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REPORT ON THE INTER-AMERICAN PROGRAM FOR THE
DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2723 (XLII-O/12)]

Activities conducted in 2012 by the
Department of International Law
of the Secretariat for Legal Affairs

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Presentation of the report

The Inter-American Program for the Development of International Law (the Program) was originally approved by the General Assembly at its twenty-seventh regular session, held in Lima Peru, in 1997, with the General Assembly's adoption of resolution AG/RES. 1471 (XXVII-O/97). The program was adopted in furtherance of the principles and purposes established in the Charter of the Organization, and taking into account the 1996 Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law (AG/DEC. 12 (XXVI-O/96).

In 2011, the General Assembly convened in San Salvador, El Salvador, where it adopted AG/RES. 2660 (XLI-O/11) in which it resolved to update the Program to reflect the developments that have occurred in recent years, since important progress had been made in this area.

The General Assembly thus reaffirmed the importance of, and its support for, the Program and asked the Department of International Law (DIL) to continue carrying out the activities listed in that document, just as it had been doing since the Program was first adopted back in 1997.

The purpose of the program is to take measures to publish and disseminate the inter-American treaties, to systematize data on legal developments within the organs of the OAS, to teach inter-American international law, to promote awareness through publications or other means and to promote cooperation in the development, dissemination and teaching of international law in the Hemisphere.

This document is a report on the Program's execution over the past year (2012), within the framework of resolutions AG/RES. 2660 (XLI-O/11) and AG/RES. 2723 (XLII-O/12).

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Executive Summary

The Department of International Law (DIL) of the Secretariat for Legal Affairs of the Organization of American States (OAS) is pleased to present the report on the activities carried out in 2012 in connection with the Inter-American Program for the Development of International Law.

Given the terms of the updated version of the Program (which can be consulted in the section of annexes attached to this report), the Department has continued to build up some of its more traditional activities, such as the Course on International Law, and other events aimed at promoting and disseminating international law and the inter-American system.

It is common knowledge that in recent years the DIL has notably expanded its activities by including a series of projects financed with specific funds and conducted on various topics or in response to mandates related to the activities and objectives of the Inter-American Program for the Development of International Law. This was evident again this year, as the number of activities that the Department conducted to promote and disseminate international law increased, especially on topics like access to information, protection of personal data, international humanitarian law, international commercial arbitration, public defenders, and activities that concerned certain vulnerable groups, such as indigenous peoples and Afro-descendants. In all these cases the gender perspective has been taken into account when planning and executing the activities.

At the same time and as in previous years, staff of the DIL have given lectures, informal talks, classes and the like in a variety of forums, where they have discussed topics related to international law, the inter-American system and the work of the OAS.

The Department has continued to promote international law through its publications and its website. To report its activities and publicize them as widely as possible, the DIL has this year started the practice of issuing newsletters/bulletins via e-mails sent to its network of contacts. The idea is to keep them abreast of every event it holds to promote and disseminate international law.

The Department continued to publish the legal instruments of the inter-American system and to arrange the deposit of

instruments of ratification and accession, notifications, certifications, reports and the like for international treaties and other agreements.

Finally, the DIL has endeavored to continue to establish new cooperative ties and to strengthen its existing ties with those entities with which it has agreements that make provision for activities to promote and disseminate international law. This has helped offset the cost of many of the activities described in this report.

In conclusion, all the activities in 2012 have brought tangible results for the Program's implementation in the present period, as will be obvious in the pages that follow. (For a summary of results, see section IX, "The Program in Figures.")

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

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I. Background

The Inter-American Program for the Development of International Law was originally approved by the General Assembly at its twenty-seventh regular session, held in Lima Peru, in 1997, with the General Assembly's adoption of resolution AG/RES. 1471 (XXVII-O/97). In its original version, the Program featured a description of the various areas, activities and objectives that the Organization was to pursue to ensure the development, promotion and effective application of international law developed within the framework of the inter-American system.

Adopted in 1997, the Program traces its roots primarily to the "Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law" (AG/DEC. 12 (XXVI-O/96)), adopted by the General Assembly at its session in Panama in June 1996.¹ Since 1997, the member states have adopted a series of General Assembly resolution reconfirming their commitment to the Program and singling out the priority areas of activity.

Convened in San Salvador, El Salvador in 2011, the General Assembly adopted resolution AG/RES. 2660 (XLI-O/11), where it underscored the importance of the principles of international law set forth in the Charter of the Organization of American States, as a standard to govern the conduct of states in their relations with one another. With that in mind, the member states, having taken note of the developments that had occurred in the area of international law, recognized the need to update the Program.

This resolution thus served to add new momentum to the Program, to modernize it so that it reflected the developments that have taken place since the original text was adopted, and mindful of the results achieved thus far.

In June 2012, the General Assembly convened in Cochabamba, Bolivia, where it adopted resolution AG/RES 2723 (XLII-O/12), titled "Inter-American Program for the Development of International Law," in which it reaffirmed the Program's importance, reconfirmed the member states' support for it, and

¹ For the full text of the Declaration of Panama, see the section titled "Annexes".

asked the Department of International Law to continue carrying out the activities listed in it.²

II. XXXIX Course on International Law

One of the objectives of the Inter-American Program for the Development of International Law is to strengthen the Course on International Law that the Inter-American Juridical Committee and the Department of International Law of the Secretariat for Legal Affairs organize and hold every year in Rio de Janeiro. The idea is to add lectures on the latest developments in international law and the hemispheric agenda.

In keeping with this mandate, the XXXIX Course on International Law was held in Rio de Janeiro, Brazil (headquarters of the Inter-American Juridical Committee), August 6 to 24, 2012. The course was organized jointly by the Secretariat for Legal Affairs' Department of International Law and the Inter-American Juridical Committee. The date for the course was timed to partially overlap with the session of the Inter-American Juridical Committee. This way, the organizers were able to take advantage of the fact that some of the distinguished jurists who serve on the Juridical Committee were in Rio at the time and able to deliver some of the classes.

The Course on International Law is recognized as being one of the most emblematic activities and traditions through which the Organization of American States promotes and teaches international law. For 39 years, this important event has been educating the young people of the Americas, many of whom have eventually risen to positions of prominence within their respective countries –in public service, private business- and in international organizations, even the OAS.

For three weeks, thirty-five students from various countries of the region participated in the thirty-ninth course. This year's main theme was "Law and current international relations."

The array of subjects offered during the course mirrored the trends and challenges for international law today, given the many different kinds of events that occur in almost every realm of human life around the world, with particular emphasis on the inter-American system.

The classes were led by prominent scholars and experts in international relations, among them judges serving in international courts, professors of international law from the Americas, Europe and Africa, specialists from a variety of international organizations, and others.

In the anonymous questionnaire that the students filled out to evaluate the course, they gave it very high marks. Using this

² For the complete text of resolution AG/RES. 2723 (XLII-O/12), see the section titled "Annexes".

questionnaire, the students were able to give their suggestions on how the course might be improved.

The report that the DIL puts together every year in connection with the Course will soon be ready for publication and will summarize the subjects covered in the 2012 course. It will be added to the legal bibliography that the inter-American system has amassed over the years. With its publication a broader audience will be able to read the presentations delivered during the course.

Finally, the course coordinators afford students the opportunity to receive recognition over and above the "Certificate of Attendance" that those who attend and pass the course requirements (including two exams) receive. Those students who prepare and submit an original research paper will receive a "Certificate of Approval. A group of students attending the course did choose to prepare individual research papers, delving further into the topics taught during the courses about the inter-American system and general international law.

