

PERMANENT COUNCIL OF THE  
ORGANIZATION OF AMERICAN STATES

COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

OEA/Ser.G  
CAJP/GT/RDI/SA-37/12  
12 April 2012  
Original: Spanish

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

Summary of the meeting of April 10, 2012

The Working Group met under the chairmanship of the Alternate Representative of Panama to the OAS, Sophia Castellero, Vice Chair of the Working Group, to consider matters on the order of business, document [CAJP/GT/RDI-200/12](#).

The following delegations took part in the meeting: Argentina, Belize, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and the Bolivarian Republic of Venezuela.

1. Consideration of draft resolution “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” (CAJP/GT/RDI-196/12)

The delegations made the following comments regarding the draft resolution:

- The delegations of Argentina and Brazil suggested that the title be changed to reflect the current status of the negotiations. Accordingly, they proposed including the names of both documents that are being considered in the title of the draft resolution.
- The delegation of Paraguay will present a new proposal for the title of the draft resolution.
- The Inter-American Commission on Human Rights noted that paragraph 7 of resolution AG/RES. 2168 (XXXVI-O/06) should be eliminated, inasmuch as the Commission had complied with the mandate established in said paragraph (study of affirmative action laws) by means of its regional report entitled *The Situation of Persons of African Descent in the Americas*, which had been forwarded through the Chair in February 2012.
- The delegations requested information from the Justice Studies Center of the Americas (JSCA) regarding compliance with the mandate set forth in paragraph 5 of resolution AG/RES. 2168 (XXXVI-O/06).

2. Consideration of the following documents:

Before moving on to consider the documents in question, the Chair announced that the delegation of Ecuador had forwarded its proposals regarding the “Draft Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance,” which were published as

document [CAJP/GT/RDI-201/12](#). According to Ecuador, these proposals extend, as applicable, to the “Draft of a Legally-binding ‘Instrument’ against All Forms of Discrimination and Intolerance.”

The Chair also noted that the delegation of Peru had forwarded its comments regarding Article 5 of the “Convention” and Article 4 of the “Instrument,” which have been included in the revised versions of the tables incorporating the corresponding proposals of the member states.

Furthermore, at the request of the delegation of Mexico, the Chair noted that an information document had been circulated containing comparative clauses for the possible merging of Articles 4 and 5 of the “Draft of a Legally-binding ‘Instrument’ against All forms of Discrimination and Intolerance,” which is included in document [CAJP/GT/RDI/INF.26/12](#).

Lastly, a report on the informal meeting of the Working Group held April 2, 2012 was presented, in which the delegations of Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Mexico, Paraguay, and Panama took part. The Department of International Law was also present at the meeting. The results of this informal meeting were published as document [CAJP/GT/RDI/INF.25/12](#).

- [Draft Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance \(CAJP/GT/RDI-179/12 rev. 5\)](#)
- [Table Incorporating Proposals from Member States on the Draft Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance \(CAJP/GT/RDI-190/12 rev. 4\)](#)

The Working Group considered Articles 1.4 and 1.6 of Chapter I, Article 3 of Chapter II, Article 5 of Chapter III, and Articles 6, 7, and 8 of Chapter IV, the corresponding proposals for which are included in document “Table Incorporating Proposals from Member States on the Draft Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance” ([CAJP/GT/RDI-190/12 rev. 5](#)).

The delegation of Mexico withdrew its ad referendum regarding the elimination of Article 4 of Chapter 2.

- [Draft of a Legally-binding “Instrument” against All Forms of Discrimination and Intolerance \(CAJP/GT/RDI-180/11 rev. 4\)](#)
- [Table Incorporating the Proposals of Member States on the “Draft of a Legally-binding “Instrument” against All Forms of Discrimination and Intolerance \(CAJP/GT/RDI-188/12 rev. 3\)](#)

The delegations debated Article 1.5 of Chapter I, Article 3 of Chapter II, Article 4 of Chapter III, and Articles 5, 6, and 7 of Chapter IV of the Legally-binding “Instrument” against All Forms of Discrimination and Intolerance, the corresponding proposals for which were included in the document “Table Incorporating the Proposals of Member States on the Draft of a Legally-binding ‘Instrument’ against All Forms of Discrimination and Intolerance” ([CAJP/GT/RDI-188/12 rev. 4](#)).

Moreover, the Inter-American Commission on Human Rights clarified its position regarding the queries put forward with respect to Article 1.6 of the “Convention” and Article 4 of the “Instrument,” concerning freedom of expression.

3. Other Business

The Chair reported that the last meeting of the Working Group has been scheduled for Friday, April 27.

In the absence of further business, the meeting was adjourned.