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REPORT ON THE INTER-AMERICAN PROGRAM FOR THE
DEVELOPMENT OF INTERNATIONAL LAW
AG/RES. 2886 (XLVI-O/16)

Document prepared by the Department of International Law

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Introduction

Pursuant to General Assembly Resolution AG/RES. 2886 (XLVI-O/16) section I(i), paragraph (1) the Department of International Law (DIL) of the Secretariat for Legal Affairs of the OAS is pleased to present to the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council its *Annual Report on Implementation of the Inter-American Program for the Development of International Law* so that it may be forwarded, with any relevant considerations, to the Permanent Council, and that it may be considered at the next General Assembly.

The *Inter-American Program for the Development of International Law* (the Program) was approved in the framework of the principles and purposes established in the Charter of the Organization mindful of the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law of 1996 (AG/DEC. 12 (XXVI-O/96). It was originally adopted in 1997 by resolution AG/RES. 1471 (XXVII-O/97). Fourteen years later, the General Assembly, taking into consideration its relevance, the importance of the results obtained during its implementation, the present-day relevance of its principles, and the need to renew its contents and to take into account the current context of the Organization, decided to update it and adopt, by Resolution AG/RES. 2660 (XLI-O/11), a new version.

More recently the Assembly, as the previous assemblies had done for 21 years, renewed the commitment to this Program and asked the DIL to continue implementing it.

The main objective of the Program is to contribute to giving impetus to the development and codification of international law in the context of the OAS; to promote the widest possible dissemination of the inter-American legal system, in particular the multilateral treaties adopted in the inter-American system; and to give impetus to the dissemination of and cooperation for the development, dissemination, and teaching of international law in the Hemisphere.

The work that the DIL has been doing has been harmonized based on the mandates existing in the Program and the specific resolutions adopted by the OAS General Assembly, which have recently been categorized under the democracy pillar, as defined in the Strategic Plan for Management Modernization of the Organization. Certainly, the Inter-American Program has been one of the main road maps guiding the activities of the DIL both in codifying international law and in disseminating it.

In that context DIL has undertaken an exercise to harmonize the mandates received and has sought ways of optimizing its resources. As a result, its work has been organized along two main lines: the progressive development and codification of international law, and its dissemination. For the purposes of this report and to the extent that oftentimes a substantive issue has also been the subject of dissemination and codification, we have opted to try to pursue both efforts in a unified manner. Accordingly, this document has been organized by thematic areas, divided following the two main lines mentioned. It refers to the activities undertaken during the period from June 2016 to March 2017.

This exercise has also applied a gender perspective in all the activities, as has been done for several years. The full and equal participation of women, their particular needs, their contributions, and their presence have permeated each of the thematic areas, activities, courses, seminars, campaigns, special events, and workshops organized by the DIL during the period covered by this report.

As can be observed in the structure of the report, before addressing each issue the specific mandates adopted by the General Assembly are identified, followed by those included in the Inter-American Program.

The report includes the tangible results and outputs obtained implementing the Program. The section titled "The Program in Figures" highlights some of those gains, as well as other indicators that demonstrate the impact the Program has had in the period noted above.

In that period work has been done on 13 substantive issues, providing legal counsel to both the political organs and the Secretary General, serving as technical secretariat to the Inter-American Juridical Committee, producing eight thematic studies, implementing two programs of action, participating in 17 technical cooperation activities, editing eight publications and three videos, training more than 1,000 persons, and updating approximately 2,000 web pages that have an average of 50,000 visits monthly.

Finally, we put to the consideration of the States the possibility of continuing to provide decisive support for the Program, as they have been doing for more than 21 years, so as to continue reinforcing and advancing the activities described in this report, and identifying new horizons in the development and promotion of international law, the inter-American system, and the legal agenda of the Organization.

Sincerely,

A handwritten signature in black ink, appearing to read "Dante Negro", with a stylized flourish at the end.

Dante Negro
Director of the Department of International Law
Secretariat for Legal Affairs

I. Progressive Development and Dissemination of International Law

A. Access to Public Information. –Resolutions 2842, 2885, 2886 and 2852 section II, paragraph 11

Mandates:

1. To take charge of coordinating the actions that lead to the full implementation of the Inter-American Program on Access to Public Information.
2. To continue supporting the member states in implementing domestic legislation on access to public information.
3. To invite the Secretariat for Legal Affairs to continue supporting the work done by the Network for Transparency and Access to Information (*RTA: Red de Transparencia y Acceso a la Información*) and to participate actively in its activities.

Inter-American Program:

Organize, with the cooperation of institutions from the various member states, cooperation activities on the most recent thematic developments in the region.

Invite the member states, when appropriate, and the General Secretariat, through its Secretariat for Legal Affairs, in its capacity as permanent observer, to continue supporting the work done by the Network for Transparency and Access to Information (*RTA: Red de Transparencia y Acceso a la Información*) and to participate actively in its activities.

The actions undertaken by the DIL in the area of access to public information have been focused on two aspects: promoting and supporting the countries in implementing the Model Inter-American Law on Access to Information and more recently in disseminating and coordinating the Inter-American Program on Access to Public Information, approved by the 2016 OAS General Assembly (AG/RES. 2885 (XLVI-0/16)).

Since its approval seven years ago, the Model Law on Access to Information (Model Law) has served as a standard for the new laws on access to public information in the hemisphere, and has become a reference par excellence in the legislative reforms promoted in the region.

The Inter-American Program on Access to Public Information (the Program) marks a clear route to continue advancing protections of the right of access to public information in the hemisphere. The DIL was in charge of drawing up a preliminary draft program (CP/CAJP-3135/13) that was introduced and adopted, with very few changes, by the CAJP at its meeting on April 11, 2013 and subsequently by last year's General Assembly.

The Program recognizes the essential role of international instruments in promoting and protecting access to public information, as well as the fundamental role of this right in elections and democratic processes, in the governance of the state, in transparency and fighting corruption, and in protecting and promoting human rights. The Program also reaffirms the importance of the Model Inter-American Law for promoting access to public information.

This instrument identifies the actions that should be taken by the member states of the Organization, the General Secretariat of the OAS, civil society, and other social actors, and it assigns the DIL a central role in coordinating the actions leading to its full implementation.

These two tools – the Model Law and the Inter-American Program – have been the road map that has guided the work on access to public information done by the DIL.

In Argentina, the DIL accompanied the process of adopting a special law on access to public information that was approved by the Senate last September. For more than 15 years Argentina tried unsuccessfully to have a law to regulate the right of access to public information. In March 2015, with the Honorable Congress of the Nation, the DIL brought together more than 70 participants in a High-Level Workshop, including legislators and their aides, along with representatives of civil society, the private sector, and academia to analyze more than 10 preliminary bills introduced by different sectors to the Chamber of Deputies of the Nation. The workshop afforded an opportunity to reach consensus on a series of recommendations used to craft the bill that led to the Law on Access to Public Information of the Argentine Republic that was adopted.

Following up on that collaboration, the DIL participated in the workshop held August 1, 2016 in the city of Buenos Aires. The activity was organized by the Office of the Deputy Secretary for Political Reform of Buenos Aires and was geared to public servants, who had the opportunity to discuss and explore how to improve citizens' access to public information and how open information facilitates the work of governments.

As a result of the presentation made by the DIL and the emphasis it placed on the importance of the principle of maximum publicity, the main challenges detected during the workshop included the need to give impetus to a cultural change among public servants so as to implement administrative and statutory/regulatory reforms aimed at giving effect to that principle.

On September 28 – International Right to Know Day –the DIL participated in the special event “Access to public information: More citizenry, more democracy, more development,” held in the city of Asunción, Paraguay. The activity was organized by UNESCO’s Regional Bureau for Science in Latin America and the Caribbean, the Supreme Court of Justice of Paraguay, the Office of the Attorney General of Paraguay, the Ministry of Justice of Paraguay, the Centro de *Estudios Ambientales y Sociales* and the Inter-American Institute of Human Rights. The DIL had the opportunity, for the first time, to present the Inter-American Program on Access to Public Information to those in attendance.

On November 10 and 11, the DIL participated, in its capacity as permanent observer, in the 12th meeting of the *Red de Transparencia y Acceso a la Información (RTA)*, held in Quito, Ecuador. The RTA is a network for exchange among public agencies and institutions engaged in supervision

related to functions of transparency and the right of access to public information in the region. It is made up of 19 institutions that represent 15 members of the OAS.¹

That meeting, held in the spirit of cooperation and exchange of experiences among the agencies that promote transparency and the right of access to public information, nourishes the institutional work of DIL and makes it possible to disseminate recent developments among the highest-level authorities on access to information. For example, the Inter-American Program was discussed extensively and well-received on that occasion.