For the full program of the XXXIX Course on International Law, the reader is referred to the following link:

http://www.oas.org/dil/esp/XXXIX_Curso_Derecho_Internacional_programa.pdf

III. Activities to disseminate international law and/or the inter-American system, conducted under projects and/or pursuant to mandates on specific issues

The Inter-American Program for the Development of International Law does more than plan and coordinate the Course on International Law. It also organizes other training activities on various aspects of inter-American law, especially the most recent thematic developments within the Organization.

Here, the DIL has for some time now been expanding its activities by adding projects on specific subjects, in furtherance of various cooperation agreements. Those agreements have enabled the DIL to conduct a number of activities to promote and disseminate international law and the inter-American system. Likewise, the Department has been conducting activities that are responsive to a number of mandates under the Inter-American Program for the Development of International Law.

Accordingly, the following is a description of the work that the DIL has been conducting in these areas because they serve to invigorate the Organization's interest "in promoting the broadest possible awareness of the inter-American legal system," in the words of the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law.

A. International Humanitarian Law

1. *The CAJP's Fifth Course on International Humanitarian Law*

The Fifth Course on International Humanitarian Law was held at the headquarters of the Organization of American States on Thursday, January 26, 2012, in compliance with General Assembly resolution AG/RES. 2650 (XLI-O/11) on "Promotion and Respect for International Humanitarian Law". In that resolution, the General Assembly instructed the Permanent Council to conduct this activity through its Committee on Juridical and Political Affairs (CAJP). Pursuant to that resolution, the course was organized by the DIL, with the cooperation of the International Committee of the Red Cross (ICRC).

Given in English and Spanish, the course was attended by over 100 individuals from the permanent missions, the General Secretariat, and others interested in the subject matter, with simultaneous interpretation in the OAS' four official languages. The event was transmitted via webcast to the member states, so that interested persons from every region might have the opportunity to follow the course. Those who participated in the event received a certificate of attendance prepared by the DIL.

In 2012, the course focused on the use of armed force and examined the existing bodies of law governing the use of armed force and how they became doctrine. It also examined the bodies of law that protect persons in situations of armed violence and that call for humanitarian assistance for victims and vulnerable populations.

The curriculum, documents, exercises and presentations delivered at the course session are available at the DIL's website: http://www.oas.org/dil/international_humanitarian_law_courses.htm.

Video tapes of the course are available at the OAS website at the following link:

www.oas.org/en/media_center/videos.asp?sCodigo=120006&videotype.

2. *The CAJP's Special Meeting on International Humanitarian Law*

A special meeting on International Humanitarian Law was held at OAS headquarters on January 27, 2012, in compliance with General Assembly resolution AG/RES. 2650 on "Promotion and Respect for International Humanitarian Law", in which the General Assembly instructed the Permanent Council to conduct this activity through its Committee on Juridical and Political Affairs (CAJP). In keeping with that resolution, the meeting was

organized by the DIL with the cooperation of the International Committee of the Red Cross (ICRC).

At that special meeting, the member states had an opportunity to present the commitments undertaken at the XXXI Conference to address the illegal obstruction of health care provision and the interplay of international humanitarian law and international human rights law governing the regulation of the use of force and non-criminal detention for security reasons.

For more information about the special meeting, visit the following link, which includes the meeting's documents and audio and video tapes:

[http://www.oas.org/dil/international humanitarian law special sessions.htm](http://www.oas.org/dil/international_humanitarian_law_special_sessions.htm).

B. Statelessness

1. *Course on Fundamental Elements for Identification and Protection of Stateless Persons and Prevention and Reduction of Statelessness in the Americas.*

The Course on Fundamental Elements for Identification and Protection of Stateless Persons and Prevention and Reduction of Statelessness in the Americas was held at Organization headquarters on February 23, 2012, under the aegis of the Permanent Council's Committee on Juridical and Political Affairs (CAJP) and in furtherance of the mandate contained in General Assembly resolution AG/RES. 2665 (XLI-O/11) "Prevention and Reduction of Statelessness and Protection of Stateless Persons in the Americas."

The event was organized with the support of the Secretariat for Legal Affairs' Department of International Law, with technical and financial cooperation from the United Nations Office of the High Commissioner for Refugees (UNHCR).

More than 45 persons participated, including representatives from the Permanent Missions to the OAS, staff from various areas of the General Secretariat and other interested parties. The course was also carried by the Organization's webcast service.

This was the first time a course on this theme was conducted within the framework of the CAJP. It served to bolster the participants' awareness and knowledge of the phenomenon of statelessness and the legal tools available to identify and protect stateless persons and to prevent and reduce the incidence of statelessness.

The classes were delivered by Professor Mark Manly, Head of the UNHCR's Statelessness Unit, and Laura van Waas, Senior Researcher and Manager of the Statelessness Programme, Tilburg Law School, the Netherlands. Both are recognized world authorities on this subject.

It is worth noting that by mandate of the General Assembly, the Department of International Law is charged with implementing the Inter-American Program for the Development of International Law. In furtherance of that mandate, it organizes courses, workshops and seminars on various topics in international law related to the Organization's agenda. The Department also serves as point of contact under the Cooperation Agreement between the General Secretariat and the UNHCR.

With this cooperation agreement and the General Assembly's resolution on the topic, the Department of International Law has been instrumental in staging this activity. With that, the topic of statelessness and stateless persons has for the first time been added to the work that this Department performs to raise awareness of, disseminate and promote international law.

Since 2010, the OAS General Assembly has devoted a resolution to the prevention and reduction of statelessness and protection of stateless persons in the Americas. In the most recent General Assembly resolution on this subject, the Organization's highest body held that statelessness is a serious global problem that calls for broad international cooperation. It also underscored the importance of the right to nationality in the American hemisphere and of promoting accession to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

For more information on the course, see: http://www.oas.org/dil/statelessness_courses.htm.

C. Access to Justice and Public Defenders

1. *Training Course on the OAS' Structure and Functions*

Washington, D.C. was the venue for the "Training Course on the OAS' Structure and Functions", held on May 4, 2012, on the occasion of the meeting of the Executive Committee and Board of the Inter-American Association of Public Defenders (AIDEF).

Organized by the DIL, the Course is part of the activities being conducted under the agreement that the OAS General Secretariat and the AIDEF signed in November 2011 and in furtherance of resolution AG/RES. 2656 (XLI-O/11).

The main purpose of the course was to familiarize the participants with the Organization's structure, its legal foundation and the procedures by which decisions are taken within the Organization. It also looked at other issues of interest to public defenders, such as the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), the inter-American human rights system, the Summits of the Americas process, access to public information and other issues relevant to vulnerable populations, such as Afro-descendants and indigenous peoples.

The course was attended by 31 public defenders from 13 countries of the Americas.

D. Indigenous peoples

In the past year, the DIL has continued to hold awareness and training events for leaders of indigenous peoples, government officials and members of civil society organizations that work on indigenous issues, all under the DIL's "Program of Action on Indigenous Peoples of the Americas" (Program of Action). The Program of Action's goals include, inter alia, promoting the comprehensive development of indigenous peoples. The activities conducted under this program are funded by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), by order of the German Federal Ministry for Economic Cooperation and Development (BMZ).

In the period covered by this report, the activities conducted under the aforementioned Program of Action to provide basic and more advanced training and dissemination are explained below. Their purpose is to provide participants with the necessary tools to put the lessons they have learned into practice in their own communities or workplaces.

