization only received \$67.5 million in quotas against a total of \$73 million. So either on a budget or on a cash basis, the Organization received considerably less than the member states had provided for in the execution of the budget.

In addition, Mr. Chairman, as we look to the current year, we've asked the member states on several occasions to be so kind as to provide, in accordance with resolution AG/RES. 3 (XXV-E/98), a statement as to their payment plan for the year. So far, we have received nine payment plans, and

only one member state has paid its quota in full. Based upon that, we are not expecting to see full payment of the quotas; at least, we haven't seen any confirmation of that from the members. Therefore, we are looking at an additional cash flow problem during the year unless member states are able to pay their quotas.

Thank you, Mr. Chairman.

El PRESIDENTE: I thank the Assistant Secretary for Management for his report and now offer the floor to delegations that may wish to address this issue.

The distinguished Representative of the Dominican Republic has the floor.

El REPRESENTANTE ALTERNO DE LA REPÚBLICA DOMINICANA: Gracias, señor Presidente. Nuestra Delegación desea aprovechar la ocasión para informar al Consejo, a través suyo, señor Presidente, que está entre los países que ha acordado un plan de pago para este año con la Organización. Para ello ha realizado un aporte de \$194.618 al 31 de diciembre pasado.

Quiero aprovechar también, señor Presidente, para comentar la página 25 de este informe, el cual en lo relativo al año 1997 nuestra Delegación tiene entendido que la cuota es, donde dice "Cuota y ofrecimiento", es de \$134.400 para la República Dominicana, de los cuales mi país hizo un aporte de \$30.000 para ese año, por lo que entendemos que hay un error en cuanto a la forma en que han sido ubicadas estas informaciones.

Quisiéramos escuchar del señor Harding cualquier comentario que pueda hacer al respecto, para ver si es que tenemos alguna diferencia con relación a estas cifras, señor Presidente. Gracias.

El PRESIDENTE: The Chair thanks the distinguished Representative of the Dominican Republic and invites the Assistant Secretary for Management to respond to the concern that was raised.

El SUBSECRETARIO DE ADMINISTRACIÓN: Thank you, Mr. Chairman. The Secretariat fully acknowledges the great contribution by the Dominican Republic at the end of January with respect to its payment plan. This report, though, is as of the end of December, and so the contributions that the Dominican Republic made and the Secretariat acknowledges during the month of January are not reflected in this plan. They will be reflected in the next report of the General Secretariat.

Thank you, Mr. Chairman.

El PRESIDENTE: The Chair thanks the Assistant Secretary for Management for his response and gives the floor to the distinguished Representative of the Dominican Republic.

El REPRESENTANTE ALTERNO DE LA REPÚBLICA DOMINICANA: Gracias, señor Presidente.

Al parecer, el señor Harding no entendió nuestra pregunta. Con relación al año 1997, en la página 25 aparece una cuota de \$104.400, cuando en realidad nuestro Estado sigue teniendo la misma cuota que tuvo desde 1995 hasta la fecha, que es de \$134.400.

También en el año 1998, pero con cargo ..., o el 31 de diciembre a más tardar de 1997, no tengo la fecha exacta, nuestro Estado realizó un aporte de \$30.000 a la cuota de 1997. Aunque el total aparece bien de \$104.000 adeudado de ese año, en realidad, en términos de cuota y pago, no está bien la información. Y quisiéramos una aclaración con respecto a esas dos informaciones, señor Presidente. Gracias.

El PRESIDENTE: The Chair thanks the distinguished Representative of the Dominican Republic and invites the Assistant Secretary for Management to reply.

El SUBSECRETARIO DE ADMINISTRACIÓN: Thank you, Mr. Chairman.

This report is consistent with the reports of prior years for the Dominican Republic and reflects the same balances that were reported then. Payments that were made in prior years, particularly in 1997, were credited in earlier years. If there is a technical difference, the Secretariat will be glad to work with the Dominican Republic to work it out. But the report reflects the opening balances at the beginning of the years as they have been reflected consistently over the years.

Thank you, Mr. Chairman.

El PRESIDENTE: Thank you very much. The Chair gives the floor to the distinguished Representative of Canada.

La REPRESENTANTE ALTERNA DEL CANADÁ: I didn't push the button; I think something was left open from when our minister spoke. Thank you.

El PRESIDENTE: Thank you very much.

There being no further observations, the Chair suggests that the Council take note of this report and send it as a reference to the Committee on Administrative and Budgetary Affairs (CAAP). It is so agreed.

