

CONSEJO PERMANENTE



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ACTA
DE LA SESIÓN ORDINARIA
CELEBRADA
EL 12 DE ABRIL DE 2006

Aprobada en la sesión del 8 de abril de 2009

ÍNDICE

	<u>Página</u>
Nómina de los Representantes que asistieron a la sesión.....	1
Aprobación del proyecto de orden del día	2
Aprobación de actas.....	2
Informe verbal del Secretario General Adjunto sobre su visita a Guyana.....	3
Presentación de la Presidenta del Foro Interparlamentario de las Américas	10
Informe del Presidente de la Comisión sobre Gestión de Cumbres Interamericanas y Participación de la Sociedad Civil en las Actividades de la OEA mediante el cual transmite las recomendaciones de la Comisión sobre solicitudes de organizaciones de la sociedad civil.....	17
Remisión de informes a comisiones.....	18
Cooperación entre los Estados Miembros de la OEA para asegurar la protección a los derechos humanos y la lucha contra la corrupción y la impunidad (proyecto de resolución presentado por la Delegación del Perú).....	18
Remisión de informes a comisiones (continuación).....	20
Elecciones en el Perú	20
Vigésimo séptimo período extraordinario de sesiones de la Corte Interamericana de Derechos Humanos, realizado en Brasilia, Brasil, del 28 al 31 de marzo de 2006.....	21
Vigésimo octavo período extraordinario de sesiones de la Corte Interamericana de Derechos Humanos realizado en Buenos Aires, Argentina, del 3 al 7 de abril de 2006.....	22
Cooperación entre los Estados Miembros de la OEA para asegurar la protección a los derechos humanos y la lucha contra la corrupción y la impunidad (proyecto de resolución presentado por la Delegación del Perú) (continuación).....	23

DOCUMENTO CONSIDERADO EN LA SESIÓN
(SE PUBLICA POR SEPARADO)

CP/CISC-234/06, Informe del Presidente mediante el cual transmite las recomendaciones de la Comisión sobre solicitudes de organizaciones de la sociedad civil para participar en las actividades de la OEA de conformidad con el artículo 6 de las Directrices [(CP/RES. 759 (1217/99)]

CONSEJO PERMANENTE DE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS

ACTA DE LA SESIÓN ORDINARIA CELEBRADA EL 12 DE ABRIL DE 2006

En la ciudad de Washington, a las tres y quince de la tarde del miércoles de 12 de abril de 2006, celebró sesión protocolar el Consejo Permanente de la Organización de los Estados Americanos. Presidió la sesión el Embajador Ellsworth I. A. John, Representante Permanente de San Vicente y las Granadinas y Presidente del Consejo Permanente. Asistieron los siguientes miembros:

Embajador Esteban Tomic, Representante Permanente de Chile
Embajador Jorge Valero Briceño, Representante Permanente de Venezuela
Embajador Paul D. Durand, Representante Permanente del Canadá
Embajador Rodolfo Hugo Gil, Representante Permanente de la Argentina
Embajadora Marina Valère, Representante Permanente de Trinidad y Tobago
Embajador Bayney R. Karran, Representante Permanente de Guyana
Embajadora Abigail Castro de Pérez, Representante Permanente de El Salvador
Embajador Aristides Royo, Representante Permanente de Panamá
Embajador Osmar Chohfi, Representante Permanente del Brasil
Embajador Mario Alemán, Representante Permanente del Ecuador
Embajador José Luis Velásquez Pereira, Representante Permanente de Nicaragua
Embajador Fernando de la Flor Arbulú, Representante Permanente del Perú
Embajador Alejandro García-Moreno Elizondo, Representante Permanente de México
Ministro Consejero Jorge A. Seré Sturzenegger, Representante Interino del Uruguay
Consejera Patricia Bozo de Durán, Representante Interina de Bolivia
Embajador Antonio Rodrigue, Representante Interino de Haití
Ministra Consejera Mayerlyn Cordero Díaz, Representante Alternativa de la República Dominicana
Embajador Luis Guardia Mora, Representante Alternativo de Costa Rica
Ministra Consejera Ann-Marie Layne Campbell, Representante Alternativa de Antigua y Barbuda
Consejero Frank Montgomery Clarke, Representante Alternativo de San Vicente y las Granadinas
Primer Secretario Henry Leonard Mac-Donald, Representante Alternativo de Suriname
Segunda Secretaria Betty Greenslade, Representante Alternativa del Commonwealth de las Bahamas
Consejera Patricia D. M. Clarke, Representante Alternativa de Grenada
Embajador Mauricio Aguilar Robles, Representante Alternativo de Honduras
Ministra María Clara Isaza Merchán, Representante Alternativa de Colombia
Embajador Timothy J. Dunn, Representante Alternativo de los Estados Unidos
Ministro Consejero Michael E. Bejos, Representante Alternativo de Belice
Primer Secretario José Mendez Vall, Representante Alternativo del Paraguay
Tercer Secretario Jorge Eduardo Contreras, Representante Alternativo de Guatemala
Ministra L. Ann Scott, Representante Alternativa de Jamaica
Primer Secretario Ricardo Kellman, Representante Alternativo de Barbados

También estuvieron presentes el Secretario General de la Organización, doctor José Miguel Insulza, y el Secretario General Adjunto, Embajador Albert R. Ramdin, Secretario del Consejo Permanente.

APROBACIÓN DEL PROYECTO DE ORDEN DEL DÍA

[Ocupa la presidencia la Representante de Trinidad y Tobago.]

La PRESIDENTA: I am pleased to call to order this regular meeting of the Permanent Council, which has been convened to consider the items in the draft order of business, document CP/OD.1545/06.

[El proyecto de orden del día contiene los siguientes puntos:

1. Aprobación de las actas de las sesiones ordinarias, sesiones extraordinarias y de la sesión conjunta del Consejo Permanente y la CEPACIDI, celebradas el 6 de octubre de 2004, 29 de septiembre de 2004, 17 de octubre de 2004 y 7 de octubre de 2004, respectivamente (CP/ACTA 1448/04, CP/ACTA 1445/04, CP/ACTA 1452/04 y CP/ACTA 1449/04)
2. Informe verbal del Secretario General Adjunto sobre su visita a Guyana
3. Presentación de la Senadora Céline Hervieux-Payette, Presidenta del Foro Interparlamentario de las Américas (FIPA)
4. Informe del Presidente de la Comisión sobre Gestión de Cumbres Interamericanas y Participación de la Sociedad Civil en las Actividades de la OEA en que transmite las recomendaciones de la Comisión sobre solicitudes de organizaciones de la sociedad civil conforme al artículo 6 de los lineamientos [(CP/RES. 759 (1217/99)] (CP/CISC-234/06)
5. Transmisión de informes a las comisiones:
 - Informe sobre captación de fondos: Observadores Permanentes (CP/doc.4102/06)
 - Proyecto de resolución: Cooperación entre los Estados Miembros de la OEA para asegurar la protección a los derechos humanos y la lucha contra la corrupción y la impunidad (Presentado por la Misión Permanente del Perú) (AG/CP/SUB.TP-107/06 y CP/doc.4103/06)
6. Otros asuntos.]

If there are no observations, the draft order of business is approved as presented. Approved.

APROBACIÓN DE ACTAS

La PRESIDENTA: The first item on the order of business is the approval of the minutes of the regular meeting held on October 6, 2004 [CP/ACTA 1448/04]; the special meetings held on September 29, 2004 [CP/ACTA 1445/04] and October 17, 2004 [CP/ACTA 1452/04]; and the joint meeting with the Permanent Executive Committee of the Inter-American Council for Integral

Development (CEPCIDI) held on October 7, 2004 [CP/ACTA 1449/04]. The Chair has been informed by the Secretariat that the changes suggested by delegations have been duly incorporated. Therefore, if there are no objections, the minutes of these meetings are approved.