1. Informative Seminar on Legal Situation, Public Policies, Best Practices and Affirmative Action.

The Informative Seminar on Legal Situation, Public Policies, Best Practices and Affirmative Action was held at OAS headquarters in Washington, D.C., on April 17, 2012. Its purpose was to bring the indigenous leaders of the hemisphere up to date on public policy, best practices and affirmative action with regard to the right to land, territory and resources, the right to a healthful environment and protection of cultural heritage and intellectual property.

The speakers were Professor Dinah Shelton, the Inter-American Commission on Human Rights' Rapporteur on the Rights of Indigenous Peoples; Sonia Smallacombe, an official with the Secretariat of the United Nations Permanent Forum of Indigenous Issues; and Rama Rao, Director of the Coordination Office of the World Intellectual Property Organization (WIPO). Participating in the seminar were indigenous representatives from the Americas and government experts who participated in the XIV meeting to negotiate the Draft American Declaration on the Rights of Indigenous Peoples.

In all, 41 persons attended the seminar, 25 of whom were indigenous fellowship recipients.

2. Training Workshop on the Rights of Indigenous Peoples under the Inter-American System

The Training Workshop on the Rights of Indigenous Peoples under the Inter-American System was held in Mexico City, July 8 through 13, 2012. The 43 participants hailed from Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and Mexico.

The workshop presented the current picture with respect to the development of indigenous peoples' rights in the hemisphere and the legal instruments being enforced. The speakers included officials of the Executive Secretariat of the Inter-American Commission on Human Rights, the Secretariat of the Inter-American Court of Human Rights, the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees and the OAS General Secretariat, as well as professors from the Universidad Nacional Autónoma de México, and indigenous experts and leaders.

Support for this event came from Mexico's Secretariat for Foreign Affairs, by way of its Office of the Director General of Human Rights and Democracy and the National Commission for Indigenous Peoples' Development.

3. Workshop on Good Governance and Political Participation of Indigenous Women

The Workshop on Good Governance and Political Participation of Indigenous Women was held in Santiago de Chile, October 22 to 26, 2012. It was attended by 34 participants who came from Argentina, Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru, Venezuela and Chile.

The purpose of the workshop was to promote and strengthen indigenous peoples' participation in the various domestic and international decision-making processes.

The workshop featured presentations on building citizenship, leadership, gender, good governance, the inter-American system, and ways of participating in this regional organization. From the standpoint of method, group dynamics were used to familiarize participants with the world of communications.

The participants in this activity have included leaders either elected to or running for public office. Hence the importance of the commitment made to share the lessons learned once they are back in their communities and to put them into practice in the political forums in which they participate.

The support for this event came from the Institute of International Studies of the Universidad de Chile and from the Chilean Government.

4. Local replicas held with the DIL's technical support

Under the aforementioned Program of Action, the DIL provides technical support to fellowship recipients who participate in training activities once the classroom workshops are over. The Department offers technical assistance and advice to former fellowship recipients who organize training activities for members of their indigenous communities and to those who submit development projects. The idea is to keep the program sustainable through the fellowship recipients themselves by encouraging "replicas", i.e., training activities that the former fellowship recipients organize within their own communities and with own resources.

In 2012, 15 fellowship recipients helped organize 15 training events. The following is a summary description of each event: the topic, venue, date and number of those who attended:

- a) Topic of the Event: "Land Use Planning and the Right to Prior Consultation", held in Lima, Peru, November 23, 2011. This replica was attended by 149 representatives of Cotabambas' *campesino* communities.
- b) Topic of the Event: "Rights of Indigenous Peoples under the Inter-American System", held in the Native Community of "Nueva Palestina", Ucayali region, Peru, January 18 to 21, 2012. The replica was attended by 40 indigenous leaders of the Shipibo Konibo ethnic group.
- c) "Workshop for an Introduction to the Inter-American System for the Protection of Human Rights", held in Lima, Peru, February 6 to March 1, 2012. This replica was attended by 45 persons, including judges, attorneys from NGOs, and students
- d) "Seminar on inter-American and international standards for the three branches of government," held in Lima, Peru, April 11, 12 and 13, 2012. This event was attended by public officials from the legislative, executive and judicial branches of government.
- e) "Workshop: Indigenous Peoples' Rights and Registration of Native Communities' Councils of Government", held in Lima, Peru, June 7 and 8, 2012. Some 40 members of local native communities attended.
- f) "Course on Indigenous Peoples' Rights", held in the municipality of El Porvenir, Chiapas, Mexico, on July 21, 2012. This replica was attended by 15 individuals.
- g) "Course on the Rights of Indigenous Peoples," held in the municipality of Siltepec, Chiapas, Mexico, on July 22, 2012. 15 persons attended.

- h) Event “Tupanakuy Ilaqtamasinchickwan- “Meeting of brothers”, in the District of Paucara, Province of Acobamba, Huancavelica region, Peru, August 10-13, 2012. The event was attended by 300 members of indigenous *campesino* communities.
- i) “Course-Workshop on indigenous peoples’ rights”, held in the Santa Rosa de Mazocruz district, Province of El Collao, department of Puno, Peru, on August 11, 2012. The event was attended by 47 indigenous leaders.
- j) Regional encounter “To make our voice heard,” held in Lima, Peru, August 20, 2012. This *replica* was attended by indigenous leaders from different sites.
- k) Event titled “How can vulnerable indigenous peoples and/or communities in Venezuela’s Bolívar state access the inter-American system?” held in Bolívar State, Venezuela, in August 2012. More than 250 indigenous persons attended.
- l) Event “Indigenous Peoples’ Rights under the Inter-American System”, in Aku’l Village, Municipality of Nebaj, Quiche, Guatemala, September 7 and 8, 2012. Community leaders and authorities from Santa Cruz del Quiche participated in this event.
- m) Event “Indigenous Peoples’ Rights under the Inter-American System”, held in Quito, Ecuador, September 28, 2012. The event was attended by 24 public officials with the Ministry of Education.
- n) Event “Diploma in International Studies on Indigenous Peoples, Development, Participation and Prior Consultation,” held in Lima, Peru, from February 2012 to November 2012. A total of 35 persons participated.
- o) Event “The Political Participation of the Indigenous Peoples of the Department of Guaviare” in the Department of Guaviare, Colombia, November 3, 2012. The event was attended by 30 indigenous leaders.

When all the *replicas* held in 2012 on topics related to indigenous peoples are taken together, a total of around 991 persons participated, according to the figures supplied by the fellowship recipients who organized the events.

The *replicas* held are the by-product of the training conducted between November 2011 and October 2012, and represent the considerable impact that the courses programmed by the DIL have had in terms of promoting and raising awareness.

As for the indigenous theme in general, see the various presentations given on the topic in the next section. For more details on the work that the DIL conducts with regard to indigenous peoples, see the following link:

http://www.oas.org/en/sla/dil/indigenous_peoples.asp.

E. Afro-descendants

During the period covered by this report, the DIL successfully completed implementation of the “Project for Training Trainers of Afro-descendant Leaders in the Americas”, which lasted one year (2011-2012) and was financed by the Spain Fund. The project is part of a more sweeping program of the DIL titled “Afro-descendants in the Americas: Protection under the law, development and inclusion.”

Both the program and the project pursue very specific objectives. However, this report will discuss only those activities that are more directly related to the Inter-American Program for the Development of International Law because they are activities aimed at teaching and disseminating topics in international law in general and the inter-American system in particular.