In addition, the DIL, in the context of the relations of cooperation it maintains with the RTA, has provided information that will be used as input for the electronic platform of the portal of case-law kept by that network, a project that is coordinated by the National Institute for Transparency, Access to Information and Protection of Personal Data (INAI) of Mexico. This portal has among its objectives designing a mechanism of coordination to generate knowledge, exchange of experiences, consultation of information, and the drawing up of criteria in relation to access to information. See: <https://redrta.org/httpjurisprudencia-redrta-orgsitepagesinicio-asp/>.

The wealth of information that has been compiled on this issue is a resource that has been widely known for its value. It contains more than 300 files, including those related to the process of developing and negotiating the Inter-American Model Law on Access to Public Information and its Implementation Guide; a recounting of the special sessions of the CAJP on the issue; a data base of comparative law that pulls together domestic provisions on access to information in force in 26 countries of the hemisphere, including the bills introduced in some of them; as well as a comprehensive systematization of the issue of protection of personal data. This resource is one of the most visited web pages of the OAS, and can be consulted at: http://www.oas.org/es/sla/ddi/acceso_informacion_proyecto_presentacion.asp.

The Inter-American Program was also the subject of discussion last March 2 during the meeting of the CAJP. On this occasion, the DIL distributed a pocketbook edition of the Inter-American Program and referred to its main aspects as well as to the future actions that will be promoted in the monitoring work which, as provided for in the Program itself, is to be done periodically.

In its role as coordinator of the Program, to facilitate communication with the state agencies or those institutions in charge of the issue in each country, and to facilitate monitoring of their implementation, the DIL asked the representatives of the member countries to designate a focal point. It also proposed to monitor the Program on an ongoing basis by collecting and analyzing information on thematic areas according to the order in which they have been included in that instrument, such as the exceptions from disclosure, the monitoring mechanisms in the implementation of the legal framework, and the regime governing the liability of public servants.

¹ Argentina, Brasil, Bolivia, Chile, Costa Rica, Ecuador, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Spain, and Uruguay.

On that occasion, the DIL also referred to the importance of continuing to improve the Inter-American Model Law, for example by drawing up a Model Law 2.0, which could refer to particular issues such as the regime of exceptions and access to public information in the context of the judicial branch and the political parties. The delegations expressed their interest in continuing to examine the best ways of advancing collectively on this front and the possibility of the next OAS General Assembly making decisions in this respect.

Last March 16 the DIL participated by videoconference in the *Second Meeting of the Open Parliament Network, Strengthening Ties between the Citizenry and the Legislative Branches*, organized in San José, Costa Rica by *ParlAmérica*, which included the participation of legislative delegations from more than 20 countries of the Americas and the Caribbean.

In its presentation, the DIL had the opportunity to refer to agencies that guarantee access to public information, explain the structure, content, and scope of each in the Inter-American Model Law, and discuss the different organizational structures that prevail in the Americas, some of them based on the Model Law itself. In addition, the Inter-American Program was distributed to the participating legislators and public.

ParlAmérica is the network of national legislatures of the OAS member states. It operates as an independent forum for the parliamentarians of the Americas and the Caribbean committed to cooperative public dialogue and to participating in the inter-American system.

B. Protection of Personal Data. Resolutions 2886, 2894, and 2852 section II, paragraph 11

Mandates:

1. To continue supporting and participating as Permanent Observer in the activities of the Ibero-American Network for the Protection of Personal Data (*RIPD: Red Iberoamericana de Protección de Datos Personales*).
2. To disseminate the work of the IAJC on the principles regarding privacy and the protection of personal data.

Inter-American Program:

To promote greater development of private international law among the member states in cooperation with other organizations that work on the issue.

The DIL, in its capacity as Permanent Observer of the Ibero-American Network on Protection of Personal Data, and in furtherance of the mandate of the General Assembly to continue supporting and participating actively in the activities of that Network, participated in the seminar

“Europe-Ibero-America: A Joint Perspective on Data Protection. The New European Framework and its Impact on Ibero-America,” November 8 and 9, 2016, in Montevideo, Uruguay, in the context of the Ibero-American Program of Specialized Technical Training (*PIFTE: Programa Iberoamericano de Formación Técnica Especializada*)¹ of the Spanish Agency for International Development Cooperation (AECID). The purpose of this event was to share experiences and knowledge among the data protection authorities and other public institutions, both domestic and international (among them the OAS), to continue giving impetus to the legal development of the protection of personal data in the Ibero-American countries, especially after the approval of the general regulation for data protection in the European Union, which replaces Directive 95/46, which served to define the national regulations over the past 20 years.

During the seminar the DIL had the opportunity to address aspects such as the state of relations between the Network and the OAS, with a view to continuing to promote initiatives that strengthen the collaboration developed in recent years between the two organizations; the work of the IAJC on principles regarding privacy and personal data protection was disseminated (CJI/doc.474/15 rev.2); and the opportunity was used to update the data base of contacts with specialists that the Department maintains. In particular, there was a discussion with the authorities of the *Red Iberoamericana* as to the best way to cooperate in updating international standards on the protection of personal data. On this issue, the DIL offered to work on a policy document that translates the most technical aspects of the aforementioned update such that it can serve as a basis for future work that the IAJC may pursue in this area.

C. Corporate Social Responsibility. –Resolution AG/RES. 2887, paragraph (ii) and Resolution 2660, paragraph (i)

Mandates:

Mandate to the IAJC:

1. To compile information on companies, human rights, and the environment, identifying good practices, initiatives, legislation, case-law, and challenges.
 2. To identify alternatives for addressing the issue, based on the elements described in the previous paragraph, and to make the
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¹ The aim of the PIFTE is to provide technical training to human resources in different public institutions, civil society organizations, and other entities with an orientation to the public sphere in Ibero-America, contributing to the modernization and strengthening of those institutions and organizations, and thereby contribute to improving the delivery of public services to the citizenry.

information available to the Permanent Council
within one year.

Inter-American Program:

Disseminate, through studies and legal publications,
issues pertaining to international law.

The issue of corporate social responsibility was incorporated into the agenda of the IAJC by mandate of Resolution AG/RES.2887 (XLVI-0/16). In the Committee's working meeting held in October 2016, Dr. Elizabeth Villalta was selected rapporteur for the issue, and a commitment was taken on to complete its consideration within the time frames indicated by the General Assembly.

In its role as technical secretariat of the IAJC, the DIL drew up the document "Recompilation of Good Practices, Initiatives, Legislation, Jurisprudence and Challenges to Identify Alternative Ways to Address the Social Responsibility of Companies in the Continent" (DDI/doc.03/17). This input contains a summary of the main universal and regional instruments. In the case of the universal system, the actions of the United Nations are described, in particular those of the Working Group in charge of the issue and the gains from implementing the guiding principles and the framework for "protecting, respecting, and remedying." It also presents relevant developments in the framework of the Organization for Economic Cooperation and Development (OECD), the International Labor Organization (ILO), and the Group of Seven (G-7).

In the case of the inter-American system, the document describes the current state of the issue in the OAS and other regional agencies, such as the inter-American conferences of the Inter-American Development Bank. It also addresses the case-law of the organs for the promotion and protection of human rights of the inter-American system, along with identifying the domestic legal frameworks and developments in the case-law in the countries, including the responses obtained in a consultation by DIL of the member states and organs of the inter-American system. Among the states, responses came in from Guatemala, Brazil, and Bolivia, while among the organs, the information sent by the Inter-American Commission on Human Rights was included. Aware of the mandate from the General Assembly, the report identifies alternatives and challenges that should be considered for addressing the issue.

That report facilitated consideration of the issue by the IAJC during its 90th regular session, held in March 2017, and the adoption of the resolution entitled "Conscious and Effective Regulations for Companies in the Sphere of Human Rights," document CJI/RES. 232 (XCI-0/17), which responds to the mandate of the General Assembly.

The report of the Committee on the topic, document CJI/doc.522/17 rev.2, with a content and scope similar to that drawn up by the DIL, contains a compilation of good practices, legislation, and case-law addressing the issue, along with alternatives for advancing conscious and effective regulation of companies, including a revised version of the

proposed “Corporate Social Responsibility in the Area of Human Rights and the Environment in the Americas,” approved by the Committee in 2014.

Both documents, the resolution and the report, have been submitted to the Permanent Council for its consideration.

D. Protection of Cultural Heritage - Resolution 2886, section iii, Resolution 2660 paragraph (b)

Mandates to the IAJC:

1. To analyze the existing legal instruments related to the protection of Cultural Heritage both in the inter-American system and internationally.
2. To inform the Permanent Council of the current state of the law in force on this issue with a view to strengthening the inter-American legal order in this regard prior to the forty-seventh regular session.

Inter-American Program:

Collaborate with the legal developments emanating from the various organs of the OAS.

In the context of its 89th regular session, held in October 2016, the Inter-American Juridical Committee took stock of the mandate of the General Assembly on the protection of Cultural Heritage and designated Dr. Joel Hernández as the rapporteur.