INFORME VERBAL DEL SECRETARIO GENERAL ADJUNTO
SOBRE SU VISITA A GUYANA

La PRESIDENTA: The next topic on the order of business is the oral report by the Assistant Secretary General on his visit to Guyana, which took place in response to an official request from the Government of Guyana for an Electoral Observation Mission (EOM) of the Organization of American States amid preparations for national elections, which are expected to be held in Guyana later this year.

I now give the floor to Ambassador Albert Ramdin, Assistant Secretary General.

El SECRETARIO GENERAL ADJUNTO: Thank you, Madam Chair.

Secretary General Insulza, distinguished representatives, and distinguished permanent observers, ladies and gentlemen:

The electoral process of 2006 stands at a crucial point in history as Guyana seeks to consolidate its democracy and promote a culture of peace and tolerance.

Yesterday, I completed a visit to Guyana from April 6 to 11 to prepare for the long-term Electoral Observation Mission (EOM) to Guyana. On this visit, I was accompanied by representatives from my office and from the Department for the Promotion of Democracy of the Secretariat for Political Affairs (SPA).

The mission met with political parties, members of the Guyana Elections Commission (GECOM) and its technical secretariat, as well as with civil society, including representatives of trade unions, the private sector, and the Elections Assistance Bureau (EAB), a nongovernmental organization that will field national observers. The mission also met with government officials, the international donor community, Caribbean Community (CARICOM) officials, and the media.

On Monday of this week, the mission met with His Excellency Bharrat Jagdeo, President of the Republic of Guyana, and separately with the Foreign Minister, the Honorable Rudy Insanally, as well as with the Secretary General of the CARICOM Secretariat, Mr. Edwin Carrington. During this visit, the mission signed the agreement of privileges and immunities with the Government of Guyana and an agreement on the electoral observation process with GECOM.

A date for the elections has yet to be set. As previously reported to the Permanent Council, the constitutionally due date for elections in Guyana is August 4. The Constitution further stipulates that Parliament must be dissolved three months prior to the date of elections. Therefore, on May 4, approximately three weeks from now, Parliament is scheduled to be dissolved. The Elections Commission Chairman informed me that he will notify the President of Guyana and the Guyanese people in an address to the nation tomorrow, April 13, that the August 4 deadline will not be met due

to a number of outstanding technical issues. Chief among them is the finalization of the Preliminary List of Electors (PLE).

The Elections Commission will use as a starting point the list voters utilized for the general elections in 2001. While this list is imperfect, a number of steps are being taken to ensure that eligible voters are guaranteed their franchise, including a claims and objections period and the cross-checking of fingerprints to identify possible duplicates. The Electoral Office of Jamaica (EOJ) is providing assistance for the fingerprinting exercise. It is incumbent upon GECOM to communicate these steps and their results to the general public and political parties in a clear and timely manner.

One of the principal challenges to holding elections in Guyana is the lack of trust among the political parties and the absence of consensus-building mechanisms. In addition, public confidence in the electoral authorities is low. In the current context, the Electoral Commission and its chairman must make every effort to regain public confidence through strong leadership, effective and timely decision making, and efficient and regular communication on the state of preparedness and on the way forward regarding outstanding issues.

In the coming three weeks, distinguished representatives, three important decisions have to be made:

1. The dissolution of Parliament or the extension thereof. This will require dialogue in Parliament between the ruling People's Progressive Party/Civic (PPP/C) and the collective opposition.
2. The establishment of a firm date for the holding of general and regional elections in Guyana. While this decision has many technical elements, it ultimately depends on decisions that reflect political considerations.
3. The formula for governance after August 4, including legal mandates and restraining elements.

These critical decisions will necessitate constructive dialogue, induce intensive debate, and influence developments in the country in the coming weeks and months.

You may recall that in my last report to the Council, I noted that many individuals, from all segments of society, expressed concern about the security situation in Guyana. That level of concern continues to be apparent. Individuals involved in the electoral process informed the mission of threats that have been made against their lives. While seemingly not directly related to the electoral process or the political uncertainty, a prominent businessman was murdered last Thursday. As is the case throughout the Caribbean, increasing crime and violence have made for an anxious citizenry.

In the current electoral environment, the appropriate officials must assure the public that they can and will provide adequate security and law enforcement measures to protect citizens, maintain stability, and facilitate the electoral process by allowing candidates to campaign and voters to cast their ballots on election day in a nonthreatening atmosphere. As one of the current members of Parliament noted, it is critical to have elections that are "free and fair, but also free of fear." The OAS EOM will continue to pay particular attention to security throughout this process.

The imminent arrival of the EOM in Guyana has been welcomed by all parties concerned. The leaders and citizens of Guyana believe that the presence of the EOM will facilitate the flow of information from GECOM to the political parties and the general public and will provide a neutral assessment of preparations. Likewise, it is hoped that the presence of international observers will serve as a deterrent to violence and encourage peaceful, democratic dialogue in an environment of respect and tolerance.

Three critical stages of the electoral process will be closely monitored by the OAS Electoral Observation Mission.

The first stage concerns electoral preparation. In addition to completing the voter registry, an array of other tasks needs to be completed, including the registration of candidates, identification of polling stations, and recruitment and training of poll workers. As in other elections, the Mission will lend its good offices during the pre-electoral process; serve as a conduit for the political parties, media, and civil society on the developments of the pre-electoral process; and continuously assess the technical preparations for elections.

It is worth mentioning that a primary obstacle to completing these tasks is the very structure of the Election Commission, which is comprised of individuals selected by the main political parties. The Commission has a particular responsibility to rise above political considerations and to make technically sound and timely management decisions. This was the message that we conveyed on several occasions during our visit.

Second, the EOM will closely monitor the legal and political situation between the August 4 constitutional deadline for elections and election day itself. After the dissolution of Parliament on May 4, there appears to be juridical ambiguity regarding the mandate of the Government and Parliament. The opposition asserts that consideration should be given immediately to extending the life of Parliament beyond May 4, given the election date delay. Extension of Parliament would require a "yes" vote by a two-thirds majority. Alternatively, the ruling party and the President of the Republic believe that an extension of Parliament's mandate is unnecessary, particularly if elections were to be held in September or October 2006.

Regarding the relationship between the main political party and the opposition, President Jagdeo informed the Mission that he has invited the leader of the opposition to meet. To date, this encounter has not taken place. In our view, such a meeting should take place sooner than later. Continuous and constructive dialogue between the leadership of the ruling PPP/C and of the main opposition party, the People's National Congress Reform (PNCR), and efforts at consensus building will be critical in resolving current political issues, as well as in contributing to an environment of peace and stability.

The Inter-Religious Organization of Guyana is currently drafting a peace pact and code of conduct, which it is asking the political parties contesting the 2006 elections to sign. This document was submitted this week to the various stakeholders for their consideration, and a public signing ceremony is programmed for mid-May.

It is hoped that the period of uncertainty regarding when elections will be held will be of brief duration and that there will be clear political will to hold elections as expeditiously as possible. The mission registered its concern that the positions of the two main political parties will harden and that

the space for dialogue and consensus will become more limited should there be a protracted period of uncertainty. If so requested, and if appropriate, the EOM will offer its assistance in facilitating the lines of communication between the political actors.

Third, the postelectoral period must be dedicated to achieving consensus on national priorities, especially political and electoral reform. Absent in recent years has been sustained dialogue among political parties and between political parties and the general public. While the responsibilities of the postelectoral process go beyond the mandate of the EOM, it is important to make this observation.

In 1992, when Guyana embarked on its transition to democracy, President Jimmy Carter advocated that the Elections Commission include divided representation between the ruling and opposition political parties, with an independent chairman. This formula was important then, as it ensured the inclusion of parties and provided a modicum of self-regulation. Now, it is the opinion of many that this multiparty electoral structure has impeded the decision-making process. Management decisions, which should be technical, have become political. In the postelectoral process, the establishment of an independent, professional, nonpartisan Elections Commission should be a priority.