1. Workshop for Training Trainers of Afro-descendant Leaders in the Americas.

From March 27 through 29, 2012, Panama City was the site of the Workshop for Training Trainers of Afro-descendant Leaders in the Americas, organized by the Department of International Law (DIL) of the Secretariat for Legal Affairs of the Organization of American States.

The workshop was attended by a select group of 32 Afro-descendant leaders from various countries of the region, who had received fellowships to participate in the event. The fellowship recipients were selected through a rigorous process conducted by the DIL in cooperation with the General Secretariat’s Office of Scholarships, Training and Capacity-Strengthening.

The purpose of the workshop was to train Afro-descendant leaders in leadership and political participation in the region, with a view to increasing Afro-descendants’ participation and influence in the inter-American system and at the local, national and subregional levels. Regional instruments for the protection of Afro-descendants were used to accomplish these ends.

Apart from equipping the participants with these tools, the workshop also examined recent developments within the inter-American system that concern Afro-descendant issues, the situation of Afro-descendant women in the Americas and other vulnerable groups. One module was specifically designed to help Afro-descendant civil society organizations find funds to conduct projects that will help their communities. Finally, group presentations and papers were introduced on techniques of effective political communication and the skills and aptitudes necessary for democratic leadership in general.

The OAS General Secretariat was represented at the workshop by officials from the Department of International Law and the Department of Effective Public Administration, who served

as facilitators for the workshop. Also present were three representatives from Afro-descendant civil society organizations.

The Director of the OAS National Office in Panama, Ambassador Abigail Castro de Pérez, was present for the workshop and provided support. The Permanent Mission of Panama to the OAS and the Office of Panama's Executive Secretary of Black Ethnicity also cooperated.

This activity was carried out within the framework of a specific Project on Afro-descendants, financed by the Spain Fund for the OAS. Since 2008, the DIL has been active in this area, working on issues like empowering Afro-descendant civil society, conducting seminars, workshops, studies and legal documents on Afro-descendants and, in general, raising this ethnic group's profile within the inter-American system.

2. Replicas conducted with the DIL's technical support

Under the Project referenced above, the DIL provides technical support to the fellowship recipients who participated in the Workshop for Training Trainers of Afro-descendant Leaders in the Americas. The Department offers technical assistance and advice to former fellowship recipients who organize training activities for members of the Afro-descendant communities and organizations. Helping former fellowship recipients to stage *replicas* is one way that the DIL can help cultivate Afro-descendant leaders in the Americas.

In 2012, 32 fellowship recipients designed *replicas* and five of them organized training activities. The following is a brief description of the topic covered in each *replica*, the place and date of the event, and the number of participants:

- a) "Workshop for Training Trainers of Afro-descendant Leaders from Nicaragua's Atlantic Coast," held in Bluefields, Nicaragua, May 12, 19 and 26, 2012. A total of 30 community leaders participated.
- b) "Workshop for Training Trainers of Afro-descendant Leaders from Antioquía," held in Medellín, Colombia, July 27 to 29, 2012. The event was attended by 40 people, among them community leaders and public officials.
- c) "Workshop for Training Trainers of Afro-descendant Leaders from Roatán", held on the island of Roatán, Honduras, August 22 to 24, 2012. The event was attended by 15 Afro-descendant and indigenous community leaders.
- d) "First Course on Training Afro-descendant Leaders of the Southeastern Region of Brazil, Sao Paulo State, held in Sao Paulo, Brazil, September 27 to 29, 2012. This event was attended by 50 people, among them community leaders and public officials.

- e) “Workshop for Training Trainers of Afro-descendant Leaders from Puerto Cabezas”, held in Puerto Cabezas, Nicaragua, November 10 and 16, 2012, and attended by 35 individuals, community leaders among them.

Taking all the *replicas* conducted on this subject during this reporting period, approximately 175 persons participated, based on the figures supplied by the fellowship recipients who organized the events.

As for the Afro-descendant theme in general, see the various presentations given on the topic in the next section. For more details on the work that the DIL conducts with regard to Afro-descendants, see: <http://www.oas.org/dil/afrodescendants.htm>

IV. DIL officials’ participation in various forums

The DIL’s officials have continued to participate and deliver lectures and presentations at Organization headquarters, during working missions to the member states, and in other forums. Their purpose is always to raise awareness of international law and of the issues on the hemispheric agenda. These activities have enormous potential to reach an impressive number of persons (see the section “The Program in Figures”).

The following were some of the prominent activities conducted in 2012, organized by topic:

A. The inter-American system

1. Master in International Protection of Human Rights

For the fourth consecutive year, the Department of International Law participated in the Ninth Edition of the Master in International Protection of Human Rights, organized by the Universidad de Alcalá, Spain. Some of the most distinguished professors in the world participated. The Department delivered its classes on November 26 and 27, 2012, involving 10 hours of teaching.

The Course covered the following topics:

- a. The inter-American system and human rights.
- b. The process of strengthening and reforming the inter-American human rights system.
- c. Current issues on the inter-American legal agenda: persons with disabilities, sexual orientation and

gender identity, access to public information, indigenous peoples and Afro-descendants.

The Program's objective is to train public officials, attorneys and other professionals whose careers take them into the area of human rights, with special emphasis on international legal practice. The participants come from various countries in Latin America, Europe and other parts of the world. Many work as public defenders, human rights defenders or are members of civil society. For more information on the Program, the reader is referred to the following website: <http://dip.uah.es/inicio-en.htm>.

By its participation, the Department of International Law has managed to publicize the work that the Organization does in protecting the human rights of vulnerable sectors of society, and the current political processes underway on these topics

B. Access to Justice and Public Defenders

1. *Fifth Congress of the Inter-American Association of Public Defenders (AIDEF)*

From August 15 through 17, 2012, the DIL participated in the Fifth Congress of the Inter-American Association of Public Defenders, held in Fortaleza, Brazil. It was there to discuss the topic of the role that public defenders play in ensuring the observance of human rights in the Americas.

The DIL gave an informal talk on the relationship between the OAS and the AIDEF and on the mechanisms needed to achieve greater participation and transparency in the defense of human rights within the region.

Availing itself of the occasion the Congress offered, on August 13 and 14 the DIL gave a course on the inter-American system in general and the most recent activity underway to adopt standards for the protection of human rights within the inter-American sphere. It also tackled specific topics like indigenous peoples, Afro-descendants, persons with disabilities, and the LGBTI community. Over 60 public defenders participated in the activity.

It is worth noting that these activities are being conducted pursuant to the cooperation agreement that the OAS General Secretariat concluded with the AIDEF in 2011.

C. International Commercial Arbitration

1. *Eighth Seminar on International Commercial Arbitration and Law*

The DIL participated in the Eighth Seminar on International Commercial Arbitration and Law, held in Washington, D.C.,

October 11 to 13, 2012. The seminar was conducted at the American University and was organized with the sponsorship of the International Court of Arbitration of the International Chamber of Commerce (ICC), the American Arbitration Association (AAA) and the International Centre for Settlement of Investment Disputes (ICSID).

More than 15 experts in international commercial arbitration – from Canada, the United States and Latin America- discussed and debated the most relevant issues in this area, the principal developments at the international level, the application of the rules and procedures of the world's leading arbitration institutions and the challenges posed by executing arbitral awards and decisions in local jurisdictions.