The DIL, in its capacity as Technical Secretariat of the IAJC, prepared a report entitled “Support document on Cultural Heritage – Universal and Regional instruments and Bilateral examples,” document DDI/doc.5/16 of August 30, 2016, which contains a list of the universal regional, and bilateral instruments, both binding and soft law instruments, that refer to the protection of Cultural Heritage in various forms, encompassing movable property, real property, and intangible property. In this regard, the report of the DIL contains references to the following array of instruments: (i) conventions, (ii) cultural charters, (iii) declarations, (iv) recommendations, (v) principles, (vi) resolutions of the OAS General Assembly, (vii) resolutions of the United Nations General Assembly, (viii) other documents, (ix) documents from the European Union, (x) documents from the African Union, and (xi) examples of bilateral agreements.

In its most recent session held in March 2017, the IAJC adopted the resolution entitled “Cultural Heritage” (CJI/RES. 233 (XCI-O/17)).

The Committee's report, document CJI/doc.527/17 rev.2, analyzes the regional and universal instruments, proposes further development of the domestic legislation, and invites the member states to adopt cooperation mechanisms to facilitate the implementation of existing instruments, in particular the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the 1976 Convention on the Protection of the Archeological, Historical, and Artistic Heritage of the American Nations (Convention of San Salvador). It also proposes to develop a "User's Guide" that makes it possible to implement treaty instruments and soft law instruments, including the design of strategies for recovering and restoring cultural assets.

Both the resolution and the report of the Committee have been forwarded to the Permanent Council for its consideration.

E. Public Defense and Access to Justice. - Resolution 2887 and Resolution 2660 (b) and (j)

Mandates:

1. To hold a fifth special session on the ways to prevent torture and other cruel or degrading treatment or punishment being furthered by each public defenders' institution in the region in the first quarter of 2017, with the presence of the member states and their respective official public institutions that provide legal counsel, members of the AIDEF, experts from academia and civil society, as well as from the international organizations.
2. To continue collaborating with the AIDEF in training public defenders about the different aspects that help improve access to justice.

Inter-American Program:

1. Organize meetings on the most recent thematic developments in the organization.
 2. Support legal developments among the organs of the OAS.
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The DIL, in the context of the Cooperation Agreement entered into by the GS/OAS and the AIDEF on November 4, 2011, and in furtherance of the mandate from the General Assembly to continue collaborating with the AIDEF to train public defenders about the different aspects that help improve access to justice, participated in the "First National Forum of Organizations for Access to Justice for Groups rendered Vulnerable – Human Rights and Persons in Vulnerable Conditions," September 19 and 20, 2016 in Santo Domingo, Dominican Republic. This event was aimed at facilitating interaction among organizations dedicated to assisting persons and groups in vulnerable conditions and at promoting and protecting human rights. It was organized by the National Office of Public Defense of the Dominican Republic, with the support of the *Fundación Institucional (FINJUS) and Participación Ciudadana (PC)*.

During the forum the DIL had the opportunity to establish relations with the recently created Department of Free Legal Assistance for Vulnerable Groups of the National Office of Public Defense, whose aim is to safeguard the human rights of such groups, as well as to promote social programs that support them with the objective of generating interinstitutional ties. The DIL also made a presentation on “Inter-American Standards as a Guarantee of Improved Access to Justice for Sectors in Vulnerable Conditions,” to promote such inter-American standards.

This meeting was an opportunity for the DIL, in its capacity as Technical Secretariat of the Inter-American Juridical Committee, to finalize the details of the meeting that representatives of the Inter-American Association of Public Defenders (AIDEF) were to have soon thereafter with the Committee, and to explore the possibility of making progress on a document on public defense in the Americas.

In effect, on October 5, 2016, the IAJC, in the context of its 89th regular session at its headquarters, in Rio de Janeiro, received a visit by representatives of AIDEF. This productive exchange led the IAJC to approve a resolution adopting 10 principles and guidelines on public defense in the Americas in which it considers that the right to defense is recognized by all universal and regional human rights instruments and that the assistance of counsel is a guarantee for the exercise of this right and should be provided for by the State.

The principles that the IAJC adopted recognize that access to justice is the means that makes it possible to reestablish the exercise of the fundamental human rights that had been repudiated or violated, and that such access is not exhausted by persons coming into court, but rather extends throughout every stage of the process. They also note that the work of official public defenders is essential for strengthening access to justice and consolidating democracy, and that the service of legal counsel provided by the state free of charge is fundamental for promoting and protecting the right of access to justice for all persons, in particular those who are in a situation of special vulnerability.

The IAJC also notes that the states are obligated to eliminate the obstacles that impair or limit access to public defenders and that without prejudice to the diversity of the legal systems of each country the independent, functional, financial, and budgetary autonomy of official public defense institutions is important. The IAJC forwarded this resolution to the Permanent Council of the OAS with the recommendation that it consider forwarding it to the General Assembly for possible adoption by that organ.

Consistent with these activities, last March 16 the CAJP held a special session devoted to analyzing ways of preventing torture and other cruel or degrading treatment or punishment. The DIL supported the Chairwoman of that Committee by drawing up the agenda and coordinated with AIDEF the participation to enable of the public defenders in that session.

This special session included the participation of more than 22 member countries of the OAS, permanent observers, and public defenders from six countries of the region, all members of AIDEF. The DIL made a presentation on the content of the “Principles and Guidelines on Public Defense in the Americas” (CJI/doc.509/16 rev.2), which, as mentioned, were approved by the IAJC last October by resolution CJI/RES. 226 (LXXXIX-O/16).

The CAJP had an opportunity to hear the presentations of the public defenders invited, in their role as coordinators of their respective regional groups of AIDEF, who referred, among other aspects, to the international instruments in force on this issue; the good practices implemented in countries to prevent torture; the content of some of the legislation of the Americas and its gaps in this regard; the various aspects of the phenomenon of torture and how it is expressed; some practices that may be characterized as cruel, inhuman, and degrading, especially related to prisons; ways of preventing and prosecuting such conduct and the role of public defenders' offices in those efforts; good practices and experiences; and some of the practices of police violence, oversight of jails, and measures of custody, among other important issues.

The reference documents, participants' presentations, and multimedia resources from this session, including the audio, may be consulted at:

http://www.oas.org/es/sla/ddi/acceso_justicia_sesiones_especiales_CAJP.asp

F. Private International Law. -Resolution: 2886, section I, paragraph 3, 2660 paragraphs e) and k) and 2852 II.11 y 12

Mandates:

To instruct the Department of International Law to promote among member states further development of private international law, in collaboration with organizations and associations engaged in this area, including the United Nations Commission on International Trade Law, the Hague Conference on Private International Law, and the American Association of Private International Law.

Inter-American Program:

1. Promote greater development of private international law in collaboration with agencies and organizations that work in this area.
 2. Hold meetings of professors of public and private international law from time to time to further the study, development, and teaching of law in the inter-American system.
 3. Strengthen ties with various academic institutions with a view to achieving the systematic incorporation of the study of inter-American law in the study plans of the various law schools.
 4. Cooperate with agencies such as the American Association of Private International Law (ASADIP) to promote the development of Private International Law.
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The DIL in its capacity as technical secretariat of the Inter-American Juridical Committee (“IAJC”), has continued to offer support to the work of the IAJC on the current agenda topic, “law applicable to international contracts,” and in that regard, under the direction of the co-rapporteurs for this topic, prepared an outline for a guide and a compilation of questionnaire responses received from OAS Member States and academics that would assist in the completion of this guide.

In addition, the Department produced a publication entitled “*Contratos internacionales*” in partnership with the American Association of Private International Law (“ASADIP” in its Spanish acronym) to complement the discussion of this topic as the theme of the Annual Conference of ASADIP that was held in Buenos Aires, Argentina on November 10-11, 2016. The Department took part in the conference, which was also attended by officials from the secretariat for the United Nations Commission on International Trade Law (“UNCITRAL”) and for The Hague Conference on Private International Law, and this served to strengthen relationships in furtherance of the mandate to promote international law among member states in collaboration with these three specifically named organizations.

In a similar vein, the Department of International Law, in cooperation with the IAJC, ASADIP and the University of the State of Rio de Janeiro (UERJ in its Portuguese Acronym) organized a Round Table on Private International Law that was held on October 7, 2016. This event gave rise to an examination of three major topics: international contracts, international consumer protection, and the work of the OAS in codifying and promoting private international law. The plenary of the IAJC participated in this event, which featured presentations by accomplished national and foreign professors, members of the IAJC and officials from the Department of International Law, who were joined by about one hundred students.

G. Simplified Corporations. –Resolution 2660 c, 2886 section i, paragraph 2, and section ii paragraph 2 and 2852 paragraph 13

Mandates:

1. To request that the Permanent Council, through its Committee on Juridical and Political Affairs, study the possibility of having the General Assembly consider the Model Law on Simplified Corporations during its next regular session.
2. To instruct the Department of International Law, as part of the activities provided for in the Inter-American Program ...to report on the work of the Inter-American Juridical Committee, including ...the Model Law on Simplified Corporations.

