

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES

COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

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Working Group to Prepare
a Draft Inter-American Convention Against
Racism and All Forms of Discrimination and Intolerance

WORK PLAN FOR THE 2010-2011 TERM

(Presented by the Chair)

I. MANDATE

The OAS General Assembly, gathered in Lima, Peru, on June 8, 2009, issued resolution AG/RES. 2606 (XL-O/10) “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” in which it reaffirmed the “the will and the resolute commitment” to “continue making efforts to conclude negotiations on the Draft Inter-American Convention.” At the same time it instructed the Working Group to continue those negotiations, taking into account the progress set forth, in particular, in the “Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” document (CAJP/GT/RDI-57/07 rev. 13).

In the same resolution the General Assembly also took note of the proposals made by member states on this matter and instructed the Working Group “to consider, when adopting its Work Plan, methodology suggestions that may contribute to the negotiation process.”

The Working Group was also requested to “continue promoting contributions from member states; organs, agencies, and entities of the Organization of American States (OAS); the United Nations; and regional organizations; to urge those bodies to continue sending their written contributions to the Working Group for consideration; and, pursuant to the Guidelines for Participation by Civil Society Organizations in OAS Activities, contained in Permanent Council resolution CP/RES. 759 (1217/99), to continue to receive contributions from groups in vulnerable situations and from interested civil society organizations.”

It also renewed the mandates to the Justice Studies Center of the Americas (JSCA) and the Inter-American Commission on Human Rights (IACHR), as set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06), and requested the General Secretariat to continue to provide support to the Working Group’s activities, through the Executive Secretariat of the IACHR and the Department of International Law of the Secretariat for Legal Affairs.

II. PROCEDURE

Pursuant to operative paragraphs 1 and 2 of resolution AG/RES. 2606 (XL-O/10), the General Assembly gave the Working Group the mandate to continue the negotiations, taking into account the progress set forth, in particular, in the “Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.”

In view of what the General Assembly resolved in operative paragraph 3 and the mandate contained in operative paragraph 4 of resolution AG/RES. 2606 (XL-O/10), the Chair of the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance offers the distinguished permanent missions the following suggestions for the negotiation process:

After the first meeting of the Working Group the delegations will have a time limit of one calendar month to comment on the different proposals put forward by member states on the content and scope of the draft convention during the preceding period, and to identify the course to follow in the negotiations based on the various alternatives available to date or which are put forward during that interval.

When the above time limit expires, the Working Group will hold a working meeting to determine precisely how the discussions and the negotiation process should proceed. Subject to what the member states decide, the Chair will submit for the consideration of the Working Group a proposed working procedure for continuing the negotiations commensurate with the decision adopted by the member states.

Whatever the outcome, negotiation meetings will be governed by the provisions of the Rules of Procedure of the Permanent Council (CP/doc.1112/80 rev. 4), such as those referring to decision-making, the public or private nature of meetings, and other pertinent topics. Furthermore, in view of the number of formally scheduled meetings, the possibility will be examined of holding informal meetings where necessary in order to contribute to progress in the work and the negotiation process.

For the purposes of the relevant consultations and the subsequent activities of the Group it is proposed to establish as part of the procedure a classification system for the various documents that have been prepared in the course of the negotiations in Group in recent years: a) the basis text of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance; b) the Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance; c) The Table Incorporating Proposals from Member States on the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance presented so far and others that member states may submit in future; and d) a Table summarizing the contributions by civil society and other organs and agencies.

The Working Group considered the possibility of active participation by civil society organizations in the meetings of this Working Group, in accordance with operative paragraph 5 of resolution AG/RES. 2606 (XL-O/10). That participation would be governed by Permanent Council resolutions CP/RES. 759 (1217/99) of December 15, 1999, “Guidelines for the Participation of Civil Society Organizations in OAS Activities,” and CP/RES. 840 (1361/03) of March 26, 2003, “Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities.”

By the same token, where possible and as warranted by the work of the Group, efforts will be made to secure the participation of other independent experts and scholarly authorities on topics of interest or relevance. The group may use one of the regular meetings to address specific topics, subject to the needs that arise during the negotiation process.