D. Protection of personal data

1. International Conference of Data Protection and Privacy Commissioners

The DIL participated in the 34th International Conference of Data Protection and Privacy Commissioners (ICDPPC) and parallel events, held in Punta del Este, Uruguay, October 22 to 26, 2012, pursuant to General Assembly resolution AG/RES. 2727 (XLII-O/12) on Access to Public Information and Protection of Personal Data.

The ICDPPC is a global forum of the world's leading authorities and institutions in data protection and privacy. This was its 34th Conference, and was hosted by the Office of the President of Uruguay. Participating were the data protection control commissioners and national authorities from every region of the world.

The conference's main objective was to spark an exchange of knowledge and promote draft standards and regulations to be adopted for the collaborative work that nations undertake.

The plenary discussed issues like the following: from whose perspective was the right to personal data protection incorporated in the region; which system was chosen and what is the role of the guaranteeing agencies; creating national laws; developments in case law; awareness raising and dissemination programs, and the challenges that modernization of the law will pose given legal tradition in civil law systems. The presentations were given by the experts from Argentina, Brazil, Colombia, Costa Rica, Peru, Mexico and Uruguay.

A specific activity in which the DIL participated in this conference will be discussed in greater detail under the next item.

2. Meeting of the Ibero-American Network on Data Protection

Within the framework of the ICDPPC, the annual meeting of the Ibero-American Network on Data Protection was held on October 22 and 23, 2012. The Network was created in response to the need to foster, maintain and strengthen an exchange of information, experiences and knowledge among the Ibero-American countries.

The Network is expected to grant the OAS permanent observer status.

3. Presentation before the Committee on Juridical and Political Affairs (CAJP)

On November 13, 2012, the DIL gave a presentation during a regular meeting of the Committee on Juridical and Political Affairs, in compliance with General Assembly resolution AG/RES. 2727 (XLII-O/12), which instructed the Committee on Juridical and Political Affairs to include on its agenda the topic of access to public information and personal data protection and to consider the creation of a regional framework on the subject.

In its presentation to the CAJP, the DIL explained the document titled "Comparative Study: Data Protection in the Americas", which was prepared by the DIL on instructions that the General Assembly gave in resolution AG/RES. 2661 (XLI-O/11)

It is important to point out that Dr. David Stewart, a member of the Inter-American Juridical Committee, presented the document titled "Preliminary Principles and Recommendations on Data Protection (The Protection of Personal Data)", which the Inter-American Juridical Committee had prepared.

E. Indigenous Peoples

1. Presentation delivered before the Congress of the Republic of Peru

In Lima, Peru, on April 10, 2012, the Department of International Law gave a presentation to the Peruvian Congressional Commission of Andean, Amazonian and Afro-Peruvian Peoples, Environment and Ecology, concerning the standards of the inter-American human rights systems that pertain to the rights of indigenous peoples.

2. *Seminar on Inter-American and International Standards for the Three Branches of Government*

At the Seminar on Inter-American and International Standards for the Three Branches of Government, held in Lima, Peru, April 11 through 13, 2012, the Department of International Law delivered three presentations on the inter-American human rights system: legal and political aspects. The event was organized by Peru Equidad and the Peruvian Center for Public Policy and Human Rights.

3. *IV Summit of Indigenous Leaders of the Americas*

From April 10 through 13, 2012, the DIL participated in the IV Summit of Indigenous Leaders of the Americas (IV CLIA), held in Cartagena, Colombia. The Summit was held against the backdrop of the VI Summit of Heads of State and Government of the Americas.

There the Department gave a presentation on the work done by the OAS General Secretariat to build ties of trust among indigenous peoples, society in general and the governments and to make its contribution toward a better understanding and promotion of the rights of indigenous peoples under the inter-American system.

4. *The University of the District of Columbia's 11th Annual Course on Human Rights.*

The DIL participated in the annual course on human rights offered by the David A. Clarke School of Law of the University of the District of Columbia, organized by the Hawaii Institute for Human Rights and held in Washington, D.C., August 13 through 17, 2012.

The Department of International Law gave a presentation on the work done by the OAS in the area of human rights, with special emphasis on the promotion and protection of indigenous rights.

5. *Meeting of Government Experts on the Management of Socio-Environmental Conflict*

The DIL participated in the Meeting of Government Experts on the Management of Socio-Environmental Conflict, held in Lima, Peru, December 6 and 7, 2012, and organized by the Department of Democratic Sustainability and Special Missions of the Organization of American States (OAS).

The purpose of the event was to build up the governments' institutional capacities to cope with socio-environmental conflict in

the region by encouraging them to share national experiences and the contribution of experts on the subject.

At the meeting, the DIL gave a presentation on the advances in international law and the challenges of introducing into domestic law the standards and laws governing indigenous peoples' right to prior consultation and then ensuring that those standards and laws are implemented.

F. Afro-descendants

As it did with respect to indigenous issues, the DIL has also delivered presentations or informal talks in various forums about the work it does in connection with the Afro-descendant community in the Americas. These presentations are useful in making the public aware of the inter-American instruments that uphold certain standards of protection for Afro-descendants. The presentations also are an opportunity to further educate the public about the various activities that the Organization conducts with the Afro-descendant community.

1. Presentation delivered before the Congress of the Republic of Peru

In Lima, Peru, on April 10, 2012, the DIL gave a presentation before the Peruvian Congressional Commission of Andean, Amazonian and Afro-Peruvian Peoples, Environment and Ecology, concerning the provisions of the inter-American system that protect the rights of Afro-descendants.

2. Workshop to Share Experiences in Training the Afro-descendant Leaders of the Americas

Panama City, Panama, was the site of the Workshop to Share Experiences in Training the Afro-descendant Leaders of the Americas, held from May 15 to 17, 2012. The DIL delivered a presentation about the work it does to train Afro-descendant leaders in the Americas.

The purpose of the workshop was to share experiences with and knowledge of leadership training that focuses on Afro-descendant leaders in the Americas, to identify potential and thereby increase the impact and efficiency of the training.

The University of South Florida is currently planning a summer school to train leaders of Afro-descendant communities. The Department has received a formal invitation to become a partner in the University of South Florida's project.

3. First Course on Training Afro-descendant Leaders of the Southeastern Region of Brazil, Sao Paulo State

The First Course on Training Afro-descendant Leaders of the Southeastern Region of Brazil, Sao Paulo State, was held in Sao Paulo, Brazil, September 27 to 29, 2012. This event was organized by an organization called “Young Feminists of Sao Paulo” and had technical support from the DIL and from other institutions that financed and backed the activity.

The event was attended by 50 leaders and observers from the state of Sao Paulo and other Brazilian cities.

DIL officials delivered the following workshop modules: the Inter-American System, an Introduction to Some Subregional Organizations, Standards of Protection for Afro-descendants and Vulnerable Groups within the Afro-descendant Community.

The workshop’s objective was to equip Afro-descendant leaders with the tools necessary to be able to access the inter-American system and to increase their participation in and impact on its political bodies, especially in matters that are of interest to this community.

4. Presentation before the Committee on Juridical and Political Affairs (CAJP)

The DIL delivered a presentation at the October 4, 2012 regular meeting of the Committee on Juridical and Political Affairs, in keeping with General Assembly resolution AG/RES. 2708 (XLII-O/12), which instructed the Committee to include on its agenda the issue of people of African descent in the Americas.