Dialogue and consensus building need to begin immediately. Formal mechanisms already exist in Parliament and should be utilized. However, there is a need for established mechanisms for sustained dialogue beyond parliamentary provisions.

The OAS Electoral Observation Mission will be comprised of long- and short-term components. During the last week of April, the Mission will deploy a small group of experts, who will establish an office in the capital, Georgetown. The work of this core group will be complemented by periodic visits by Secretary General Insulza or me, accompanied by specialists from the Department for the Promotion of Democracy.

I would like to recognize the valuable contributions of the governments of Brazil, Canada, and the United States of America, which have made this important effort a reality through their current contributions. I also wish to thank the Government of Guyana, the political parties, and the general population of Guyana for their confidence and trust in the Organization of American States.

Thank you, Madam Chair.

Thank you very much, Assistant Secretary General, for that very informative report. I now give the floor to Ambassador Karran of Guyana.

El REPRESENTANTE PERMANENTE DE GUYANA: Thank you, Madam Chair.

I would like to begin by thanking the Organization of American States for making a second visit to Guyana in such a brief span of time, which demonstrates the commitment of the Organization to the spirit of the Inter-American Democratic Charter.

As we heard, Madam Chair, the visit was very useful in providing the mission with direct information and impressions about the state of preparations for elections and the positions of the various stakeholders and actors. Guyana is of the view that a long-term OAS Electoral Observation

Mission (EOM) will play an important role in monitoring the lead-up to the polling and in assessing the validity of the electoral process.

My delegation welcomes the information that necessary agreements to establish the Observation Mission have been signed, and we hope that the Mission will be in place as soon as possible.

The information from the Guyana Elections Commission (GECOM) that it is not in a position to carry out the elections by the constitutionally due date of August 4 has been a disappointment to the Government of Guyana. A mere few weeks ago, it was the view of the Government, as well as of the donor community, that all technical arrangements were in place to hold elections in a timely manner. It should be noted, however, that this is not the first occasion in Guyana's recent history when elections are being held beyond the constitutional deadline. The President has stated that in this eventuality, the relevant constitutional provisions would apply: the Government would continue in office in the interim.

Since some stakeholders were not satisfied with the state of preparations, Madam Chair, especially in relation to the integrity of the list of voters, it is expected that the additional time will now serve to allay those concerns and will contribute to an increased climate of security and stability going into the elections.

Madam Chair, there is a draft statement in circulation for the approval of the Permanent Council. My delegation welcomes the initiative and supports the idea that the Council should make a statement on this occasion in support of the electoral process in Guyana, after the pertinent consultations have been completed.

Guyana values highly the role that the OAS has been exercising and will be able to exercise in the electoral process in Guyana. The agreements that have been signed between the Organization and Guyana so far relate to the observance of the elections. Should the situation warrant it, the Government of Guyana will consider extending an invitation to the Organization, at the appropriate time, to fulfill any necessary political role.

The Government will also address, as effectively as necessary, the security situation and the political and technical requirements for holding elections, and it will do all it can to ensure that the period between August 4 and the elections will be as brief and uneventful as possible.

Madam Chair, it would be remiss of me not to express thanks and appreciation to the countries that have provided resources for the EOM; namely, Brazil, Canada, Chile, and the United States. My delegation also wishes to thank the members of the team that went to Guyana, especially the Assistant Secretary General. We extend assurances of my delegation's cooperation in the days ahead.

Thank you.

La PRESIDENTA: Thank you very much, Ambassador Karran. It is my understanding that Guyana has expressed a need for further consultation with headquarters. As a result, the statement that you just referred to has not been circulated. It will be circulated at a later date. Thank you.

I now give the floor to the Ambassador of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhora Presidenta.

Em primeiro lugar, queria agradecer o Secretário-Geral Adjunto pelo substancial relato sobre os preparativos das eleições na Guiana. E, neste sentido, gostaria de reafirmar a confiança que o Governo brasileiro deposita no papel que a Organização dos Estados Americanos tem desempenhado e no trabalho que o Embaixador Albert Ramdin vem desenvolvendo, em coordenação com as autoridades guianenses, no contexto da realização das eleições gerais na Guiana.

Por meio de um diálogo construtivo e respeitoso, tanto com o Governo do Presidente Bharrat Jagdeo, quanto com a oposição e outras forças sociais, a Organização dos Estados Americanos tem prestado apoio fundamental na construção paulatina de um necessário consenso sobre pontos importantes que incluem o desenvolvimento transparente, eficaz e pacífico do processo eleitoral na Guiana, que é o que todos desejamos.

O Governo brasileiro, no contexto das relações tão estreitas que unem o Brasil e a Guiana e com pleno respeito às decisões soberanas dos guianenses, espera que brevemente se chegue a um acordo sobre a melhor data para a população ir às urnas, a fim de escolher os futuros membros da Assembléia Nacional e o próximo Presidente da Guiana.

Desejo ainda expressar a importância que o Brasil atribui às missões de observação eleitoral empreendidas pela Organização dos Estados Americanos. A cada eleição livre e transparente que se conclui em nosso Hemisfério, cruza-se mais uma fronteira na promoção da democracia nas Américas e, conseqüentemente, chega-se mais perto do desenvolvimento integral de nossos povos.

Muito obrigado, Senhora Presidenta.

La PRESIDENTA: Thank you very much, Ambassador. I now give the floor to the Ambassador of the United States.

El REPRESENTANTE ALTERNO DE LOS ESTADOS UNIDOS: Thank you, Madam Chair.

We would like to thank to Assistant Secretary General Ramdin for his remarks and especially for his efforts in Guyana.

The United States is very supportive of the Secretariat's work to organize an Electoral Observation Mission (EOM) of the Organization of American States to accompany the Government and people of Guyana throughout their electoral process. My delegation believes that sending a special envoy is a vital step that the OAS can and should take quickly. Such an envoy could remain in Guyana through the upcoming elections to meet with the political leadership, members of the Guyana Elections Commission (GECOM), and civil society to restore political dialogue and resume election planning.

In addition, the United States continues to support deployment of an OAS technical team to support the work of GECOM as it prepares for the elections, which must be held at the earliest possible date, bearing in mind the importance of constitutional requirements.

We encourage the OAS to continue its dialogue with the Caribbean Community (CARICOM) and the Commonwealth to coordinate election support efforts in Guyana. The OAS should also take advantage of the willing foreign embassy staff in Georgetown to further complement the OAS Electoral Observation Mission's presence during the upcoming elections.

Finally, Madam Chair, we encourage other member and observer states to consider contributing to the important work of the OAS in Guyana.

Thank you very much.

La PRESIDENTA: Thank you very much, Ambassador. I now give the floor to the Ambassador of Canada.

EI REPRESENTANTE PERMANENTE DEL CANADÁ: Thank you, Madam Chair.

My delegation and my government deeply appreciate the constructive role that is being played by the Assistant Secretary General in this situation. We are fortunate to be able to draw on his knowledge and experience at this difficult time in Guyana.

We are also fortunate to have such a skilled diplomat representing the Government of Guyana as our colleague, Ambassador Karran.

Based on the unique circumstances in Guyana and the anticipated substantive role of the Organization of American States, as alluded to by the Assistant Secretary General in his report, Canada will be making available, through the Canadian International Development Agency (CIDA), a total of \$175,000 to the OAS to fund the Electoral Observation Mission (EOM). This obviously won't be sufficient; the situation is complex, and the OAS Mission will have multiple tasks.