Inter-American Program:

1. Promote the development of private international law, in collaboration with agencies and organizations that work in this area.
 2. Collaborate with the legal developments emanating from the different organs of the OAS.
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The Department of International Law, in its capacity as technical secretariat of the Committee on Juridical and Political Affairs, has supported this Committee in carrying out its mandate to analyze the Model Act on Simplified Stock Corporation, so that it can be considered at the next General Assembly. With this objective, on December 1, 2016 a presentation was made to the CJPA by the DIL accompanied by Professor Francisco Reyes Villamar, who participated in his capacity as expert and lead author of the special law in this area that had been adopted in Colombia and that was the main basis for the Model Law. These presentations and the questions period offered an opportunity to set out the objectives of the Model Law, how it would work in practice, and the results obtained in Colombia during almost a decade since its promulgation.

The Model Law was also presented to the Inter-American Bar Association, Washington, D.C. Chapter, on February 17, 2017. The delegates of the permanent missions were invited to participate in this event which offered a forum for exchange and dialogue on the issue among delegates, academics, and members of the profession. The Department has been invited to make a presentation on this topic at future events of the IABA.

H. Secured Transactions. - Resolution 2886, section I, paragraph 2 and 3 and Resolution 2852 section II, paragraph 11

Mandates:

1. To continue promoting the Model Law on Secured Transactions among member states.
2. To promote among member states further development of private international law, in collaboration with organizations and associations engaged in this area, including the United Nations Commission on International Trade Law, The Hague Conference on Private International Law, and the American Association of Private International Law.

Inter-American Program:

Support the member states in implementing their domestic legislation in keeping with the Model Law on Secured Transactions.

The Department of International Law has continued to work towards the promotion of secured transactions law reform in the hemisphere in collaboration with other organizations engaged in this area in furtherance of its mandate to do so. Towards that end, the Department participated in the Secured Transactions Coordination Conference that was held on February 9-10, 2017 in Philadelphia, Pennsylvania and presented results of the OAS Secured Transactions Project (2012-2015), a project that had been made possible with financial support from the Government of Canada and had been orchestrated in El Salvador, Peru and Jamaica in collaboration with

UNCITRAL, the International Institute for the Unification of Private Law (“UNIDROIT”), the World Bank Group/International Finance Corporation (“IFC”), and others.

This was the first such conference among key players in the international community involved in secured transactions law reforms; attendees included representatives from the aforementioned organizations (UNCITRAL, UNIDROIT, World Bank Group/IFC), the International Monetary Fund (“IMF”), Organization for the Harmonization of Business Law in Africa (“OHADA”), various regional development banks (e.g., European Bank for Reconstruction and Development (“EBRD”), Asian Development Bank (“ADB”)), US agencies (e.g., US Agency for International Development), National Law Center for Inter-American Free Trade (“NATLAW”), International Insolvency Institute (“INSOL”), academics and practitioners.

The purpose was to consider how multiple reform efforts, which are frequently contemporaneous and at times duplicative, could be better orchestrated to maximize resources and achieve the goals of economic law reform at state level while also working towards harmonization at regional and international levels. This invitational conference, co-sponsored by INSOL, NATLAW and OHADA and hosted by the University Of Pennsylvania School Of Law, served as an initial forum to begin this important inter-organizational dialogue, which continued at the UNCITRAL Colloquium, discussed below.

The Department of International Law participated in the Fourth International Colloquium on Secured Transactions on March 15-17, 2017 held at UNCITRAL headquarters in Vienna, Austria. In particular, this included participation in a panel discussion entitled “Technical assistance in secured transactions: coordination and cooperation with other organizations” with representatives from the World Bank Group/IFC, UNIDROIT, EBRD and NATLAW on the outcomes from the earlier Pennsylvania conference, discussed above.

As global efforts now shift towards domestic implementation, a primary purpose of this Colloquium was to garner comments from international experts in secured transactions law and related topics in relation to possible future work topics and collaborative partnerships for consideration by the UNCITRAL Commission during its forthcoming annual meeting (July 2017).

As the Colloquium also offered an opportunity to showcase features of the Model Inter-American Law on Secured Transactions (e.g., the panel on arbitration and secured transactions during which Article 68 thereof was considered as an alternative to that provided by Article 3(3) of the UNCITRAL Model Law), it served in furtherance of the mandate to promote the Model Law and to do so in the wider international community.

Participation by the Department at both events was an important way to strengthen relationships and to signal continued commitment on the part of the OAS towards future inter-organizational collaboration in promoting secured transactions law reforms among Member States.

I. Electronic Warehouse Receipts for Agricultural Products. Resolution 2886, section I, paragraph 3) and 2852 II. 12)

Mandates:

To promote among member states further development of private international law, in collaboration with organizations and associations engaged in this area, including the United Nations Commission on International Trade Law, The Hague Conference on Private International Law, and the American Association of Private International Law.

Inter-American Program:

Promote the development of private international law.

The Department of International Law, in its capacity as technical secretariat of the IAJC, has participated in drawing up the IAJC report entitled “Electronic Warehouse Receipts for Agricultural Products” (CJI/doc.505/16 rev. 2) and has disseminated it to other interested international organizations and associations, including UNCITRAL, UNIDROIT, the United Nations Food and Agriculture Organization (“FAO”), the World Bank Group, and NATLAW.

Consequently, during the UNCITRAL Colloquium described above, the report noted during the panel on warehouse receipts. This forum represented another opportunity to inform the international legal community, and the organizations and associations that participate in this sector, of the developments on private international law in the OAS.

J. Refugees. –Resolution 2660 paragraph (d)

Mandates:

Inter-American Program:

To collaborate with other institutions and agencies organizing courses on the different aspects of inter-American law.

Last November 9 the DIL participated in a meeting promoted by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the National Assembly of Ecuador whose objective was to promote the accession of participating countries to the international provisions on statelessness.

This activity was attended by more than 30 legislators from 16 Latin American countries. During the event special mention was made of the example that Latin America has set for the world in relation to its treatment of refugees. It was also noted that it is the region with the fewest cases of statelessness.

In recent years, the resolutions of the OAS General Assembly on the issue of refugees have expressed the particular concern of the member states with statelessness. In this context since 2010 DIL has been including this issue in its activities to promote and disseminate international law, for example in the Course in International Law.

The support that has been given to the regional meetings organized by the UNHCR in this area has been useful both as a contribution to the common objective of preventing and reducing cases of statelessness in the region and for consolidating and implementing the cooperation agreement signed between the DIL and the UNHCR in 2007.

K. Stateless persons. –Resolution 2660 paragraph (d)

Mandates:

To urge the states to include appropriate safeguards to prevent statelessness, to adequately resolve existing cases, and to work with the Office of the United Nations High Commissioner for Refugees (UNHCR) to provide effective protection to such persons.

Inter-American Program:

Collaborate with other institutions and agencies to organize courses on the different aspects of inter-American law.

On April 6, 2017, the DIL, in its capacity as Technical Secretariat of the Inter-American Juridical Committee, presented to the Committee on Juridical and Political Affairs the “Guide on protection for stateless persons” (Guide), approved by the IAJC in August 2015 at the request of the OAS General Assembly, which in 2014 entrusted it with preparing a report on this topic, in keeping with the international standards on the subject.

The General Assembly, which since 2010 has been adopting resolutions on this topic, underscoring its importance and establishing international standards, in 2016 asked the CAJP to give due consideration to this Guide.

In this Guide, the IAJC urges the member states to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; to adopt the Model Law for the Protection of Stateless Persons of the UNHCR (2012), which has been replaced by a February 2017 version entitled “Draft Articles on Protection and Facilities for the Naturalization of Stateless Persons” (Draft Articles); and to establish an adequate procedure to recognize the status of statelessness.

The DIL also participated in the “Regional Course on Statelessness: Focus on the Americas,” organized by the Institute on Statelessness and Inclusion, Open Society Justice Initiative, Americas Network on Nationality and Statelessness, the UNHCR, and the Colombian Ministry of Foreign

Affairs, held March 27 to 31 in Bogotá, Colombia. That meeting was useful for an exchange with experts from various countries on possible ways of deepening the study of the issue and moving forward in framing strategies for the protection of the rights of stateless persons in the Hemisphere. It also provided a framework for exploring, with UNHCR, the best way of offering tools to the member states to strengthen their domestic legislation in this area.

While the number of stateless persons in our hemisphere is less than in other regions, the constant migratory flows and the refugee situation of numerous persons today may eventually produce situations of statelessness. Hence the importance of making joint efforts to prevent situations in which a person has no nationality; so that mechanisms can be established to recognize the status of statelessness and ensure the protection of rights that goes hand-in-hand with that status; and so that once the status of statelessness is recognized the best efforts can be made for such persons to attain their respective naturalization.

L. International Humanitarian Law. - Resolution 2886, paragraph (iv) and Resolution 2660 paragraph (d)

Mandates:

To urge the General Secretariat to continue strengthening cooperation between the OAS and the International Committee of the Red Cross in the area of promoting respect for international humanitarian law, including through special sessions on issues related to international humanitarian law.