In its presentation, the DIL gave an introduction to the work that it is conducting in connection with people of African descent in the Americas, both under the project financed by the Canadian International Development Agency (CIDA) called the Project for the Incorporation of the Afro-Descendant Theme in the Policies and Programs of the Organization of American States”, and through a “Project to Train Trainers of Afro-descendant Leaders in the Americas”, financed by the Spain Fund for the OAS.

5. First World Pre Summit of Afro-descendants

In Panama City, Panama, the DIL participated in the First World Pre Summit of Afro-descendants, October 24 to 28, 2012. The event was organized by Panama’s Executive Secretariat for Black Ethnicity and the Platform of the World Summit of Afro-descendants.

Participating in the Pre-Summit were representatives of the governments of Panama, Honduras and Kenya, Afro-descendant leaders from 43 countries and delegates representing international organizations.

Participating in the opening ceremony were Mr. Roberto Henriquez, Minister of the Office of the President of the Republic of Panama, and Ambassador Guillermo Cochez, Permanent Representative of Panama to the Organization of American States (OAS).

The Department delivered a presentation on the challenges and opportunities for Afro-descendants in the inter-American system, and emphasized the need to work harder so that, through the appropriate channels, the States will take ownership of the decisions adopted at events of this type.

V. Cooperation agreements

One of the components of the Inter-American Program for the Development of International Law is cooperation for the development, dissemination and teaching of international law in the hemisphere. The Program is asked to promote cooperation agreements with various entities that teach and disseminate inter-American law and with international organizations. Likewise, there are plans to conclude cooperation agreements with a number of international finance agencies and with other entities that can financially support the work of developing, disseminating and teaching international law.

In furtherance of the provisions under this component of the Program, in the past the DIL has concluded a number of cooperation agreements with a variety of agencies and entities, which has enabled it to better implement its activities to promote and disseminate international law, as provided under the Inter-American Program. It has also made it possible to obtain funding for a number of these activities.

In this reporting period, the OAS General Secretariat signed a new cooperation agreement under which the DIL serves as focal point. These agreements are directly related to the Program's objectives and purposes.

A. Cooperation Framework Agreement between the General Secretariat of the Organization of American States and the University of South Florida Board of Trustees, for its Institute for the Study of Latin America and the Caribbean

On October 10, 2012, the OAS General Secretariat and the University of South Florida's Institute for the Study of Latin America and the Caribbean signed a cooperation framework agreement to establish general mechanisms of cooperation for coordinating academic activities.

Under the Agreement, both Parties shall consider developing special relations of cooperation on matters of common interest, particularly focusing on the promotion and dissemination of

international law. The Department of International Law of the Secretariat for Legal Affairs is the technical area charged with the Agreement's implementation.

The agreement may be viewed at the following link:

http://www.oas.org/dil/esp/acuerdo_marco_OEA_ISLAC_16-oct-2012.pdf

VI. Publications and virtual bookstore

The Inter-American Program for the Development of International Law is expected to promote publication of texts like the amended OAS Charter, and other publications of interest such as the annual volumes on topics in international law. These volumes have been published for years, and are part of the legal legacy of the inter-American system. The most important publications are given to all the permanent missions to the Organization.

During this reporting period, the DIL has launched a project to digitize its publications. This project is expected to be completed in the not-too-distant future. The idea is that the DIL's publications will be accessible, via the internet and free of charge, thus reaching a broader public interested in becoming acquainted with and further studying the inter-American system and the legal instruments and writings that the DIL has compiled over the years.

The following are among the books edited, published and put into circulation during this reporting period:

A. XXXVIII Course on International Law

The Department of International Law of the OAS Secretariat for Legal Affairs is pleased to announce publication of the book on the XXXVIII Course on International Law, which includes the lectures delivered during that event. The Department organizes the course each year in partnership with the Inter-American Juridical Committee.

The International Law Course series is part of the collection of legal publications produced by the inter-American system. It is known for the excellence of the published lectures, delivered by distinguished legal scholars and jurists, among them judges on international courts, academics, officials with international organizations, members of the Inter-American Juridical Committee and other experts on the subject matter.

It is worth recalling that the Inter-American Program for the Development of International Law, adopted by the OAS General Assembly, is expected to publish the legal materials resulting from the activities that the Department of International Law organizes.

For more information, the reader is referred to the following link:
http://www.oas.org/dil/publications_curso2011_portadaampliada.htm

B. Afro-descendants

As part of its Program on Afro-descendants, the DIL continues to promote one of that program's objectives, which is to help generate a larger body of legal literature on the Afro-descendant theme as it relates to international law. In this reporting period, the following publication has been released:

1. Manual for Training Trainers of Afro-descendant Leaders in the Americas

The Manual for Training Trainers of Afro-descendant Leaders in the Americas is the product of the "Project to train Afro-descendant leaders in the Americas," and is published in Spanish and Portuguese.

In the preparation of this Manual, the Department is grateful for the cooperation it received from the Department of Effective Public Administration, the Network of Afro-Latin American, Afro-Caribbean and Diaspora Women, and the Cimarrón Afro-Colombian Association. The content that was contributed is as follows: Tools for political participation and influence, Afro-descendant women and resource management.

The Manual and its annex are available at the following links:

http://www.oas.org/dil/esp/afrodescendientes_Manual_Formacion_Lideres.pdf

http://www.oas.org/dil/esp/afrodescendientes_Manual_Formacion_Lideres_anexos.pdf

C. Forthcoming publications

The following are some of the publications that the DIL plans to release in the near future:

- a) XXXIX Course on International Law (2012)
- b) Index of the Courses on International Law, third edition, 2012 (1974-2011)
- c) Indigenous peoples in the inter-American system.

D. Virtual bookstore

Our catalogue contains around 30 available publications from previous years. That information is available at our website:
<http://www.oas.org/dil/publications.htm>.

Universities and other institutions of learning, researchers, students and other interested parties regularly order copies of these publications. As previously noted, a process is currently underway to digitize the DIL's publications and make them available online. Hopefully, this process will be completed shortly, so that our publications will be available to a much wider audience.

VII. Online dissemination

A. A general description of the DIL's webpage

The DIL maintains a webpage using a dedicated webmaster. The webpage is periodically updated and is available at: www.oas.org/dil. This webpage is a vital tool in promoting and disseminating international law.

The DIL webpage contains information on the work of the OAS' political organs in the area of international law, such as topics about international humanitarian law, indigenous peoples, Afro-descendants, refugees, the internally displaced, and stateless persons, access to information, the International Criminal Court, racism, discrimination and intolerance, CIDIP activities, family law network, international commercial arbitration, and so on.

Each of these topics has its own link, containing information on the relevant instruments (General Assembly resolutions, the background for each topic, and all relevant instruments), and the activities carried out in connection with each topic (special meetings, courses, their respective programs and agendas, and so on).

The webpage is also an important way to access documentary resources on the OAS, on the subject of treaties, for example, General Assembly resolutions, model laws and various instruments of the inter-American system.

The webpage also publishes information on the various activities that the DIL conducts to promote and disseminate international law under specific projects and programs, and information on courses, workshops and fellowships.

For an idea of the scope and volume of information on this webpage, see the section of this report titled "The Program in Figures," which documents the number of hits and downloads at the site.

B. Link for the Inter-American Juridical Committee

The Department's webpage also contains a specific, dedicated link to the Inter-American Juridical Committee, detailing the work

the Committee does. There is also information about the composition of the Committee, its members, its current agenda, working papers, annual reports, etc. <http://www.oas.org/en/sla/iajc/default.asp>

All this is set within the context of the role that the Department performs as Technical Secretariat of the Inter-American Juridical Committee, and the mandates contained in the Inter-American Program for the Development of International Law, which ask that the resolutions and other relevant legal documents approved by the Organization's bodies be published.