Bearing in mind the challenges that this Working Group has faced in the past in terms of a quorum for meeting and for adopting decisions, as mandated by the General Assembly, the distinguished delegations considered the possibility that the Committee on Juridical and Political Affairs (CAJP) establish a reasonable quorum that would aid the negotiation process and enable the discussions to proceed, in the event that were necessary. That quorum would be governed by Article 44.b of the Rules of Procedure of the Permanent Council, in keeping with past practice in the Organization.

This Work Plan is subject to any changes the Group may make or that may become necessary, as the work proceeds, to ensure the best possible results. It will serve as a provisional general framework until the Working Group adopts a decision on the course to take based on the above.

Danilo González Ramírez
Alternate Representative of Costa Rica to the OAS
Chair of the Working Group to Prepare
a Draft Inter-American Convention against
Racism and All Forms of Discrimination and Intolerance

III. WORK PLAN OF THE WORKING GROUP TO PREPARE A DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM AND ALL FORMS OF DISCRIMINATION AND INTOLERANCE (CAJP/GT/RDI) (2010 -2011)

RESOLUTION	MANDATE	AREA RESPONSIBLE
<p>AG/RES. 2606 (XL-O/10)</p> <p>Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance</p>	<ul style="list-style-type: none"> • To reaffirm the will and the resolute commitment of the member states to continue making efforts to conclude negotiations on the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance. • To instruct the Working Group to continue the negotiations, taking into account the progress set forth in the “Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” document (CAJP/GT/RDI-57/07 rev. 13). • To take note of the proposals made by the member states on this matter. • To request the Working Group to consider, when adopting its Work Plan, methodology suggestions that may contribute to the negotiation process. • To request the Working Group to continue promoting contributions from member states; organs, agencies, and entities of the Organization of American States (OAS); the United Nations; and regional organizations; to urge those bodies to continue sending their written contributions to the Working Group for consideration; and, pursuant to the Guidelines for Participation by Civil Society Organizations in OAS Activities, contained in Permanent Council resolution CP/RES. 759 (1217/99), to request the Working Group to continue to receive contributions from groups in vulnerable situations and from interested civil society organizations. 	<p>CAJP/GT/RDI IACHR DIL</p> <p>CAJP/GT/RDI</p> <p>CAJP/GT/RDI IACHR DIL</p> <p>CAJP/GT/RDI IACHR DIL</p>

	<ul style="list-style-type: none">• To renew the mandates to the Justice Studies Center of the Americas (JSCA) and the Inter-American Commission on Human Rights (IACHR), as set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06).• To request the General Secretariat to continue to provide support to the Working Group's activities, through the Executive Secretariat of the IACHR and the Department of International Law of the Secretariat for Legal Affairs.• To request the Permanent Council to report to the General Assembly at its forty-first regular session on the implementation of this resolution. Execution of its activities shall be subject to the financial resources available in the program-budget of the Organization and other resources.	JSCA IACHR IACHR DIL CAJP/GT/RDI PC
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IV. CALENDAR OF ACTIVITIES AND MEETINGS OF THE WORKING GROUP TO
PREPARE A DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM AND ALL
FORMS OF DISCRIMINATION AND INTOLERANCE
(2010-2011)

DATE	TOPIC
SEPTEMBER 2010	
SEPTEMBER 27 2:30 p.m.	<ul style="list-style-type: none">• Election of the Vice Chairs of the Working Group• - Presentation and consideration of the Draft Work Plan for the 2010-2011 term
NOVEMBER 2010	
NOVEMBER 9 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance
DECEMBER 2010	
December 7 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance
JANUARY 2011	
JANUARY 25 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance
FEBRUARY 2011	
February 8 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance

February 22 2:30 p.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance
MARCH 2011	
March 8 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance
March 22 10:00 a.m.	<ul style="list-style-type: none">• Continued negotiation of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance• Consideration of the draft resolution for the General Assembly
APRIL 2011	
April 5 10:00 a.m.	<ul style="list-style-type: none">• Consideration of the draft resolution for the GA• Final Report