

AG/RES. 2527 (XXXIX-O/09)

SEVENTH INTER-AMERICAN SPECIALIZED CONFERENCE
ON PRIVATE INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.) as it pertains to the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII);

RECALLING resolutions AG/RES.. 1923 (XXXIII-O/03), AG/RES.. 2033 (XXXIV-O/04), AG/RES.. 2065 (XXXV-O/05), and AG/RES.. 2217 (XXXVI-O/06), which, respectively, convened CIDIP-VII, analyzed member state proposals for CIDIP-VII, selected Consumer Protection and Secured Transaction Registries as the two topics for its agenda, and established its methodology and preparatory work, as well as resolutions AG/RES.. 2285 (XXXVII-O/07) and AG/RES.. 2401 (XXXVIII-O/08);

RECALLING that the CIDIP process is the principal component of the OAS for the development and harmonization of private international law in the Western Hemisphere, through which 26 inter-American instruments have been adopted; and

CONSIDERING:

That in the area of consumer protection, the Government of Brazil has proposed a draft Convention on Applicable Law; the Government of Canada, a Draft Model Law on Jurisdiction and Applicable Law; and the Government of the United States, a Legislative Guide and Model Laws on Monetary Redress;

The important work undertaken by the Inter-American Juridical Committee on the issue of consumer protection, particularly documents CJI/doc. 288/08 rev.1 "Status of negotiations on consumer protection in the Seventh Inter-American Specialized Conference on Private International Law," CJI/doc. 309/08 "Towards the Seventh Inter-American Specialized Conference on Private International Law," and CJI/RES. 144 (LXXII-O/08) "Seventh Inter-American Specialized Conference on Private International Law;"

That in the area of secured transactions registries, the Permanent Council approved the model registry regulations drafted by the Member States and convened a three-day meeting of CIDIP VII at OAS Headquarters in Washington, D.C., from October 7-9, 2009;

That the government of Brazil offered to host CIDIP VII to consider the draft final document or documents on consumer protection; and

That the member States are determined to work toward completion of the proposed documents on consumer protection with a view to setting dates for CIDIP VII on said topic, as soon as possible, preferably in the first half of 2010.

RESOLVES:

1. To thank the working groups on consumer protection and secured transactions registries of the Inter-American Specialized Conference on Private International Law (CIDIP) for their efforts. In the future they will be composed of government officials or representatives appointed by the states.

2. To instruct the Permanent Council to set up a working group made up of government officials and representatives of interested member States with a view to completing the draft final document or documents on consumer protection. To that end, the General Secretariat will provide support for the working group to:

- a. organize and hold teleconferences, beginning as soon as possible and not later than July 2009, to allow the Working Group to complete the work on the final draft document or documents ;
- b. organize and hold a meeting of the Working Group, no later than November 2009, at a venue and on a date to be determined by the Permanent Council;

The working group shall submit to the Permanent Council, by January 31, 2010, a progress report on the negotiations.

3. To instruct the Permanent Council, after consideration of the working group's report referred to in the preceding paragraph, to set the dates for CIDIP VII on consumer protection once the experts complete their preparatory work on the final draft document or documents. If the Permanent Council does not set the dates for CIDIP VII, the Working Group will continue its work and present another progress report, by May 15th, 2010.

4. To instruct the Permanent Council to allocate funds from the Regular-Program Budget to cover the costs of the CIDIP VII meeting to be held this October at OAS Headquarters, as well as to cover the expenses related to the preparatory work on the topic of consumer protection called for in this resolution.

5. To instruct the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.