Much is at stake in this electoral exercise and will have consequences, not only for Guyana, but for our region. We call on the political leaders to demonstrate the necessary will to enter into a constructive dialogue and to take whatever other actions are necessary to safeguard the democratic process and civil peace. We also hope that the Caribbean Community (CARICOM) will be able to play a constructive role in this situation.

Thank you, Madam Chair.

La PRESIDENTA: Ambassador, I thank you very much for your statement, and you can be assured of the continuing contribution of the Caribbean Community (CARICOM) to the efforts in Guyana. I now give the floor to the Ambassador of Panama.

EI REPRESENTANTE PERMANENTE DE PANAMÁ: Muchas gracias, Presidenta.

En nombre del Grupo Centroamericano, quisiera formular solamente tres observaciones.

La primera es en el sentido de que nos congratulamos de que ya va siendo normal en los países miembros de la OEA que las elecciones y los procesos democráticos se lleven a cabo con total y absoluta normalidad.

La segunda es que nos congratulamos del papel que la OEA está desempeñando y seguirá desempeñando en todos estos procesos electorales.

La última es que quisiera rogarle a la Secretaría que haga circular las interesantes palabras que ha pronunciado sobre Guyana el Secretario General Adjunto, señor Ramdin.

Muchas gracias.

La PRESIDENTA: Thank you very much, Ambassador.

Delegations may wish to note that during the visit of the Assistant Secretary General to Guyana, he took the opportunity en route to visit Trinidad and Tobago, where he met with the Prime Minister and the Minister of Foreign Affairs. He also met with the Prime Minister of Saint Lucia and took the opportunity to apprise them of the work of the Organization of American States in this area, and they gave him full assurance of their support for the efforts of the Organization.

The Chair suggests that the Council take note of the report presented by Ambassador Ramdin and of the comments made by Ambassador Karran and the ambassadors of Brazil, the United States, Canada, and Panama. It is so agreed.

PRESENTACIÓN DE LA PRESIDENTA DEL FORO INTERPARLAMENTARIO DE LAS AMÉRICAS

La PRESIDENTA: The next item on our order of business, included at the request of the Permanent Mission of Canada, is the presentation by Senator Céline Hervieux-Payette, President of the Executive Committee of the Inter-Parliamentary Forum of the Americas (FIPA).

Senator, may I welcome you, on behalf of the members of the Council and on my own behalf, to the House of the Americas. We are most honored to have you here today, and without further ado I give you the floor.

La PRESIDENTA DEL FORO INTERPARLAMENTARIO DE LAS AMÉRICAS: Thank you, Madam.

Madam Chair; Mr. Secretary General; Mr. Assistant Secretary General; distinguidos Representantes Permanentes; Mesdames et Messieurs les Observateurs permanents; estimados colegas del Comité Ejecutivo del FIPA que me acompañan aquí esta tarde:

Two weeks ago, I had the pleasure of meeting with the Secretary General of the Organization of American States. Today, I would like to express my sincere gratitude to Her Excellency Ambassador Marina Valère for welcoming me here today to make a presentation to this distinguished Council.

I am particularly honored to be speaking to the Organization that inspired the creation of the Inter-Parliamentary Forum of the Americas (FIPA), as this spring, FIPA is celebrating its fifth anniversary. I have presided over it for almost all of those five years.

Last night, we celebrated this milestone at a reception, graciously hosted by Canada's Permanent Representative to the OAS, at the beautiful Museum of the Americas. I thank Ambassador Durand for the reception and wish to convey to him my thanks for helping me in my role as FIPA President over the last five years.

Today, I would like to take this opportunity to share with you our successes over the past five years and our hopes for the future.

As you may know, FIPA is recognized in the Plan of Action of the Quebec Summit of the Americas for its potential in fulfilling the ambitions of the Summit of the Americas process. Since 2001, hundreds of legislators have worked with FIPA to strengthen democracy, promote prosperity, and realize human potential in our region through FIPA's thematic working groups, plenary meetings, and projects.

In the past year alone, parliamentarians from 27 of the countries represented here today participated in FIPA activities, from small island states like Grenada to large federal states like Brazil. Parliamentarians from across the region work with FIPA because they believe that by sharing their legislative experience and developing ties with their colleagues from the Americas, in an environment in which each country is on equal footing, they can make a positive difference in the lives of the citizens they represent. FIPA shares this belief in the value of regional cooperation with those of you here today.

By including parliamentarians in the inter-American system, FIPA works to bring regional cooperation to a new level with an agenda that complements that of the OAS. Let me highlight a few specific examples.

Responding to the need for human security in the Hemisphere, FIPA's legislators met in 2003 for two days in Mexico City to work on recommendations that they submitted to the Special Conference on Security. Since then, our working group on terrorism has been a strong promoter of the Inter-American Convention against Terrorism, which was adopted by the General Assembly of this organization in 2002.

Recognizing the importance of economic development, our foreign debt working group lent its support last year to the movement to push developed countries to pardon the debt of the most indebted countries of the region. This objective was realized at the G8 Finance Ministers Meeting in London last June.

Until recently, FIPA provided input to the Free Trade Area of the Americas (FTAA) negotiation process. In 2003, FIPA's Executive Committee met with trade ministers in Miami at the Eighth Ministerial Meeting of the FTAA to present a summary of ideas, concerns, and recommendations regarding the FTAA that had been expressed by parliamentarians at FIPA meetings.

FIPA is also dedicated to ensuring a more equitable distribution of wealth and to promoting greater equality among the citizens of our countries. Fiscal reform was discussed at great length at our 2004 Plenary Meeting in Chile, and this past year we were particularly active in strengthening the leadership of women in politics. In 2005, the Group of Women Parliamentarians, under the chairmanship of Dr. Margarita Stolbizer of Argentina, held two regional forums in Barbados and in Argentina that brought together over seventy-five male and female parliamentarians from 26 countries of the region to discuss women's leadership and democratic governance.

Not only does FIPA share a common agenda with the OAS, but we also share common fundamental values. FIPA is fully committed to the principles enshrined in the Inter-American Democratic Charter, a commitment that is demonstrated by our support for OAS efforts to strengthen democracy in the Hemisphere. In January 2005, when the Government of Nicaragua requested support from the international community, FIPA responded by calling on the National Assembly of Nicaragua to respect the separation of powers and the democratic process in that country and to entertain a dialogue with all the pillars of the democratic system.

En septembre 2005, je me suis rendue à Haïti avec une délégation de femmes parlementaires d'Argentine, de la Grenade et du Mexique afin d'encourager la participation des femmes au processus électoral. Nous avons été extrêmement touchées de pouvoir partager, lors de cette mission, notre expérience avec des femmes candidates de Port-au-Prince et du Cap-haïtien issues de différents partis, mais unies par leur détermination à faire une différence dans la vie des citoyens de leur pays.

En réponse aux besoins exprimés par ces femmes, nous allons prochainement mettre sur pied, avec l'appui du Centre parlementaire, organisation qui œuvre au renforcement des parlements au Canada et internationalement, un programme de marrainage qui permettra de tisser des liens avec les nouvelles élues haïtiennes et leurs consœurs parlementaires des autres pays des Amériques.

Nous attendons avec impatience les résultats des élections et avons hâte d'accueillir nos nouveaux ou nouvelles collègues parlementaires d'Haïti, hommes et femmes, dans la grande famille de FIPA lors de notre cinquième Assemblée générale plénière qui aura lieu en juin prochain à Bogota, au Congrès de Colombie.

Though FIPA has accomplished much in the past five years, we strongly believe that parliamentarians can play an even greater role in harmonizing the hemispheric integration process with the needs of our citizens.

I noticed, Madam Chair, that last year's regular session of the General Assembly in the Dominican Republic addressed the topic "Good Governance and Development in the Knowledge-based Society." I would like to emphasize that increasing the knowledge of parliamentarians, as a means of improving our efficiency as legislators, is an integral part of FIPA's mission. FIPA works to develop the knowledge base of parliamentarians by collaborating with experts, sharing country-specific experiences, and developing our own tools.