Inter-American Program:

Organize, with the collaboration of other institutions, cooperation activities aimed at disseminating legal and political developments in the OAS.

In the context of mandates of the General Assembly aimed at promoting respect for international humanitarian law (IHL) and the principles that guide it, the DIL assists the Permanent Council, its Committees, and the member states in preparing and negotiating resolutions on this and related issues.

In that context, since 1999 the DIL has been coordinating activities for the dissemination of DIL in the CAJP, such as organizing special sessions geared to the representatives of the member states and holding courses, workshops, and seminars for the delegations to the OAS, staff members and interested public, which it does with the support of the International Committee of the Red Cross (ICRC), both at OAS headquarters and in the member states.

In recent years, the mandates of the General Assembly on international humanitarian law have been adopted biannually; the latest one, approved in June 2016, urges strengthening cooperation between the General Secretariat and the ICRC.

In this context, the Department participated from November 30 to December 2, 2016 in the “Universal Meeting of National IHL Committees and Similar Bodies,” held in Geneva. On that occasion, the Department explained the work that has been done by the Inter-American Juridical Committee, especially the adoption of a “Model Legislation on Protection of Cultural Property in the event of Armed Conflict,” one of the key issues of that universal meeting.

The IAJC Model Law proposes provisions that provide general, special, and reinforced protection of cultural assets. Specific measures are presented regarding the marking, identification, and inventories of cultural assets. Ways of promoting the training and dissemination of public policies are identified. Pronouncements are included on responsibility and aspects linked to the monitoring and fulfillment of obligations (document CJI/doc.403/12 rev.5 of March 15, 2013). In addition, it refers to the mandates and initiatives in the CAJP of the OAS together with the national committees or commissions of the region in charge of applying and disseminating international humanitarian law.

The initiatives taken over the years have been systematized at the website of the DIL, whose section on international humanitarian law contains the agendas of and presentations made at the activities, along with the reference material and video transmissions. That information can be consulted at: http://www.oas.org/es/sla/ddi/derecho_internacional_humanitario.asp.

M. Indigenous Peoples. -Resolution 2886, section iii, Resolution 2660 paragraph (b) and Resolution 2852 paragraph 13

Mandates:

Inter-American Program:

1. Collaborate with the legal developments emanating from the different organs of the OAS.
 2. Continue promoting and disseminating the rights of indigenous peoples.
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Adoption of the Declaration on Indigenous Peoples

The General Assembly of the OAS, meeting in Santo Domingo, Dominican Republic, in June 2016 adopted the American Declaration on the Rights of Indigenous Peoples by resolution AG/RES. 2888 (XLVI-O/16).

The adoption of this Declaration concludes a process that stemmed from an initiative of the OAS General Assembly, meeting in Washington D. C., in November 1989, by means of a mandate

that asked the Inter-American Commission on Human Rights to prepare a “legal instrument on the indigenous populations” and the subsequent formation, in 1999, of a “Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples.” The DIL advised this Working Group throughout its 18 years, providing legal counsel to each chair and to the Working Group itself, in addition to promoting the participation and presence of the indigenous representatives at its meetings.

The instrument adopted is the result of the OAS member states’ commitment and of the contribution of the indigenous leaders from throughout the region, whose active participation in the Working Group, over the years, enriched the debate and validated the process.

There are approximately 60 million persons of indigenous origin in the hemisphere, therefore the hemispheric instrument approved by the General Assembly could have a positive impact in several areas, considering that the American Declaration:

- ❖ Appeals to the states and indigenous peoples to foster “harmonious and cooperative relations ... based on the principles of justice, democracy, respect for human rights, nondiscrimination, and good faith.”
- ❖ Recognizes the collective organization, the multicultural and multilingual nature, in addition to addressing the self-identification of persons who consider themselves indigenous.
- ❖ Proposes mechanisms for consultation and consent in which the interested peoples should be involved, along with promoting traditional forms of property and guarantees with respect to their lands, territories, and resources.
- ❖ Confers special protection on the peoples in voluntary isolation or initial contact.
- ❖ Establishes provisions aimed at protecting lands, territories, and resources in light of the uses, customs, and world visions, including the collective organization of the peoples considered as “indispensable for their existence, well-being, and integral development as peoples.”

The information on the meetings of various modalities held since 1999 can be consulted at: http://www.oas.org/es/sla/ddi/pueblos_indigenas_apoyo_elaboracion_proyecto_declaracion.asp

Over the years, the DIL worked successfully to promote and strengthen the participation of indigenous peoples in the various internal and international decision-making processes, and to raise awareness in society generally on this issue, training and empowering a significant number of indigenous leaders, government officials, and members of civil society on issues related to the rights of indigenous peoples, political participation, project design, and institutional treatment of relevant issues in the System, in the context of the “Program of Action on Indigenous Peoples in the Americas.”

N. Other Activities for Dissemination of the Inter-American System

Mandates:

1. To entrust the IAJC with analyzing the existing legal instruments related to the protection of Cultural Heritage, both in the inter-American system and internationally, so as to inform the Permanent Council of the current status of relevant legal provisions in force in order to strengthen the inter-American legal order in this respect, prior to the forty-seventh regular session of the General Assembly.

Declaration of Panama:

1. To continue carrying out the task of training in and dissemination of international law among jurists, academics, public servants, and others.
2. To promote the widest possible dissemination of the inter-American legal system.

Inter-American Program:

1. Hold training courses in the field of international law.
 2. Promote the widest possible dissemination of international law.
 3. Organize meetings and courses on inter-American law directed at judges and other public officials.
 4. Facilitate the dissemination of the legal aspects of the inter-American system and the legal developments in the OAS.
 5. Reinforce administrative and budgetary support for the IAJC and for the Course on International Law that the IAJC organizes annually in Rio de Janeiro and its Technical Secretariat.
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Lecture at the “Academy of Judicial Exchange and Studies.” - AG/DEC. 12 paragraphs 12 and 13 and Resolution 2660 paragraph (d)

On September 13, 2016, the DIL received 50 judges from the Argentine Republic, from both federal and provincial courts.

On that occasion, the Director of the Department, accompanied by two senior attorneys, presented the legal agenda of the Organization in light of the recent developments on the rights of indigenous peoples, racism and discrimination, older persons, and access to public information, all in light of the adoption of legal instruments in the inter-American system.

Conference on Human Rights in the 21st Century - AG/DEC. 12 paragraphs 12 and 13 and Resolution 2660 paragraphs (d) and (j)

The *Conference on Human Rights in the 21st Century* brings together several academic institutions from Europe interested in gaining familiarity with the current issues and advances in international law in several regions. Its organizers include the Tallinn University in Estonia, the Danish Institute for Human Rights, and the Walter Schücking International Law Institute at the University of Kiel in Germany.

The Conference has two rounds, a first one that was held in Kiel, Germany, September 21 to 24, 2016, and a second, which will be held in September 2017.

During the first round the DIL made a presentation on the inter-American system and the developments around the Inter-American Convention on Protecting the Human Rights of Older Persons, adopted in June 2015. DIL participated actively as technical secretariat in the negotiations in the Working Group.

Course on International Law – Resolution 2886 iii (2)

The DIL, in its capacity as Technical Secretariat of the IAJC, and in furtherance of the mandate from the General Assembly to organize annually the Course on International Law in Rio de Janeiro, held the 43rd Course from October 3 to 21, 2016.

With a total of 35 students from 12 countries of the region chosen from almost 120 applicants, the Course revolved around various issues of great relevance in the current world and regional context: eradicating statelessness, protecting refugees and migrants, international commercial arbitration, surrogate pregnancy, international humanitarian law, intellectual property and international trade, international protection of the environment, and the position of the International Court of Justice on nuclear weapons, among others.

The professors were high-level judges, attorneys in private practice, members of the IAJC, staff members of international organizations, and professors from prestigious institutions such as the *Centro de Investigación y Docencia Económicas (CIDE)* of Mexico and the *Universidade do Estado do Rio de Janeiro (UERJ)* of Brazil.

In order to make the contents of the classes available to the largest possible number of persons, a publication was produced with articles written by each professor on the subject addressed in his or her class. This publication will be available in May 2017 and may be consulted free of charge electronically at the web page of the Course on International Law.

During this period, the electronic versions were prepared of the publications corresponding to the courses held in 2015, 2014, 2013, and 2012 in the format of an e-book that enables the reader to select text, consult footnotes, underscore, seek references, and in general interact with the publication as if it were a book in hard copy. These books are available to anyone who visits the web page of the Course, at no cost.

Finally, an effort was made to simplify and enrich the content of the web page, more widely publicize the course, and expedite and facilitate the interaction of students and professors with the DIL in relation to its function of organizing the course.

See: http://www.oas.org/es/sla/ddi/curso_derecho_internacional.asp.