C. Database of the hemisphere's diplomatic academies

General Assembly resolution AG/RES. 2174 (XXXVI-O/06) "Inter-American Program for the Development of International Law" asked the DIL to create, at its webpage, a database of the hemisphere's diplomatic academies.

Pursuant to this mandate, the Department's webpage features a link containing periodically updated information on the hemisphere's diplomatic academies (authorities, contact information, etc.) and permanently open to suggestions and updates by the permanent missions. For more information, see the following link:

http://www.oas.org/en/sla/dil/diplomatic_academies.asp

D. Newsletters/announcements

Finally, as a means to more widely publicize its activities, the DIL has continued to disseminate information via the electronic media, specifically through newsletters/bulletins or announcements circulated to all users of the OAS network (Permanent Missions, General Secretariat, National Offices, and so on), and the DIL's database, which has some 1329 contacts who are persons associated with international law.

These newsletters are a way to periodically report the activities that the Department is conducting. The index of these newsletters is available at the DIL's webpage, at the following link: <http://www.oas.org/dil/Newsletter/index.html>.

VIII. Legal and/or dissemination procedures associated with inter-American instruments

Where inter-American treaties are concerned, the Inter-American Program for the Development of International Law calls for providing online access to the complete text of the inter-American instruments for which the OAS is depository, the

updated status of their signature, ratification and/or accession, reservations, objections, declarations, and the dates they entered into force, as well as similar information on cooperation agreements concluded by the OAS, and other activities.

Pursuant to this mandate, all the information required under the preceding paragraph is available at our webpage, which contains a simple search system for the treaties, agreements and other instruments, in chronological and alphabetical order.

Furthermore, and in compliance with its functions, during 2012 the DIL performed the following procedures:

- a) 5 procedures associated with the deposit of instruments or ratification and/or accession;
- b) 15 procedures whereby states of emergency were reported, and
- c) 2 notification processes under the Inter-American Convention against Corruption, and
- d) 3 procedures associated with the renunciation of instruments.

Certifications were prepared and updated and complete information was provided on those treaties for which the Organization of American States is official depository.

In the case of bilateral agreements, the DIL registered a total of 205 cooperation agreements concluded by the General Secretariat.

All this information is available on our webpage at the following link: http://www.oas.org/dil/treaties_and_agreements.htm.

IX. The Program in Figures

In last year's report, the DIL began measuring, quantifying and checking the impact of some of its activities. Figures are presented below –in some cases estimates- to give an approximate idea of the Program's impact. This, notwithstanding the immeasurable value implicit in a Program of the kind that concerns us, many of whose activities have an intangible quality – like any activity that involves a strong educational or instructive component. Such intangibles are impossible to measure in figures or numbers.

Educational and training events organized by the Department

	Topic	Number of events and/or activities	Estimated number of persons trained or participants
1.	Course on International Law	1	35
2.	International Humanitarian Law	2	150
3.	Statelessness	1	40
4.	Access to Justice and Public Defenders	1	31
5.	Indigenous Peoples	3	118
6.	Afro-descendants	1	32
	TOTAL	9	406

Fellowships granted by the Department in connection with projects financed with specific funds

	Topic	Number of fellowship recipients
1.	Indigenous Peoples	61
2.	Afro-descendants	30
3.	TOTAL	91

Participation of DIL staff in various forums

	Topic	Number of informal talks, formal presentations, and the like	Estimated number of persons trained or participants
1.	Inter-American System	1	43
2.	Protection of personal data	3	720
3.	Arbitration	1	15
4.	Access to Justice and Public Defenders	1	60
5.	Indigenous Peoples	5	365
6.	Afro-descendants	5	313
7.	TOTAL	16	1516

Publications

	Topic	Number of copies printed	Copies distributed or sold
1.	XXXVII Course on International Law	200	196
2.	Manual for Training Afro-descendant Leaders in the Americas	50	50
3.	TOTAL	250	246

Virtual Library

The Department's virtual library now has around 31 different publications available to the general public. They can be consulted at the catalogue at the following link: http://www.oas.org/dil/publications_catalogue.htm

Internet dissemination³

	Month	Hits	Downloads
1.	Jan	121,125	285,576
2.	Feb	170,022	472,385
3.	Mar	199,335	621,156
4.	Apr	171,424	567,659
5.	May	207,710	664,467
6.	June	171,505	614,572
7.	July	155,224	517,088
8.	Aug	217,074	400,429
9.	Sept	248,580	494,662
10.	Oct	289,529	589,780
11.	Nov	280,975	536,528
12.	Dec	180,123	169,590
13.	TOTAL	2,412,626	5,933,892

³ Data provided by DOITS. The table does not include the Inter-American Juridical Committee's link, which had some 78,230 hits and 149,530 downloads.

Newsletters

Numbers. In this reporting period, the DIL issued 33 newsletters reporting on the activities conducted to promote and disseminate international law and the inter-American system, among other subjects.

Distribution and reach. The newsletters are sent to a list consisting of 1342 interested persons and institutions, not counting the OAS' entire internal circulation system. The newsletter is also sent out via electronic media (General Secretariat, Permanent Missions, National Offices, etc.).

X. Conclusion

As of June 15, 2012, the Inter-American Program for the Development of International Law had been in existence for 15 years, as June 15 was the date on which the program was originally adopted by the General Assembly in 1997. Virtually every year since, the States have adopted resolutions at the annual sessions of the General Assembly where they have reconfirmed their support for the Program. Last year, the support was bolstered by the fact that the States decided to update the Program to enable it to better respond to the new developments in the promotion of international law, bearing in mind the results that its implementation has thus far achieved.

Throughout this report, we have endeavored to highlight the DIL's efforts so as to illustrate how each of the activities described herein reveals what the Department has done in the various areas of the Program, which are as follows:

- a) Information on the treaties within the inter-American system
- b) Legal developments within the organs of the OAS
- c) Teaching of inter-American international law
- d) Dissemination through publications and other means
- e) Cooperation in the development, dissemination and teaching of international law in the hemisphere.

We have also explained how, through the use of new technologies and means of dissemination like the internet, we have been providing information and the full texts of treaties, their legal status, and the cooperation agreements that the OAS has concluded. These media have also been used to publicize the inter-American agenda, with complete information on specific topics that are related to international law.

Our activities in promoting, disseminating, providing instruction, training and, in general, teaching international law through courses, workshops, seminars, lectures and informal talks

are reflected in sections II to IV of this report. Some of these activities also serve to publicize legal developments within the organs of the OAS.

In the publications area, we have continued to issue our traditional publications, but have made new additions that are more novel from the standpoint of the Program, as they address the new issues that are always being added to the Organization's agenda, as in the publications on Afro-descendant issues and activities.

One point to be highlighted is the progress we have seen in recent years in introducing the gender perspective in all our programs and activities, especially those aimed at promoting and disseminating international law. Thus, women's full and equal participation, their particular needs, their contributions and their presence permeated each thematic area, activity, course, seminar and workshop organized by the DIL in 2012. The content of these activities featured gender not just as a cross-cutting theme, but also dealt with issues unique to women; these issues were given focused and serious attention. At the same time, women were equally represented not just in terms of fellowship recipients and number of participants, but also as experts, lecturers and trainers.