With the assistance of the Institute for Connectivity in the Americas (ICA), a program put together after the Summit of the Americas in Quebec City by former Canadian Prime Minister Jean Chrétien, FIPA has gone beyond face-to-face meetings and has developed the Virtual Parliament of the Americas, a multilingual tool for online discussion and topical information sharing, for which we have been recognized by organizations, such as the European Parliament (EP), as a pioneer.

At our meetings, our discussions are enriched by the contributions of experts from various sources, including several agencies of the OAS. I would like to take this opportunity to thank the Department of Trade, Tourism, and Competitiveness; the Department for the Promotion of Democracy; the Inter-American Committee against Terrorism; and the Inter-American Commission of Women (CIM), among others. All of them have kindly shared their technical knowledge with us over the years, and their support has been invaluable.

Also, responding to calls by our members for greater emphasis on capacity building, FIPA is building a learning network for parliamentarians. We have initiated discussions with the Inter-American Development Bank (IDB), and we look forward to seeing the results of this collaboration.

Let me quickly mention the main issues to be addressed at FIPA's Fifth Plenary Meeting, to be held in Bogotá, Colombia, this coming June. I would like to take this opportunity to commend Ambassador Ellsworth John on the speech he made before the Council last week in which he emphasized the importance of intensifying regional efforts to eliminate poverty. I would like to assure him that parliamentarians from the North and South are on the front line of the fight against poverty in our hemisphere. It is for this reason that we have decided to include poverty reduction as one of the main focuses of the June meeting, with an emphasis on the situation of minorities and monoparental families. It is important that we coordinate our actions with the OAS and the regional banks on this issue.

The other two topics that we will address at the Fifth Plenary Meeting will be trade, which has been an ongoing issue for our region, particularly in light of recent bilateral trade agreements, and the problem of drug trafficking. Regarding the latter, we were lucky enough to have representatives of the Inter-American Drug Abuse Control Commission (CICAD) present yesterday when FIPA's Executive Committee discussed the agenda of the working group on drug trafficking, and we hope that CICAD will contribute its expertise to the discussions in Bogotá.

Madam Chair, these advances would not have been possible without the support of my parliament and government, as well as that of all the countries that have contributed to FIPA by hosting our meetings and activities. May I mention those who hosted meetings: Mexico, Barbados, Argentina, Panama, Chile, Costa Rica, Brazil, Guatemala, and finally, Colombia. Others ensured the functioning of the FIPA Secretariat by paying their annual dues. Just a friendly reminder, Madam Chair [risas.], that a few remain unpaid.

I would like to emphasize the continued efforts of my colleagues on FIPA's Executive Committee who joined me here in Washington this week. The 2005 and 2006 Executive Committee includes Barbados, Chile, Colombia, Grenada, Guatemala, Honduras, Mexico, Paraguay, and Canada. These representatives go beyond their regular parliamentary duties to make the Forum such a success.

FIPA has arrived at a critical juncture in its existence. Realizing the Forum's full potential and its ambition to become a full partner of the OAS and the inter-American system, committed to supporting the Summit agenda, will require a strong show of support and commitment from all the countries of the Americas.

Given that my mandate as President of FIPA will end next June—and I have made sure to include in our statute that FIPA presidents cannot run for more than two terms—I am here today to request your support, as the representatives of the governments of the Americas, for our future

president in pursuing the endeavors that parliamentarians in the region have started at FIPA. I place in you my trust that with your support and collaboration, my successor will bring the cooperation between FIPA and the Organization of American States to a new and deeper level in this second phase of development.

Madam Chair and members of the Permanent Council, I thank you once again for giving me this opportunity to speak with you today. I am greatly honored, and I will be happy to answer any questions you might have. Thank you.

La PRESIDENTA: Senator, I thank you for your comprehensive presentation on the work of the Inter-Parliamentary Forum of the Americas (FIPA). Be assured that your sentiments of appreciation with respect to Ambassador John's address last week to the Permanent Council will be conveyed to him.

I call on the Ambassador of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhora Presidenta.

Em primeiro lugar, queria agradecer, em nome dos países que fazem parte do Grupo da Associação Latino-Americana de Integração (ALADI), a apresentação feita pela Senadora Celine Hervieux-Payette, Presidente do Foro Interparlamentar das Américas (FIPA).

Queria também agradecer à Senadora e ao Foro a distribuição do exemplar relativo à Quarta Assembléia Plenária do FIPA, realizada em Brasília de 19 a 21 de maio do ano passado, no Congresso Nacional do Brasil. E, sobretudo, agradecer a homenagem prestada nesse documento às cores nacionais e à bandeira do meu país, bem como a foto que representa o Congresso Nacional Brasileiro.

A Senadora Hervieux-Payette proporcionou-nos uma visão interessante sobre a crescente aproximação entre os parlamentos do Hemisfério e dos resultados tão positivos que essa aproximação trará para uma maior cooperação entre nossos países.

É fato conhecido, mas vale a pena reiterá-lo neste ambiente eminentemente diplomático, que nossos poderes legislativos desempenham papel fundamental nas relações internacionais contemporâneas. A eles cabe a indispensável aprovação e legitimação dos mais importantes acordos internacionais, bem como entendimentos que os governos venham a assinar e que digam respeito a temas de alta prioridade da agenda da Organização dos Estados Americanos.

Mas, mesmo antes dessa fase de formalização dos atos internacionais, os poderes executivos sentem a necessidade de incluir os parlamentos na formação de consensos nacionais sobre a variada gama de interesses e objetivos a defender, ou a ter em mente, no âmbito internacional. E é aí que na representação parlamentar e nos debates legislativos se decantam a vontade popular e as convergências possíveis em torno das principais questões, inclusive as referentes à atuação internacional dos países.

Em nosso Hemisfério, onde a democracia vem felizmente lançando raízes profundas, observamos um expressivo desenvolvimento das relações interparlamentares. E nossa Organização –

a Organização dos Estados Americanos – se beneficiará cada vez mais dessa diplomacia parlamentar, tal como os poderes legislativos, em uma interação produtiva com a diplomacia, e mais e mais se capacitarão para a sua participação indispensável nas relações internacionais em nossos dias.

De novo, muito obrigado, Senhora Senadora, Presidenta da FIPA.

La PRESIDENTA: Thank you very much, Ambassador. I now give the floor to the Ambassador of Canada.

EI REPRESENTANTE PERMANENTE DEL CANADÁ: Merci, Madame la Présidente.

D'abord, j'aimerais remercier la Sénatrice Hervieux-Payette pour cette présentation informative et intéressante. Nous sommes très contents d'entendre cette mise à jour sur les activités du Forum interparlementaire des Amériques (FIPA).

I'm very pleased that Senator Hervieux-Payette, the longstanding President of the Inter-Parliamentary Forum of the Americas (FIPA), is addressing the Permanent Council today. Given the various issues of interest to both FIPA and the Organization of American States, such as security, trade, and gender equality, this kind of collaboration and exchange of information is mutually beneficial.

The role that parliamentarians play in the member states is, of course, of critical importance. Although the exact role of the legislative branch may differ from country to country and from government system to government system, one of its functions in each of the member states is to implement initiatives and ideas that emanate from various bodies, including the OAS. In this sense, FIPA helps to promote the advancement of the shared objectives of member states. It affords parliamentarians the opportunity to share their experiences and increase their knowledge by interacting with colleagues from other member states.

Madam Chair, the Canadian Delegation would like to congratulate Senator Hervieux-Payette on her successful and very hardworking term as FIPA President, and we wish her well in her future endeavors. Bonne chance et bon voyage!

La PRESIDENTA: Thank you very much, Ambassador. Ambassador of Panama, I give you the floor, sir.