O. Agreements and Treaties. -Resolution 2660 paragraphs (a) and (b)

Mandates:

Inter-American Program:

1. Continue maintaining and updating DIL's web page on treaties and agreements, disseminating it more widely.
 2. Maintain close collaboration with the areas and offices of the General Secretariat of the OAS to ensure adequate systematization of the information on resolutions, declarations, programs of actions, and other legal developments.
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The DIL serves as the depositary of inter-American multilateral treaties and the instruments of ratification that the Charter of the Organization delegates to the General Secretariat (Article 112(f)). It also serves as depositary for the bilateral agreements entered into by the organs of the OAS with the States of the Americas and with other inter-American agencies or national institutions of the member and observer countries.

In 2016, the DIL handled five processes of deposit of instruments of ratification and accession, three signatures of inter-American instruments, and eight processes of notification about states of emergency. It also received a total of 12 designations of central authorities.

In addition, certifications were prepared and up-to-date and complete information was provided about procedures, texts, and status of signatures and ratification of inter-American instruments, both multilateral and bilateral, deposited at the OAS.

As regards bilateral agreements, all 150 cooperation agreements were entered into by the General Secretariat, are being digitized in PDF format and included on the Department's web page.

See: http://www.oas.org/es/sla/ddi/tratados_acuerdos.asp.

P. Newsletters and Web Page. Resolution 2660 paragraphs (a), (b), (g), (h) and (i)

Mandates:

Inter-American Program:

1. Continue maintaining and updating the DIL web page on treaties and agreements, disseminating it widely.
 2. Maintain close collaboration with the areas and offices of the General Secretariat of the OAS to ensure the adequate systematization of information on resolutions, declarations, programs of action, and other legal developments.
 3. Promote dissemination of legal matters through publications and newsletters.
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Newsletters

In order to disseminate its activities as widely as possible, the DIL has reinitiated the periodic publication of newsletters, which are distributed to the Permanent Missions, the General Secretariat, and the National Offices, as well as the contacts in the database that has been created by the DIL for this purpose. This resource is made up of more than 3,000 institutions and persons associated with international law and is classified by distribution lists based on the issue of particular interest to the user.

Recently a new email service provider has been used that offers excellent practices in administering email lists and facilitates the preparation of detailed analyses of the users, their interests and preferences in the context of respect for the privacy of their personal data. This information enables the DIL to adapt and adjust, when necessary, both its web pages and its strategy for disseminating documents.

In the period covered in this report and as of the resumption of this activity in January 2017, seven newsletters have been distributed, for an average of two newsletters monthly.

See: http://www.oas.org/es/sla/ddi/boletines_informativos.asp.

Web page

The site that DIL maintains on the web has proven to be a very useful tool for promoting and disseminating international law. It has highly varied information which, among other things, includes issues relating to the work of the political organs of the OAS, the Inter-American Juridical Committee, and the DIL on various matters that include protection for personal data, international

commercial arbitration, secured transactions, access to public information, private international law, racism and discrimination, statelessness and refugees, access to justice and public defense, international humanitarian law, the International Criminal Court, human rights and companies, etc. This site also disseminates information on the various activities for promoting and disseminating international law carried out by the DIL in the context of specific projects and programs, as well as information on courses, special events, and fellowships.

At the same time, the web site is an important means of accessing documentary resources of the OAS, for example on treaties, General Assembly resolutions, model laws, cooperation agreements, both multilateral and bilateral, and other instruments of the inter-American system.

In addition to the general page, in light of the role the Department plays as Technical Secretariat of the Inter-American Juridical Committee, a page is dedicated exclusively to disseminating the work of that body. Its work is described in detail, along with its composition, members, current agenda, working documents, resolutions, annual reports, etc. It can be consulted at: http://www.oas.org/cji/comite_juridico_interamericano.htm

As shown in the following graph, the almost, 2,000 pages that the DIL maintains at its web site contain a rich variety of issues that include substantive areas of international law.

Number of Web Pages of the DIL by Thematic Area	
Access to Justice	12
Access to Public Information	241
Bilateral Agreements	112
Commercial Arbitration	62
Newsletters	272
International Criminal Court	14
Course on International Law	14
International Law	20
International Humanitarian Law	86
Private International Law	69
Human Rights in Business	3
Human Rights, Sexual Orientation, Gender Identity	6
Publications	242
Racism, Discrimination and Intolerance	20
Refugees and Stateless Persons	30
Multilateral Treaties	616
Secured Transactions	35
Inter-American Juridical Committee	30
TOTAL PAGES	1,884

The section “The Program in Figures” includes statistical information that shows the usefulness and popularity of this resource, which can be consulted at: www.oas.org/dil.

II. The Program in Figures

The activities carried out by the DIL are by their nature, hard to measure. Nonetheless, some data will be presented here make it possible to appreciate the scope and results obtained during the implementation of the Program in the period referred to in this report. This is without prejudice to the incommensurable value implicit in a Program with characteristics like this one, whose activities often have an intangible value—for example those with a strong education or training component, or the support that is offered to legislative reform processes, which may take several years to produce a specific outcome, such as the adoption of a law.

As can be observed in the following graph, as a direct result of the implementation of the Program over the nine months to which this report refers, the legal work of the Organization and the wealth of legal resources has been shared and disseminated in 17 events in which more than 1,000 persons have participated, and in which 11 of the issues that make up the Program have been addressed.

EVENTS BY THEMATIC AREA (July 2016 to March 2017)		
TOPICS	NUMBER OF EVENTS	PARTICIPANTS
Access to Public Information	<ul style="list-style-type: none"> ❖ Workshop of the Office of the Undersecretary for Political Reform in Buenos Aires (August 1, 2016) ❖ Event “Access to Public Information: More Citizenship, More Democracy,” Asunción, Paraguay (September 28, 2016). ❖ 12th Meeting of the Network of Transparency and Access to Information (November 10-11, 2016) Quito, Ecuador. ❖ Videoconference at the Second Meeting of the Open Parliament Network, Strengthening Ties between the Citizenry and the Legislative Branches. San Jose, Costa Rica (March 16, 2017). 	205
Public Defense and Access to Justice	<ul style="list-style-type: none"> ❖ First National Forum of Organizations for Access to Justice for Groups rendered Vulnerable (September 19 -20, 2016) Santo Domingo, Dominican Republic. ❖ CP/CAJP/INF. 333/17. Principles and Guidelines on Public Defense in the Americas. Presentation by the Department of International Law (DIL) of the OAS – Technical Secretariat of the IAJC – March 16, 2017. 	110

EVENTS BY THEMATIC AREA (July 2016 to March 2017)		
TOPICS	NUMBER OF EVENTS	PARTICIPANTS
Private International Law	<ul style="list-style-type: none"> ❖ Annual Conference of ASADIP, Argentina (November 10-11, 2016) ❖ Roundtable on Private International Law (October 7, 16) 	95
International Humanitarian Law	<ul style="list-style-type: none"> ❖ Universal Meeting of National IHL Committees and Similar Bodies, held in Geneva (November 30, to December 2, 2016) 	280
Corporate Social Responsibility	<ul style="list-style-type: none"> ❖ Coordination of the Conference on Secured Transactions, Philadelphia (February 9-10, 2017). 	60
Secured Transactions	<ul style="list-style-type: none"> ❖ Fourth International Colloquium on Secured Transactions, Vienna, Austria (March 15-17, 2017) 	60
Protection of Personal Data	<ul style="list-style-type: none"> ❖ Seminar “Europe-Ibero-America: A joint Perspective on the protection of Data. The New European Framework and its Impact in Ibero-America” Montevideo, Uruguay. (November 8-9, 2016). ❖ Presentation by the DIL on the Legislative Guide on Privacy and Personal Data Protection in the Americas, by Magaly McLean, Senior Legal Adviser, during the December 15, 2016 meeting of the CAJP. CP/CAJP/INF. 313/17. 	80
Electronic Warehouse Receipts for Agricultural Products	<ul style="list-style-type: none"> ❖ Panel Discussion on Electronic Warehouse Receipts for Agricultural Products 	75
Refugees and Stateless Persons	<ul style="list-style-type: none"> ❖ Meetings promoted by the United Nations High Commissioner for Refugees and the National Assembly of Ecuador (November 9, 2016). 	60
Simplified Corporations	<ul style="list-style-type: none"> ❖ Interamerican Bar Association, D.C. Chapter (February 7, 2017). 	40
Other Activities for Disseminating the Inter-American System	<ul style="list-style-type: none"> ❖ Lecture at the Academy for Judicial Exchange and Studies (September 13, 2016). ❖ Conference on Human Rights in the 21st Century, Kiel, Germany (September 21-24, 2016). ❖ 47th Course on International Law (October 3-21, 2016). ❖ Report of the DIL on “migrations in bilateral relations,” Presented by Mr. Luis Toro Utillano, Senior Legal Adviser, during the session of the CAJP of December 15, 2016. CP/CAJP/INF. 310/16. 	145
TOTAL	20 EVENTS	1,210 PARTICIPANTS

Publications

The Department's virtual library at present has approximately 56 publications. Some of them have been published in the format of an e-book, which enables users to perform searches in the document itself, make notes in the margins, and highlight texts of interest. See: <http://www.oas.org/es/sla/ddi/publicaciones.asp>.