The DIL has continued to foster cooperation with a variety of entities and agencies with a view to strengthening the Program's activities. This is very important, because these relationships become an important source of funding and thus enable us to execute, at no cost to the Organization, many of the activities that we have come to our attention. To avoid accidental oversights, we will not enumerate all the strategic partners that have provided their support in various ways to propel the Inter-American Program for the Development of International Law forward. Yet we owe a debt of gratitude to each and every one (international organizations and agencies of various kinds, international finance institutions, cooperation agencies in various countries, the Permanent Observer Missions to the OAS, academic institutions, civil society organizations, and others).

We conclude this report by putting the following to the member states for their consideration: that they continue to provide solid support to the Program, as they have since the Program was first adopted, to continually strengthen the activities described in this report, reach an ever increasing audience and disseminate and promote, as best possible, international law, the inter-American system and the Organization's legal agenda.

ANNEXES

The following documents are attached as annexes to this report:

- A. AG/DEC. 12 (XXVI-O/96), “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law”;
- B. AG/RES. 2660 (XLI-O/11), “Inter-American Program for the Development of International Law”
- C. AG/RES. 2723 (XLII-O/12), “Inter-American Program for the Development of International Law”

A. AG/DEC. 12 (XXVI-O/96), “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law”

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."

B. AG/RES. 2660 (XLI-O/11), “Inter-American Program for the Development 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 subregional 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.

C. AG/RES. 2723 (XLII-O/12), “Inter-American Program for the Development of International Law”

AG/RES. 2758 (XLII-O/12)

PROTECTION OF ASYLUM SEEKERS AND REFUGEES IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1762 (XXX-O/00), AG/RES. 1832 (XXXI-O/01), AG/RES. 1892 (XXXII-O/02), AG/RES. 1971 (XXXIII-O/03), AG/RES. 2047 (XXXIV-O/04), and AG/RES. 2232 (XXXVI-O/06), “Protection of Asylum Seekers, Refugees, and Returnees in the Americas”; and AG/RES. 2296 (XXXVII-O/07), AG/RES. 2402 (XXXVIII-O/08), AG/RES. 2511 (XXXIX-O/09), AG/RES. 2597 (XL-O/10), and AG/RES. 2678 (XLI-O/11), “Protection of Asylum Seekers and Refugees in the Americas”;

EMPHASIZING the American Hemisphere’s contribution to strengthening protection of asylum seekers and refugees as well as international refugee law;

WELCOMING that 28 member states of the Organization of American States (OAS) have acceded to the 1951 Convention Relating to the Status of Refugees, and 30 to its 1967 Protocol; that most of those countries have incorporated the provisions of those instruments into their domestic laws and regulations, and that Costa Rica, Mexico, and Nicaragua adopted new regulations to protect refugees over the past year;

NOTING that on December 7 and 8, 2011, at the ministerial meeting held to culminate the commemorations of the sixtieth anniversary of the 1951 Convention Relating to the Status of Refugees initiated by the Office of the United Nations High Commissioner for Refugees (UNHCR), several OAS member states renewed their commitment to continue providing protection for asylum seekers, refugees, and stateless persons;

UNDERSCORING the importance of the Cooperation Agreement signed on November 12, 2007, by the OAS General Secretariat and the UNHCR to promote international refugee law in the Hemisphere, in the framework of which the Third Course on

International Refugee Law was held on October 20, 2011, for permanent missions to the OAS;

RECOGNIZING the commitment assumed by the OAS member states to continue extending protection to asylum seekers and refugees on the basis of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and to seek durable solutions to their situation;

UNDERSCORING the humanitarian and apolitical nature of international protection of refugees;

REITERATING the importance of the Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas, the recommendations of which seek to revitalize the lasting-solutions component of the 2004 Mexico Plan of Action to Strengthen the International Protection of Refugees in Latin America, to strengthen its application as a regional approach to the new challenges of refugee identification and protection in the context of mixed migration movements, and to promote the signature and ratification of, or accession to, as the case may be, conventions on statelessness and the protection of stateless persons;

RECOGNIZING the efforts that countries of origin have been making, with support from the international community, to deal with the circumstances that generate flows of persons seeking international protection as refugees and the importance of persisting in those efforts;

EMPHASIZING the efforts made by some receiving countries of the region, even under difficult socioeconomic conditions, to continue extending protection to asylum seekers and refugees;

UNDERSCORING the importance of international technical and financial cooperation to adequately address and to find or, as appropriate, support durable solutions to the situation of refugees and asylum seekers; and noting with satisfaction, in this context, the signing of agreements between the UNHCR and various countries of the region aimed at improving national protection mechanisms; and

RECOGNIZING the responsibility of states to provide international protection to refugees, based on the principles of international solidarity and shared responsibility;

RECOGNIZING the responsibility of states to provide international protection to refugees, based on existing international principles on the matter: right of asylum, non-

refoulement, non-penalization of illegal entry, non-discrimination, international cooperation, shared responsibility, and solidarity,

RESOLVES:

1. To call upon all states to uphold and respect the international principles for the protection of refugees, in particular the principle of non-refoulement.

2. “To recognize and reaffirm the full effect and fundamental importance of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol as the principal instruments for refugee protection; and to reaffirm the commitment of the states parties to those instruments to implement fully and effectively the obligations set forth therein, in accordance with their object and purpose.”

3. To urge those member states that have not yet done so to consider signing, ratifying, or acceding to, as the case may be, the international instruments in the area of refugees, and to promote the adoption of procedures and institutional mechanisms for their effective application, in accordance with those instruments.

4. To continue to support, with assistance from the international community and the UNHCR, the Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America and, considering the recommendations of the Brasilia Declaration, to revitalize the application of its principles so as to meet, under a regional approach, the new challenges of refugee identification and protection in the context of mixed migration movements.

5. To urge member states and the international community to collaborate in and support the strengthening and consolidation of the “Borders of Solidarity,” “Cities of Solidarity,” and “Resettlement in Solidarity” programs proposed in the Mexico Plan of Action. In particular, to urge member states to continue promoting actions to guarantee the enjoyment of refugees’ rights, acknowledging the progress made in the context of the “Cities of Solidarity” program and taking into consideration the objectives of the UNHCR’s policy in this field.

6. To thank all member states which participated actively in the commemorations initiated by the UNHCR and which considered it advisable to make voluntary commitments to strengthen protection for asylum seekers and refugees in the Hemisphere.

7. To reaffirm the importance and the vital role of international cooperation in the search for, and strengthening of, durable solutions to address the situation of refugees and asylum seekers; and to urge member states and the international community to increase technical and economic cooperation with the countries of the Hemisphere that receive refugees and that so require, and to work in cooperation with the UNHCR to provide effective protection to asylum seekers and refugees in the region.

8. To recognize the efforts and the progress that countries of origin have made, and to encourage them, to the extent of their ability and with support from the UNHCR and the international community, to continue making efforts to deal with the circumstances that generate flows of asylum seekers.

9. To recognize the efforts and progress that countries of the Hemisphere that receive refugees have made in implementing protection mechanisms, in accordance with international refugee law and the international principles of refugee protection established therein.

10. To instruct the Permanent Council to organize, through the Committee on Juridical and Political Affairs and with support from the Department of International Law of the General Secretariat and the technical and financial collaboration of the UNHCR, a course prior to the forty-fourth regular session of the General Assembly on international refugee law, for staff of the permanent missions of the member states and of the General Secretariat as well as for other interested parties.

To request the Permanent Council to report to the General Assembly at its forty-fourth 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.