EI REPRESENTANTE PERMANENTE DE PANAMÁ: Muchas gracias, señora Presidenta.

En nombre del Grupo Centroamericano que me honra coordinar, quería agradecer a la senadora Céline Hervieux-Payette esta exposición que nos ha hecho y desear que el Foro Interparlamentario de las Américas (FIPA) continúe esta labor tan interesante que está realizando.

Poner de acuerdo a los parlamentos de América Latina no es fácil, sobre todo porque hay tradiciones, hay costumbres, hay influencias y corrientes jurídicas que han permeado nuestras legislaciones. Sin embargo, hoy en día en el mundo de los negocios que vivimos esto es más fácil, especialmente sobre los instrumentos negociables. Para que las personas de uno y otro país puedan hacer bien sus negocios se va haciendo necesaria una legislación que se pueda ir uniformando.

Yo quería hacer referencia específica y concreta a unos delitos que hoy son de carácter internacional, de proyección que extravasa las fronteras de cualquier país, y me refiero a los delitos de terrorismo, de narcotráfico, de blanqueo de dinero. La semana pasada hubo una interesante reunión en Panamá al respecto, patrocinada por la Oficina contra la Droga y el Delito (ONUDD) y por el Comité Interamericano contra el Terrorismo (CICTE) de la OEA para que nuestros países –me refiero concretamente a los centroamericanos y estaba presente Colombia como Presidente del CICTE– adecúen nuestras legislaciones a las convenciones internacionales. Ya no se trata solamente de ratificar las convenciones, proceso que se viene dando. Panamá ha ratificado trece convenciones ya. Ahora se trata de que nuestras legislaciones puedan consagrar delitos, porque sabemos que las actividades de los delincuentes suelen ir por delante de las expediciones de las leyes. A medida que se expiden las leyes, los delitos van por delante porque los creadores de los delitos van creando ellos mismos figuras que luego tenemos que tipificar.

Ojalá que la FIPA continúe esta tarea de ayudarnos a convencer a los parlamentos de nuestros países para que no solamente cada parlamento de cada país se adecúe, sino que tratemos de que todas las figuras queden consagradas en nuestras distintas legislaciones. De tal manera que se pueda pensar en una legislación tipo para sancionar esta clase de delitos. Sé que es una tarea que no es fácil, pero que va a contar con la colaboración del parlamento centroamericano y de los parlamentos de cada uno de nuestros países.

Nous vous souhaitons, Madame le Sénateur, nos meilleurs vœux de succès dans vos très délicates mais très intéressantes fonctions. Je vous remercie.

La PRESIDENTA: Thank you, Ambassador. I now give the floor to the Ambassador of the United States.

El REPRESENTANTE ALTERNO DE LOS ESTADOS UNIDOS: Thank you, Madam Chair.

My delegation would like to join in thanking Senator Céline Hervieux-Payette for a very informative report. We were especially interested to note that the Inter-Parliamentary Forum of the Americas (FIPA) was able to address in its working groups such important issues as the fight against terrorism and the Free Trade Area of the Americas (FTAA). We also take note of FIPA's cooperation with the Inter-American Drug Abuse Control Commission (CICAD) and the Inter-American Committee against Terrorism (CICTE).

Again, our thanks for a very enlightening presentation.

La PRESIDENTA: Thank you, Ambassador. The Ambassador of Grenada has the floor.

El REPRESENTANTE PERMANENTE DE GRENADA: I thank you very much, Madam Chair.

My late arrival is not due to a lack of interest in this topic. I know that Grenada is well represented in the work of the Inter-Parliamentary Forum of the Americas (FIPA), but my delegation would be remiss if it did not express the gratitude of our government for the work of FIPA in assisting to strengthen our institutional capacity.

FIPA provides for continuity. The engagement of parliamentarians from both government and the opposition provides an opportunity for dialogue in a less contentious setting to ensure that developing countries can strengthen their democratic institutions.

Agreements that obligate us to take on responsibility must also take into consideration certain financial obligations, which at times frustrate the participation of the small states, so we ask that continued recognition be given to assisting the small states to help them to participate in these events. We don't want to be left out and to have to hear about the meetings; we want to be able to participate in them. I think most of the time it is not intended that small states be left out. We sometimes lack resources to travel from meeting to meeting, so we urge that these matters be considered so that FIPA is inclusive in its operations.

I appreciate the fact that Grenada is well represented, because we feel that the issue of democracy is one of culture and tradition in our countries, but we have to also identify how, as our parliamentarians meet, their work transfers to changing the culture of doing business in our countries. So we are looking for more of a transfer of decisions, recommendations, and activities to strengthen the process of governance.

I thank you very much.

La PRESIDENTA: Thank you, Ambassador, for your comments, and I thank all of the ambassadors who have spoken on this issue.

May I suggest that the Council take note of the of the presentation by the President of the Executive Committee of the Inter-Parliamentary Forum of the Americas (FIPA), Senator Céline Hervieux-Payette, and of the comments made by delegations. It is so agreed.

INFORME DEL PRESIDENTE DE LA COMISIÓN
SOBRE GESTIÓN DE CUMBRES INTERAMERICANAS Y
PARTICIPACIÓN DE LA SOCIEDAD CIVIL EN LAS ACTIVIDADES DE LA OEA
MEDIANTE EL CUAL TRANSMITE LAS RECOMENDACIONES DE LA COMISIÓN
SOBRE SOLICITUDES DE ORGANIZACIONES DE LA SOCIEDAD CIVIL

La PRESIDENTA: The next item on the order of business is the report of the Chair of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) transmitting the recommendations of the Committee on applications by civil society organizations under Article 6 of the Guidelines for the Participation of Civil Society Organizations in OAS Activities [CP/RES. 759 (1217/99)]. The relevant document is CP/CISC-234/06.

I give the floor to Ambassador Rodolfo Gil, Permanent Representative of Argentina and Chair of the CISC.

El PRESIDENTE DE LA COMISIÓN SOBRE GESTIÓN DE CUMBRES INTERAMERICANAS Y PARTICIPACIÓN DE LA SOCIEDAD CIVIL EN LAS ACTIVIDADES DE LA OEA: Muchas gracias, señora Presidenta.

En mi calidad de Presidente de la Comisión sobre Gestión de Cumbres Interamericanas y Participación de la Sociedad Civil en las Actividades de la OEA (CISC), me corresponde nuevamente transmitir a este Consejo la recomendación acerca de once solicitudes de organizaciones que se enumeran en el informe que tienen ante ustedes como documento CP/CISC-234/06.

Señora Presidente, de conformidad con el artículo 6 de las Directrices para la Participación de la Sociedad Civil en las Actividades de la OEA, resolución CP/RES. 759 (1217/99) de este Consejo Permanente, y del artículo 22 de nuestro Reglamento, pongo a consideración la recomendación acordada el día 4 de abril de 2006 en la Comisión que presido para que se apruebe la participación de estas organizaciones en las actividades de la OEA y para que las mismas sean inscritas en nuestro Registro de Organizaciones de la Sociedad Civil.

Muchas gracias, señora Presidenta.

La PRESIDENTA: Thank you very much, Ambassador.

If there are no objections to the recommendations presented by the Chair of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) in his report, the Chair suggests that the Council approve the requests by civil society organizations of which the Chair of the CISC just spoke. I also instruct the Secretariat to incorporate these organizations in the OAS Register of Civil Society Organizations. There being no objections, it is so agreed. Agreed.

REMISIÓN DE INFORMES A COMISIONES

La PRESIDENTA: The next item on the order of business is the referral of reports to the committees of the Permanent Council.