As illustrated in the following graphs, the publications made in the context of the Program are all free and those produced in the nine months covered by this report include eight electronic publications, five books, and a short video in two official languages.

ELECTRONIC PUBLICATIONS (June 2016 to March 2017)	
Title	Links
47 th Course on International Law (2015)	http://www.oas.org/en/sla/dil/publicaciones_digital_XLII_Course_on_International_Law_2015.asp
International Contracts (OAS-ASADIP, 2016)	http://www.oas.org/es/sla/ddi/publicaciones_digital_Contratos_Internacionales_OEA-ASADIP_2016.asp
Course on International Law (2014)	http://www.oas.org/es/sla/cji/publicaciones_XLI_Curso.asp
Course on International Law (2013)	http://www.oas.org/es/sla/cji/publicaciones_XL_Curso.asp
Course on International Law (2012)	http://www.oas.org/es/sla/cji/publicaciones_XXXIX_Curso.asp
Annual Report of the IAJC to the General Assembly (2016)	http://www.oas.org/es/sla/cji/informes_anuales.asp (Spanish) http://www.oas.org/en/sla/iajc/annual_reports.asp (English)
Inter-American Program on Access to Public Information	http://www.oas.org/es/sla/ddi/docs/acceso_a_la_informacion_programa_interamericano.pdf (Spanish) http://www.oas.org/en/sla/dil/docs/access_to_information_Inter-American_Program.pdf (English)
Report of the Inter-American Program for the Development of International Law	http://www.oas.org/es/sla/ddi/docs/informe_anual_2014_DIL.pdf (Spanish) http://www.oas.org/en/sla/dil/docs/annual_report_2014_DIL.pdf (English)
VIDEOS	
Secured Transactions: Short version (6 minutes) with subtitles in English	http://www.oas.org/es/sla/ddi/garantias_mobiliarias_Video_1.asp
Secured Transactions: Short version (6 minutes), without subtitles	http://www.oas.org/es/sla/ddi/garantias_mobiliarias_Video_2.asp
Secured Transactions: Long version (17 minutes) with subtitles in English	http://www.oas.org/es/sla/ddi/garantias_mobiliarias_Video_3.asp

In addition to the electronic publications, five printed books have been produced. Following is a list of the books published and the total number of copies reproduced and distributed.

Print Publications		
Title	Copies printed	Copies distributed
Annual Report of the Inter-American Juridical Committee to the General Assembly (2016)	70	55
47 th Course on International Law (2015)	100	100
International Contracts	150	150
Inter-American Program on Access to Public Information (English)	75	75
Inter-American Program on Access to Public Information (Spanish)	300	200
TOTAL	695	580

Reports and working papers

The DIL, in addition to the publications cited, has produced the eight technical papers mentioned just below, which were either entrusted to it by the General Assembly or prepared in the context of carrying out the tasks that correspond to DIL as the Technical Secretariat of the Inter-American Juridical Committee.

WORKING PAPERS PREPARED BY THE DIL	
Public Defense and Access to Justice	Draft Principles and Guidelines on Public Defense in the Americas.
International Humanitarian Law	Draft Model Legislation on the Protection of Cultural Assets in Situations of Armed Conflict
Companies, Human Rights and the Environment	“Recompilation of Good Practices, Initiatives, Legislation, Jurisprudence and Challenges to Identify Alternative Ways to Address the Social Responsibility of Companies in the Continent “(DDI/doc.03/17).
Protection of Personal Data	Draft Principles on Privacy and the Protection of Personal Data.
Protection of Cultural Heritage	“Support Document on Cultural Heritage – Universal and Regional instruments and Bilateral Examples,” Document DDI/doc.5/16.

WORKING PAPERS PREPARED BY THE DIL

Indigenous Peoples	Draft Program of Action on Indigenous Peoples in the Americas.
Electronic Warehouse Receipts for Agricultural Products	Working Paper: "Electronic Warehouse Receipts for Agricultural Products."
Reports	Draft Annual Report of the IAJC to the General Assembly.
TOTAL	8 working papers

Web Site of the DIL

As we have mentioned, the web site of the DIL is a most useful tool and is one of the most visited of the Organization, receiving more than 50,000 visits monthly. Among its most frequent visitors are the representatives of the Permanent Missions to the OAS. The most visited page is the one on treaties and agreements for which the General Secretariat is the depositary.

Number monthly visits June 2016 to March 2017				
	2016		2017	
June 2016	40,356		January 2017	31,866
July 2016	29,855		February 2017	51,573
August 2016	48,225		March 2017	73,501
September 2016	53,195			
October 2016	60,607			
November 2016	103,743			
December 2016	28,285			

Pages most visited (June 2016 to March 2017)	Number of visits
Treaties and Agreements	191,031
International humanitarian law	30,530
International law	22,681
Human rights, sexual orientation and gender identity	5,724
Protection of personal data	5,526
Access to information	5,437
Course on international law	4,885
International Law	4,187
TOTAL	270,001

ANNEXES

**AG/DEC. 12 (XXVI-O/96), DECLARATION OF PANAMA ON THE INTER-AMERICAN
CONTRIBUTION TO THE DEVELOPMENT AND CODIFICATION OF INTERNATIONAL LAW**
(Adopted at the sixth plenary session, held on June 5, 1996)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Charter of the Organization of American States establishes that international law is the standard of conduct of states in their reciprocal relations;

That international order consists essentially of respect for the personality, sovereignty, and independence of states, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

That the Organization of American States is the principal and irreplaceable forum in which states, on an equal footing, adopt legal provisions in both public and private international law to govern their relations at the hemispheric level;

That this has allowed the development of a rich regional legal heritage, which has been a valuable contribution by the Organization of American States to the consolidation of a peaceful, just, and equitable international order;

That full respect for the rule of law, nationally and internationally, is vital to the exercise of representative democracy, which is an essential purpose of the Inter-American system, and in this sense additional legal instruments should be developed to further strengthen democracy in the Hemisphere;

That the contribution of the inter-American legal system to the establishment of important principles of general international law has been recognized by the world community, notably the development of inter-American rules concerning human rights protection, the application of the principle of nonintervention, the establishment of procedures for peaceful settlement of disputes, the development of principles concerning the right to asylum and of rules on the law of the sea, the strengthening of judicial cooperation, the development and codification of private international law, and the creation of institutions to finance and promote economic and social development;

That, more recently, there have been noteworthy legal contributions concerning hemispheric solidarity and inter-American cooperation for the protection of minors, the prevention of violence against women, efforts against corruption, the war on terrorism, and the waging of a common battle against drugs;

That the formulation and development of inter-American international law in the framework of the Organization encourages cooperation and mutual understanding among different national legal systems as well as between the civil and common law systems represented in the Hemisphere;

That inter-American legal development is a priority undertaking that should be intensified in light of the decision by the heads of state and government meeting in Miami in 1994 in support of peace, democracy, development, economic integration, and social justice;

That this will require a search for innovative legal solutions to meet the new challenges and demands arising from the commonality of interests, the increasing circulation of people, increased trade, the existence of common threats to our societies, concerns relating to indigenous populations, and the environment;

That the Secretary General of the Organization of American States has presented an important document entitled "The Law in a New Inter-American Order," which assesses the inter-American system's contribution to the governance of international relations, analyzes legal issues in our region, and recommends steps to achieve greater efficiency in the legal area, and which the Permanent Council of the Organization and the Inter-American Juridical Committee have received with interest;

That we are living in the United Nations Decade of International Law (1990-1999), an era in which the need for the progressive development and codification of international law has been underscored; and

That it is necessary for the member states to reaffirm their full support for the progressive development and codification of international law, for dissemination of information thereon in the framework of the Organization of American States, and for measures allowing greater inter-American legal cooperation,

DECLARES:

1. Its renewed and most staunch commitment to continue promoting the progressive development and codification of inter-American international law in the framework of the Organization of American States as a suitable way to strengthen relations of peace and solidarity among the states of the Americas, with full respect for their sovereignty and the principle of nonintervention.
2. Its firm belief that the inter-American legal heritage should be preserved and enriched on the basis of the Charter of the Organization of American States and in light of new challenges and goals

in our region, so that it will reflect the ongoing cooperation between the two legal systems operating in the Hemisphere.

3. Its profound conviction that international law is the standard of conduct for states in their reciprocal relations, and that the Organization of American States is the forum best suited for the development, negotiation, and adoption of inter-American legal norms.

4. Its recognition of the work undertaken by the various bodies of the Organization on the proposal and preparation of inter-American legal provisions, emphasizing the need for ongoing cooperation and coordination among the Permanent Council, the Inter-American Juridical Committee, and the General Secretariat.

5. Its appreciation to the Secretary General for presenting the document "The Law in a New Inter-American Order," which should be studied by the competent bodies of the Organization.