APROBACIÓN DE ACTA

El PRESIDENTE: We now move on to the approval of the minutes of the Council meeting held on November 15, 1999, document CP/ACTA 1210/99. The Chair has been informed by the Secretariat that the stylistic changes made by delegations have been duly incorporated. If there are no further changes or requests for the floor, the minutes are approved.

HOMENAJE A LA MEMORIA DEL SEÑOR MICHAEL SHREE CHAN, EX MINISTRO DE COMERCIO DE GUYANA

El PRESIDENTE: Under "Other business," let me take this opportunity to pay tribute to the memory of Mr. Michael Shree Chan, former Minister of Trade, Industry, and Tourism of Guyana. On behalf of the Permanent Council and myself, I convey our heartfelt condolences to the family of Mr. Chan and to the Government of Guyana.

The Chair gives the floor to the distinguished Representative of Guyana.

La REPRESENTANTE ALTERNA DE GUYANA: Thank you, Mr. Chairman. On behalf of the Guyanese Delegation and the Government of Guyana, I express our appreciation for the words of condolence expressed by the Permanent Council on the passing of the former Minister of Trade, Industry, and Tourism, Mr. Michael Shree Chan. He was 54 years old when he died.

Mr. Chan entered politics at the age of 17 and participated outstandingly in the struggle for the restoration of democracy in Guyana. Mr. Chan was ailing for the past three years, but he never regarded that as an impediment and he continued to carry out his duties as a member of Cabinet of the Government of Guyana.

As those who participate in the Free Trade Area of the Americas (FTAA) negotiations know, Mr. Chan was a keen participant in the process, and up until the time of his death he remained a vibrant supporter of hemispheric integration. I will convey to the Government of Guyana and the family of Mr. Chan the words expressed by you today.

Thank you, Mr. Chairman.

El PRESIDENTE: The Chair thanks the distinguished Representative of Guyana for her intervention.

INFORME SOBRE LA FIRMA DEL ESTATUTO DE ROMA DE LA CORTE PENAL INTERNACIONAL POR PARTE DEL BRASIL

El PRESIDENTE: I give the floor to the distinguished Representative of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhor Presidente. Tenho o prazer de informar que o Representante Permanente do Brasil junto à Organização das Nações Unidas assinou, no último dia 7 de fevereiro, em Nova York, o Estatuto de Roma do Tribunal Penal Internacional (TPI). Assinalo que, antes da decisão de assinar o Tratado, o Governo brasileiro promoveu um amplo processo de discussão sobre os aspectos relativos à compatibilidade do Estatuto de Roma com o ordenamento jurídico interno do país. Os dispositivos mais sensíveis do Estatuto com relação à Constituição Brasileira são a obrigatoriedade de entrega dos acusados ao Tribunal, a previsão no Estatuto de pena de prisão perpétua e o não reconhecimento do âmbito do TPI de normas nacionais que fixam imunidades ou procedimentos especiais em razão do cargo ou função do acusado.

O amplo processo de consulta com a sociedade civil dos estudos realizados levaram ao entendimento de que nenhum dos problemas apontados é insuperável e que, portanto, não constitui óbice à assinatura do instrumento. Nesse momento prossegue a apreciação das alterações constitucionais e legislativas que se farão necessárias para a sua ratificação.

Desde o início, o Brasil participou ativamente do processo de criação do Tribunal. Ao assinar o seu Estatuto, o Governo brasileiro vai ao encontro dos princípios constitucionais da prevalência dos direitos humanos nas relações internacionais e da dignidade da pessoa humana como fundamento do Estado. Ademais, a assinatura está em sintonia com a tradição brasileira de incentivo ao desenvolvimento do direito internacional visto como limitação ao unilateralismo e ao arbítrio e de apoio à cooperação internacional no campo penal.

Gostaria de lembrar que, por ocasião da Assembléia Geral da OEA realizada em junho último, na Guatemala, fiz intervenção na qual informei que estavam sendo ultimadas gestões internas necessárias à assinatura do Estatuto de Roma. Naquela mesma oportunidade, foi exortado aos demais países que considerassem, de acordo com sua legislação interna, a assinatura ou ratificação do referido Estatuto. É necessário ainda afirmar que a plena vigência do Estatuto fortalecerá não somente o direito internacional humanitário, mas também todo o sistema interamericano de proteção e defesa dos direitos humanos. Muito obrigado, Senhor Presidente.