The Chair proposes that the Council forward to the Committee on Administrative and Budgetary Affairs (CAAP) document CP/doc.4102/06, "Report on Fundraising: Permanent Observers." The Chair also suggests that we forward to the Committee on Juridical and Political Affairs (CAJP) document CP/doc.4103/06, the draft resolution entitled "Cooperation Among the Member States of the OAS to Ensure Protection of Human Rights and to Fight Corruption and Impunity," and document AG/CP/SUB.TP-107/06, "Request for the Inclusion of a Topic on the Preliminary Draft Agenda for the Thirty-Sixth Regular Session of the General Assembly," presented by the Permanent Mission of Peru.

COOPERACIÓN ENTRE LOS ESTADOS MIEMBROS DE LA OEA PARA ASEGURAR LA PROTECCIÓN A LOS DERECHOS HUMANOS Y LA LUCHA CONTRA LA CORRUPCIÓN Y LA IMPUNIDAD (PROYECTO DE RESOLUCIÓN PRESENTADO POR LA DELEGACIÓN DEL PERÚ)

La PRESIDENTA: The Delegation of Peru has asked for the floor. You have the floor, sir.

El REPRESENTANTE PERMANENTE DEL PERÚ: Gracias, señora Presidenta.

El Perú presenta una iniciativa que tiene directa relación con dos grandes temas que comprometen a nuestra Organización: la defensa de los derechos humanos y la lucha contra la corrupción y la impunidad, ambos materia de convenciones interamericanas [AG/CP/SUB.TP-107/06 y CP/doc.4103/06]. Son dos de las principales preocupaciones de la OEA.

En el ámbito de los derechos humanos, señora Presidenta, los avances son notorios y notables. Nuestros pueblos tienen, en efecto, mecanismos que funcionan para hacer respetar los derechos fundamentales de las personas. La Comisión Interamericana de Derechos Humanos y la Corte Interamericana de Derechos Humanos constituyen un claro ejemplo de ello. Existe, sin embargo, la impostergable necesidad de que la OEA tenga más legitimidad de la que se le reconoce, y esto tiene que ver con lo que es objeto de la iniciativa que ahora traemos a este Consejo.

Hay pronunciamientos de la Comisión Interamericana de Derechos Humanos y sentencias de carácter firme de la Corte Interamericana de Derechos Humanos que ordenan a los Estados Miembros a investigar, procesar y sancionar determinados actos violatorios de los derechos de las personas. En muchos casos, existe la individualización de los inculpados de tales estropicios y, además, la exigencia para que el Estado concernido dé una ejemplar penalización a los responsables, requiriéndose para el efecto el cumplimiento del debido proceso. Se trata de ejecutorias emitidas por un tribunal de justicia en cumplimiento de una función jurisdiccional y con carácter de cosas juzgadas.

Ocurre, sin embargo, señora Presidenta, que muchas veces no se puede cumplir con tales mandatos de la Corte porque los inculpados están refugiados en el territorio de otro país miembro de nuestra Organización, de manera tal que no es posible el juzgamiento por ausencia del responsable.

Precisamente para evitar dicha anormalidad es que el Perú está proponiendo la cooperación entre los Estados Miembros, a fin de que se entregue a los inculpados vía extradición y, de esa manera, se pueda cumplir con los mandatos de la Corte Interamericana de Derechos Humanos en el sentido de procesar y sancionar a todos aquellos que han sido responsables de violaciones a los derechos fundamentales de las personas por haber cometido crímenes internacionales como genocidio, crímenes de lesa humanidad y crímenes de guerra.

La colaboración que se plantea es, pues, señora Presidenta, incuestionable e impostergable: permitir que un Estado Miembro de nuestra Organización cumpla con un deber judicialmente establecido mediante sentencia definitiva de la Corte Interamericana de Derechos Humanos.

Lo mismo debe decirse de la lucha contra la corrupción, materia, como se ha anticipado también, de una convención interamericana que busca erradicar la impunidad en nuestra región. Los responsables de actos de corrupción en algunos casos se refugian en territorios de Estados Miembros de nuestra Organización, lo cual impide su procesamiento.

La iniciativa presentada por la Misión del Perú busca que ese Estado, aplicando su propia normatividad, permita cumplir el objetivo de erradicar la impunidad en nuestra región y, por consiguiente, entregue al inculpado al Estado solicitante vía extradición para que lo investigue, lo procese y lo sancione con todas las garantías de la ley.

Se trata pues, señora Presidenta, de deberes elementales de cooperación entre Estados Miembros de nuestra Organización en el espíritu interamericano de promover la defensa de los

derechos humanos y sancionar a los responsables de cualquier violación a ellos, así como propiciar que los actos de corrupción no queden impunes.

Señora Presidenta, el Perú es consciente de que nuestra Organización debe ganar cada día mayor credibilidad, y la mejor manera de hacerlo, al tiempo de comunicar las importantes tareas que se cumplen en diversas áreas, como se ha dicho en este foro en diversas oportunidades, es precisamente cooperando en temas fundamentales como los que convocan la iniciativa que se ha presentado.

Muchas gracias.

La PRESIDENTA: Thank you, Ambassador de la Flor, for the additional information that you have provided on this topic.

REMISIÓN DE INFORMES A COMISIONES (CONTINUACIÓN)

La PRESIDENTA: Let me take this opportunity to inform delegations that at its meeting held on Friday, April 7, the Subcommittee on Agenda and Procedure forwarded the following items and draft resolutions to various committees of the Council:

- Resolution AG/RES. 2146 (XXXV-O/05), “Extradition of and Denial of Safe Haven to Terrorists: Mechanisms for Cooperation in the Fight against Terrorism,” contained in document AG/CP/SUB.TP-114/06, was sent to the Committee on Juridical and Political Affairs (CAJP); and
- The issue “Avian Influenza: Inter-American Partnership to Meet a Global Threat” was referred to the General Committee.

ELECCIONES EN EL PERÚ

La PRESIDENTA: We have now arrived at the last item on our order of business, “Other business.” Delegations are welcome to present any matter they wish to bring to the attention of the Council at this time.

I call on the Ambassador of Peru.

El REPRESENTANTE PERMANENTE DEL PERÚ: Gracias, señora Presidenta.

Simplemente para informar que el domingo pasado, 9 de abril, se realizaron las elecciones en el Perú. Como quiera que ninguno de los candidatos obtuvo la mayoría absoluta establecida en la ley, va a haber la necesidad de ir a una segunda vuelta electoral, a celebrarse dentro del mes siguiente en que se conozcan los resultados oficiales.

Mi intervención, sin embargo, está orientada fundamentalmente a explicitar el agradecimiento del Gobierno del Perú, primero a la colaboración prestada por la Secretaría General de nuestra Organización –como bien lo ha dicho en la mañana de hoy el Presidente Alejandro Toledo

en la sesión protocolar que tuvimos— al haber designado a la Misión de Observación Electoral, presidida por un ciudadano de las calidades del ex Canciller del Canadá, Lloyd Axworthy, quien viene cumpliendo la delicada función de acompañar con su observación electoral el proceso que se viene desarrollando en el país.

Agradecemos, pues, a la Secretaría General y al propio ex Canciller Axworthy, en la persona del Representante del Canadá en este foro, por su participación tan comprometida en los eventos electorales del Perú.

Al mismo tiempo, quiero aprovechar esta oportunidad para renovar un agradecimiento a todos los hermanos países que han colaborado, según nos lo ha comunicado nuestra Organización, en la organización y ejecución del proyecto de observación que se ha enviado bajo la jefatura del ex Canciller Axworthy. Me refiero específicamente a las aportaciones que han hecho los Gobiernos de los Estados Unidos, Canadá, Brasil, Japón, Corea y Noruega. Queríamos hacer presente el explícito agradecimiento del Gobierno del Perú por su colaboración y la confianza de que el proceso electoral en el Perú terminará con el éxito que todos deseamos.

Gracias.

[Ocupa la presidencia el Representante de San Vicente y las Granadinas.]

El PRESIDENTE: Thank you very much.