6. Its resolve to support initiatives aimed at legally reinforcing the institutions of the member states and their cooperative efforts in their struggle against the various scourges afflicting our peoples.

7. Its conviction that, with a view to the growing integration of our countries, it is necessary to intensify the development of private international law and the harmonization of national laws so that they will not hinder the free movement of persons and goods but facilitate regional trade.

8. Its commitment to the legal development of the purposes and principles set forth in the Charter of the Organization of American States.

9. Its determination to move forward with the adoption of legal instruments to promote inter-American cooperation in preserving and protecting the environment.

10. Its certainty that the challenges of today require not only the development of international law through international treaties but also the adaptation by each state of national law to international agreements in force.

11. Its conviction that ties of coordination and cooperation between the Organization of American States and other international organizations, the United Nations in particular, must be strengthened in the area of the progressive development and codification of international law.

12. Its intent that the Organization of American States, through courses, seminars, studies, and publications on international law and judicial cooperation, continue to perform an important task in providing training and information jurists, diplomats, scholars, and officials across the region.

13. Its interest in promoting the broadest possible awareness of the inter-American legal system and, to that end, in studying innovative and cost-effective ways of disseminating this information so that the system will be fully understood and effectively applied in national legal systems.

14. Its approval of the reorganization of the Secretariat for Legal Affairs of the General Secretariat, which is being assigned responsibility for all General Secretariat activities related to the progressive development and codification of international law, its dissemination, and legal and judicial cooperation among the states.

15. Its decision to request the Inter-American Juridical Committee to review its work approach and its agenda with a view to playing a more active role in the legal issues entrusted to it by the Organization, with access to the resources it needs to carry out its responsibilities.

16. Its decision that the Permanent Council, through its Committee on Juridical and Political Affairs, promote procedures for more effective cooperation and coordination among the various bodies of the Organization on legal matters.

17. That this declaration shall be called the "Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law."

**AG/RES. 2660 (XLI-O/11) INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT
OF INTERNATIONAL LAW**

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular as it pertains to the implementation of resolution AG/RES. 2590 (XL-O/10), "Inter-American Program for the Development of International Law";

CONSIDERING that in 1996 the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], and that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), it adopted the Inter-American Program for the Development of International Law;

CONSIDERING ALSO that the General Assembly has reaffirmed its support for said Program through resolutions AG/RES. 1557 (XXVIII-O/98), AG/RES. 1617 (XXIX-O/99), AG/RES. 1705 (XXX-O/00), AG/RES. 1766 (XXXI-O/01), AG/RES. 1845 (XXXII-O/02), AG/RES. 1921 (XXXIII-O/03), AG/RES. 2032 (XXXIV-O/04), AG/RES. 2070 (XXXV-O/05), AG/RES. 2174 (XXXVI-O/06), AG/RES. 2264 (XXXVII-O/07), AG/RES. 2405 (XXXVIII-O/08), AG/RES. 2503 (XXXIX-O/09), and AG/RES. 2590 (XL-O/10);

UNDERSCORING the importance and ongoing validity of the principles of international law set forth in the Charter of the Organization of American States (OAS), as a standard to govern the conduct of states in their relations with one another;

TAKING NOTE of the "Report on the Inter-American Program for the Development of International Law. Activities Conducted by the Department of International Law of the Secretariat for Legal Affairs in 2010" (CP/CAJP/INF.136/11) and of the oral report given by the Director of that Department to the Committee on Juridical and Political Affairs on April 7, 2011; and

RECALLING that, since the adoption of the Inter-American Program for the Development of International Law by the General Assembly at its twenty-seventh regular session, in 1997, important progress has been made in the area; and recognizing the need to update the Program,

RESOLVES:

1. To thank the Department of International Law for presenting the Report on the Inter-American Program for the Development of International Law and to urge its continued presentation of that report.
2. To reaffirm the importance of, and its support for, that Program and to request the Department of International Law to continue carrying out the activities listed therein.
3. To request the Permanent Council to report to the General Assembly at its forty-third regular session on the implementation of this resolution. Execution of the activities envisaged in this

resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

4. To adopt the update to the Inter-American Program for the Development of International Law as follows:

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

The member states of the Organization of American States (OAS), within the framework of the principles and purposes set forth in the Charter of the Organization; bearing in mind the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], as well as the Inter-American Program for the Development of International Law, adopted in 1997 by resolution AG/RES. 1471 (XXVII-O/97); and in response to new developments in the promotion of international law and the results achieved to date in the implementation of that Program, have decided to update the Program by carrying out the following measures:

Treaties in the Inter-American Context

- a) To continue maintaining and periodically updating the website of the Department of International Law with information on new legal developments on the inter- American agenda and on inter-American treaties and agreements, publishing them in such a way as to provide access to the complete texts of inter-American treaties of which the OAS is the depository and data on the current status of signatures, ratifications and/or accessions, reservations, objections, declarations, the dates of their entry into force, background information, preparatory documentation on those inter-American treaties, and similar information on cooperation agreements concluded by the OAS.

Legal Development within the Organs of the OAS

- b) To request the General Secretariat to maintain close coordination among the various areas and offices and other bodies of the OAS in terms of systematizing data on resolutions, declarations, programs of action, and other legal developments arising from the various organs of the Organization.

Teaching of Inter-American International Law

- c) To strengthen the Course on International Law conducted each year in Rio de Janeiro by the Inter-American Juridical Committee and the Secretariat for Legal Affairs by including sessions on the latest developments in international law and the hemispheric agenda.
- d) To organize, in cooperation with institutions in the various member states and other entities, whether in the territories of member states or at OAS headquarters, courses at the sub regional and national levels on the various aspects of inter-American law, in particular, on the latest thematic developments within the Organization, so as to give legal advisers of foreign ministries, diplomatic staff, members of parliament, judges, members of the armed

forces, and other senior public and institutional officials an opportunity to learn about and discuss legal and political developments within the OAS.

- e) To hold periodic meetings of professors of public and private international law from the member states and other regions so as to enhance the study, development, and teaching of legal topics in the inter-American system; and to strengthen ties with various academic institutions with a view to achieving the systematic incorporation of inter-American law into the curricula of the various faculties of law.
- f) To take into account the need to include topics and representatives from the various legal systems in the Hemisphere in all the activities mentioned above.

Promoting Awareness

- g) To promote awareness of inter-American legal instruments, such as the amended OAS Charter and inter-American treaties, through publications and other media.
- h) To promote awareness of the major OAS activities in the legal area, on a periodic basis, through the newsletter of the Department of International Law.
- i) To continue to promote awareness of the legal publications arising from activities such as the Course on International Law and its thematic series, the Workshops on International Law, and other academic activities in the area of international law.

Cooperation in the Development, Dissemination, and Teaching of International Law in the Hemisphere

- j) To promote agreements with various entities for the teaching and dissemination of inter-American law, including universities, institutes of international studies, and diplomatic academies, to encourage greater awareness of the legal heritage of the inter-American system and of the latest political and legal developments in the OAS framework.
- k) To promote cooperation with international organizations such as the United Nations, in particular the Sixth Committee of its General Assembly and the International Law Commission, as well as The Hague Academy of International Law and The Hague Conference on Private International Law, as a means of further publicizing inter-American international law.
- l) To promote the conclusion of cooperation agreements with various international financial agencies, such as the Inter-American Development Bank and the World Bank, and with foundations and other public and private entities that are in a position to provide financial support for the dissemination, development, and teaching of international law.

AG/RES. 2886 (XLVI-O/16). INTERNATIONAL LAW
(Adopted at the second plenary session, held on June 14, 2016)

RESOLVES:

Inter-American Program for the Development of International Law

CONSIDERING the adoption of the Inter-American Program for the Development of International Law by resolution AG/RES. 1471 (XXVII-O/97), as updated by resolution AG/RES. 2660 (XLI-O/11); and BEARING IN MIND that the Department of International Law, in the framework of the Inter-American Program, has started implementing specific projects to provide institutional support to member states in matters of access to information, secured transactions, international arbitration, personal data protection, and private international law,

RESOLVES:

1. To reaffirm the importance of and its support for the Inter-American Program for the Development of International Law and request that the Department of International Law continue to implement the actions called for in that program and provide an annual report thereon to the CAJP.
2. To instruct the Department of International Law, as part of the activities envisaged in the Inter-American Program, to continue supporting member states in the implementation of domestic laws on access to public information; to continue its training of judges and other officials in effective application of international treaties on enforcing arbitral decisions and awards, with strict respect for due process and the sovereignty of each state and in compliance with international law; to continue promoting the Model Law on Secured Transactions among member states; and to raise awareness of the work of the Inter-American Juridical Committee, including on principles on privacy and personal data protection and on the Model Law on Simplified Joint Stock Companies.
3. To instruct the Department of International Law to promote among member states further development of private international law, in collaboration with organizations and associations engaged in this area, including the United Nations Commission on International Trade Law, the Hague Conference on Private International Law, and the American Association of Private International Law.