El PRESIDENTE: Thank you very much, Ambassador.

INFORME SOBRE LA INVITACIÓN CURSADA POR EL GOBIERNO DEL ECUADOR
AL SECRETARIO GENERAL DE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
PARA QUE REALICE UNA VISITA OFICIAL AL ECUADOR

El PRESIDENTE: The Chair gives the floor to the distinguished Representative of Ecuador.

El REPRESENTANTE ALTERNO DEL ECUADOR: Gracias, señor Presidente.

Mi intervención tiene por objeto poner en conocimiento del Consejo Permanente que con fecha 8 de febrero la Misión Permanente del Ecuador transmitió al señor Secretario General de la Organización de los Estados Americanos, doctor César Gaviria, la invitación formulada por el Gobierno de mi país para que realice una visita oficial al Ecuador durante los primeros días de la próxima semana, esto es, entre el 14 y el 16 de febrero en curso. Durante esta visita el Gobierno nacional ha programado varias entrevistas para el señor Secretario General, empezando con el señor Presidente constitucional de la República, doctor Gustavo Noboa Bejarano; el Presidente del Congreso Nacional, ingeniero Juan José Pons; el Ministro de Relaciones Exteriores, doctor Heins Meler Freire; con los ex Presidentes Oswaldo Hurtado Larrea, Sixto Durán Ballén y Jamil Mahuad; con el Presidente de la Comisión de Asuntos Internacionales del Congreso Nacional, doctor Oswaldo ...; con los jefes del bloque de los partidos políticos representados en el Congreso Nacional, con representantes de los principales medios de comunicación social, con miembros de la Confederación de Nacionalidades Indígenas del Ecuador (CONAIE), entre otros.

Gracias, señor Presidente.

El PRESIDENTE: The Chair thanks the distinguished Representative of Ecuador and gives the floor to the distinguished Representative of Antigua and Barbuda.

La REPRESENTANTE INTERINA DE ANTIGUA Y BARBUDA: Thank you, Mr. Chairman.

My government expresses its profound thanks to you for acting so promptly to convene a meeting of this Council to reaffirm our organization's support for the democratic process in Ecuador. We also thank the Representative of Ecuador for providing us with the information given this morning.

Mr. Chairman, my government is painfully aware that economic dislocations and hardship acted as the catalyst to domestic turmoil in Ecuador. Primary among the difficulties is the loss of purchasing power and the diminishing savings brought on by a currency crisis.

Delegations may recall that in June last year, when we convened for the twenty-ninth regular session of the General Assembly, my delegation proposed that the OAS study the possibility of creating a single hemispheric currency, not unlike the Euro. We repeat what our colleague from Grenada said recently: With respect to such issues, there are no quick fixes. For the long-term health of the disparate states that comprise this hemisphere, we must give serious thought to maximizing the wealth creation and wealth maintenance process by making very hard and necessary decisions. Hence, we call once more for a study by the OAS of the costs and benefits of a single hemispheric currency.

In the interim, my government extends best wishes to the new administration in Ecuador. We reaffirm our support for the democratic process, and we hail the supportive role that our OAS plays in diffusing crises that impact each and every country and all the citizens of the Americas.

Thank you, Mr. Chairman.

El PRESIDENTE: The Chair thanks the distinguished Representative of Antigua and Barbuda for her intervention.

If there are no other matters to be raised and no further requests for the floor, this meeting is adjourned.

ANEXOS

RESOLUCIONES APROBADAS

OEA/Ser.G
CP/RES. 765 (1222/00)
11 febrero 2000
Original: español

CP/RES. 765 (1222/00)

CONVOCATORIA DE LA PRIMERA REUNIÓN DEL CONSEJO DIRECTIVO
DEL CENTRO DE ESTUDIOS DE JUSTICIA DE LAS AMÉRICAS

EL CONSEJO PERMANENTE DE LA ORGANIZACIÓN DE LOS ESTADOS
AMERICANOS,

VISTAS las resoluciones AG/RES. 1 (XXVI-E/99) “Estatuto del Centro de Estudios de Justicia de las Américas” y AG/RES. 2 (XXVI-E/99) “Elección de los miembros del Consejo Directivo” aprobadas por la Asamblea General en su vigésimo sexto período extraordinario de sesiones celebrado en Washington D.C. el 15 de noviembre de 1999;

CONSIDERANDO:

Que la citada resolución AG/RES. 1 (XXVI-E/99) establece en la disposición transitoria segunda del Estatuto del Centro de Estudios de Justicia de las Américas que, en tanto no haya sido seleccionada la sede del Centro, éste operará en la sede de la OEA;

Que el Consejo Permanente, en cumplimiento con lo acordado por la Asamblea General mediante la resolución AG/RES. 2 (XXVI-E/99), eligió en sesión ordinaria celebrada el 19 de enero de 2000, los miembros del Consejo Directivo del Centro de Estudios de Justicia de las Américas, sobre la base de las normas contenidas en el Reglamento de la Asamblea General y el Estatuto del referido Centro;

Que el Consejo Permanente mediante su resolución CP/RES. 754 (1207/99) fijó los días 1, 2 y 3 de marzo de 2000 para la celebración de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas (REMJA), fecha para la cual el Consejo Directivo del Centro debe presentar a la consideración de dicha reunión los resultados de las evaluaciones y recomendaciones entre los ofrecimientos de sede que presentaron los Estados Miembros; y

RECORDANDO que el Consejo Permanente, en sesión celebrada el 19 de enero del año 2000, tomó nota y transmitió al Consejo Directivo del Centro de Estudios de Justicia de las Américas,

los ofrecimientos de sede presentados por las delegaciones de Argentina, Chile, Perú, República Dominicana y Uruguay,

RESUELVE:

1. Convocar a la primera reunión del Consejo Directivo del Centro de Estudios de Justicia de las Américas para los días 24 y 25 de febrero de 2000, en la sede de la Organización de los Estados Americanos.

2. Solicitar a la Secretaría General brindar apoyo técnico y administrativo a la primera reunión del Consejo Directivo, según sea necesario.

3. Encomendar al Secretario General que lleve a cabo las actividades descritas en el párrafo precedente sobre la base de las contribuciones voluntarias específicas que se reciban para tal fin, de conformidad con el Artículo 17 del Estatuto del Centro de Estudios de Justicia de las Américas.

OEA/Ser.G
CP/RES. 766 (1222/00)
11 febrero 2000
Original: español

CP/RES. 766 (1222/00)

APROBACIÓN DEL PROYECTO DE TEMARIO DE LA TERCERA REUNIÓN
DE MINISTROS DE JUSTICIA O DE MINISTROS O PROCURADORES GENERALES
DE LAS AMÉRICAS

EL CONSEJO PERMANENTE DE LA ORGANIZACIÓN DE LOS ESTADOS
AMERICANOS,

VISTO el informe presentado por el Presidente del Grupo Especial sobre el proyecto de temario de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas;

TENIENDO PRESENTE que a la luz de las conclusiones a las que se llegó en la Segunda Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas, celebrada en Lima, Perú, en marzo de 1999, se aceptó y se agradeció el ofrecimiento del Gobierno de Costa Rica como sede de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas;

CONSIDERANDO:

Que la Asamblea General, mediante su resolución AG/RES. 1615 (XXIX-O/99), convocó la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas, encomendando al Consejo Permanente la preparación de los documentos preliminares, la fijación de la fecha y la elaboración del temario de dicha reunión; y

Que el Consejo Permanente conforme a la resolución CP/RES. 754 (1207/99) corr. 1, fijó los días 1, 2 y 3 de marzo de 2000 como fecha para la celebración de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas, a realizarse en Costa Rica,

RESUELVE:

Aprobar el siguiente proyecto de temario de la Tercera Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas:

1. Elección del Presidente
2. Elección de los Vicepresidentes
3. Aprobación de los proyectos de temario y calendario

4. Seguimiento de las conclusiones y recomendaciones de las Reuniones de Ministros de Justicia o de Ministros o Procuradores Generales:
 - a) Centro de Estudios de Justicia de las Américas
 - b) Delito cibernético
 - c) Extradición, decomiso de activos y asistencia jurídica mutua
5. Informe del Consejo Directivo del Centro de Estudios de Justicia de las Américas de conformidad con lo dispuesto en la segunda disposición transitoria del Estatuto del Centro
6. Sede del Centro
7. Política carcelaria y penitenciaria:
 - La salud integral en las cárceles
(Asistencia sanitaria, enfermedades de transmisión común, enfermedades de transmisión sexual, SIDA y uso de drogas, entre otros)
8. Acceso a la justicia:
 - Resolución alternativa de conflictos; y
 - Otros mecanismos
9. Conclusiones y recomendaciones

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