VIGÉSIMO SÉPTIMO PERÍODO EXTRAORDINARIO DE SESIONES
DE LA CORTE INTERAMERICANA DE DERECHOS HUMANOS,
REALIZADO EN BRASÍLIA, BRASIL, DEL 28 AL 31 DE MARZO 2006

El PRESIDENTE: I now give the floor to the Ambassador of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhor Presidente.

Eu queria informar a este Conselho Permanente – por ser, a meu ver, um tema importante – a realização em Brasília, de 28 a 31 de março passado, do Vigésimo Sétimo Período Extraordinário de Sessões da Corte Interamericana de Direitos Humanos. A Corte atendeu a um convite do Estado brasileiro que deu apoio a esta reunião por intermédio do Ministério das Relações Exteriores, do Tribunal Superior de Justiça e da Secretaria Especial de Direitos Humanos.

Vale registrar esse acontecimento porque, pela primeira vez, o Brasil acolheu em seu território um tribunal internacional, o que demonstra de maneira inequívoca e firme o histórico compromisso brasileiro com o Sistema Interamericano de Direitos Humanos.

A realização das sessões da Corte Interamericana no Brasil significou, por outro lado, a oportunidade para ampliar internamente, de maneira inovadora, o conhecimento sobre o funcionamento do sistema hemisférico de direitos humanos, junto a significativos setores do Poder Judiciário, do Ministério Público e Procuradorias Gerais, de agentes do Estado, advogados, estudantes e organizações não-governamentais.

O momento não poderia ser mais oportuno ao coincidir com as mudanças constitucionais introduzidas na Constituição Brasileira pela Emenda Constitucional No. 45, de 2004. A meu ver, vale a pena mencionar, por ser importante para o Sistema Interamericano, a Emenda Constitucional proposta pelo Governo brasileiro, a qual criou a possibilidade, a ser decidida pelo Superior Tribunal de Justiça, da federalização de crimes contra direitos humanos que impliquem a responsabilidade internacional do Brasil.

O Governo brasileiro tem plena consciência de que essa Emenda Constitucional significa apenas um dos muitos desafios a serem enfrentados para que o país crie os mecanismos internos adequados que garantam o efetivo e idôneo cumprimento das determinações emanadas da Corte sobre os casos relativos ao Brasil. Esses desafios, entretanto, não se esgotam nas ações empreendidas internamente. Muito resta ainda a ser feito para conseguir a universalidade do Sistema Interamericano e fortalecer a jurisdição contenciosa do Tribunal.

Quero informar igualmente que em 31 de março, como atividade complementar das sessões da Corte Interamericana e com a coordenação do Superior Tribunal de Justiça do Brasil, foi realizado um seminário sobre aquele Tribunal, o qual serviu para aprofundar a divulgação das suas funções institucionais e de sua jurisprudência, bem como das políticas externa e interna dos direitos humanos no Brasil no seu relacionamento com a Corte Interamericana de Direitos Humanos.

Muito obrigado, Senhor Presidente.

El PRESIDENTE: Thank you very much, Ambassador.

VIGÉSIMO OCTAVO PERÍODO EXTRAORDINARIO DE SESIONES
DE LA CORTE INTERAMERICANA DE DERECHOS HUMANOS,
REALIZADO EN BUENOS AIRES, ARGENTINA, DEL 3 AL 7 DE ABRIL 2006

El PRESIDENTE: I now give the floor to the Ambassador of Argentina.

El REPRESENTANTE PERMANENTE DE LA ARGENTINA: Muchas gracias, señor Presidente.

La República Argentina desea hacer pública su satisfacción por la celebración, por primera vez en toda la historia de este organismo, de un período extraordinario de sesiones de la Corte Interamericana de Derechos Humanos en Buenos Aires entre el 3 y el 7 de este mes. Este tuvo lugar como consecuencia de una invitación argentina en el marco de la nueva política de la Corte de mudar su sede en forma transitoria de San José de Costa Rica a otras ciudades de países que hayan aceptado su jurisdicción.

Durante la etapa de las sesiones, la Corte trató casos contenciosos mediante sesiones públicas que se llevaron a cabo en la sala de audiencias de la Corte Suprema de Justicia de la Nación.

Por otra parte, el señor Presidente de la Nación, don Néstor Kirchner, recibió a los siete integrantes del tribunal interamericano, acompañado por el señor Canciller. En dicha ocasión, el Primer Mandatario de la Nación invitó a la Corte a realizar, cuando así lo disponga e inclusive, en forma sorpresiva, visitas a cualquier establecimiento penitenciario en la Argentina. Este ofrecimiento

se encuadra en la invitación abierta efectuada por el país, tanto a la Corte como a la Comisión, para visitarnos cuando así lo estimen conveniente.

Los miembros del tribunal internacional fueron también recibidos por los jueces de la Corte Suprema de Justicia de la Nación, habiéndose firmado un convenio institucional para fortalecer sus relaciones y difundir los instrumentos internacionales para la promoción y defensa de los derechos humanos.

Señor Presidente, quisiera resaltar la importancia que tiene la jurisprudencia de la Corte Interamericana para los tribunales argentinos. Baste recordar que fue citada por la Corte Suprema Justicia en sus pronunciamientos sobre la inconstitucionalidad de las leyes de Obediencia Debida y de Punto Final.

La presencia de la Corte Interamericana en la Argentina significó un reconocimiento a los esfuerzos realizados en la lucha contra la impunidad desde la recuperación de la democracia en 1983, y muy particularmente desde la asunción del Presidente Néstor Kirchner, y al compromiso del Estado argentino con el sistema interamericano de protección de los derechos humanos.

Muchas gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador, for the information you have provided.

COOPERACIÓN ENTRE LOS ESTADOS MIEMBROS DE LA OEA
PARA ASEGURAR LA PROTECCIÓN A LOS DERECHOS HUMANOS Y
LA LUCHA CONTRA LA CORRUPCIÓN Y LA IMPUNIDAD
(PROYECTO DE RESOLUCIÓN PRESENTADO POR LA DELEGACIÓN DEL PERÚ)
(CONTINUACIÓN)

El PRESIDENTE: I now give the floor to the Ambassador of Panama.

El REPRESENTANTE PERMANENTE DE PANAMÁ: Gracias, señor Presidente.

Sin el menor ánimo de introducir aquí un tema jurídico que, a esta hora y después del día que llevamos arrastrando sobre nuestros hombros, sería bastante pesado, y solamente en aras de colaborar con nuestro querido Embajador del Perú, yo quisiera pedirle a la Secretaría lo siguiente: que le solicitara a Jean Michel Arrighi que estudiase un proyecto para que luego fuese presentado ante la Comisión de Asuntos Jurídicos y Políticos (CAJP), porque no siempre, mi querido Embajador, hay que acudir a la figura de la extradición. Hay algunas fórmulas en las cuales el Estado puede requerir, basta con la notificación al sindicado o presunto sindicado de que se va a iniciar un proceso, un sumario, una investigación, que es cuando ellos huyen; entonces se refugian en un tercer país. Pero si hay esa notificación, el Estado requerido puede entregar en cosa de veinticuatro horas, sin necesidad de acudir a los expedientes, que siempre tardan, de una extradición.

Estas son soluciones que ya se han adoptado en algunos países europeos y alguno que otro americano. Entonces, invito al doctor Arrighi a que lo pueda estudiar. Yo colaboraría con el señor

Arrighi y se puede presentar en coadyuvancia con el proyecto de resolución que ha presentado el Embajador del Perú.

Gracias.

El PRESIDENTE: If the Delegation of Peru has no objections to the proposal of the Delegation of Panama, the Secretariat will take note of the request, and we will ask the Department of Legal Services (DLS) to advise on the issue. Thank you very much.

Seeing that there are no further requests for the floor, this meeting is adjourned.

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