



Organization of  
American States

# The Department of International Law





# The Department of International Law of the Organization of American States

The DIL carries out its activities through five different programs:

## 1. Advisory Services to OAS Bodies

The DIL provides legal advisory services to the following bodies in the Organization:

**General Assembly:** The DIL provides legal assistance to the General Assembly and, in particular, to its General Committee during Assembly sessions.

**Meeting of Consultation of Ministers of Foreign Affairs:** The DIL provides legal assistance to the Meeting of Consultation. It also participated in the good-offices committees that were established during the last two meetings of consultation in the cases of Colombia and Ecuador (2008), and of Costa Rica and Nicaragua (2010).

**Permanent Council:** The DIL provides legal assistance to the Permanent Council, its working groups, and its committees [in particular, the Committee on Juridical and Political Affairs (CAJP) and its working groups on indigenous peoples, discrimination and intolerance and elderly people.

**Inter-American Juridical Committee:** The DIL is the Technical Secretariat of the Inter-American Juridical Committee (CJI). The CJI is the OAS advisory body on legal affairs.

**General Secretariat:** The DIL provides legal services to the dependencies of the General Secretariat, in particular, the Secretary General, and his staff.

**Specialized Conferences:** The DIL provides legal assistance to the specialized conferences, in particular, the Inter-American Specialized Conference on Private International Law (CIDIP), of which it is the Technical Secretariat. To date, there have been seven meetings of the CIDIP, in whose framework 26 legal instruments had been adopted, including conventions, protocols, uniform documents and model laws in the areas of applicable law, procedural law, family law, and commercial law.

## 2. Institutional Support for Member States

The DIL provides assistance to member states in the implementation of domestic laws in the areas of:

**Access to Public Information:** The DIL supports efforts of member states to adopt legislative measures for ensuring access to public information and encourages contact and exchange of best practices among national authorities charged with their implementation. It also provides assistance to member states in holding national and regional seminars with the aim of drawing up recommendations for improving legal, judicial, and administrative practices in this area. The DIL is also engaged in a project designed to improve the capacity of member states to increase transparency and ensure equitable access to public information, based on the inter-American model law that was drafted by the DIL in partnership with other entities of the inter-American system and approved by the General Assembly in 2010. The DIL is currently preparing a draft Inter-American Program on Access to Public Information which will be submitted to the political bodies of the Organization.

**Protection of Personal Data:** The DIL encourages the establishment of information channels on personal data protection with other international and regional organizations in order to facilitate information sharing and cross-border cooperation in this area. The DIL recently published a comparative study on personal data protection laws with a view to proposing a set of draft principles in that regard. The DIL is also assisting the Inter-American Juridical Committee in drafting principles on privacy and protection of personal data.

**Secured Transactions:** The DIL supports the capacity of member states to implement reforms to their secured transactions systems, including promotion of access to credit, based on the inter-American model law approved by CIDIP-VI, as well as through the creation of public registries based on the inter-American model law approved by CIDIP-VII.

**Arbitration:** The DIL implements a project to strengthen the capacity of member states in enforcing arbitration decisions in the area of trade through training for judges and other public officials in the effective enforcement of treaties and international standards in force, with a particular emphasis on the implementation of arbitration decisions and awards. The DIL is also the focal point between the OAS General Secretariat and the Permanent Court of Arbitration.

**Network for Legal Cooperation in the Area of Family and Child Law:** The DIL provides technical and legal advisory services for the pilot phase of a project to establish a Network for Legal Cooperation in the Area of Family and Child Law designed to facilitate cooperation and information sharing among national authorities in this area.

## 3. Advancement of Legal Rights for Persons in Situations of Vulnerability

In order to strengthen democracy in our countries through inclusion and recognition of plurality and diversity, the DIL works directly in the following areas:

**Access to Justice for Persons in Situations of Vulnerability:** The DIL is preparing a compilation of best practices in access to justice and public defender services in the region. It also assists the CAJP in holding special meetings to share best practices and experience in this area. The DIL is also the focal point between the OAS General Secretariat and the Inter-American Association of Public Defender Offices (AIDEF), with which it organizes training activities for public defenders in the region on legal standards on access to justice and the inter-American system.

**Indigenous peoples:** The DIL provides legal advisory services to the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples. The DIL, with the collaboration of other areas in the OAS, is also carrying out a Program of Action on Indigenous Peoples in the Americas to instruct indigenous leaders on access to and making better use of the inter-American system, giving particular emphasis to issues such as good governance, human rights, political participation for women, and logical framework design. The aim is for participants to replicate the training workshops in their communities, using guides prepared by the DIL. To date, there have been more than 10 workshops and more than 25 replications.

**People of African descent:** The DIL is implementing a project that provides training to Afro-descendant leaders in the use of mechanisms available in the inter-American system that ensure for them a higher level of participation in decision-making processes as well as in all areas of life in our societies. Within that framework, the DIL seeks to draw attention to the situation of people of African descent in the Americas, promote and disseminate regional protection standards, and encourage them to participate and have a greater say in political processes in the inter-American system.

**LGBTI groups:** The DIL works with the LGBTI community, supplying information on the mechanisms in place for participation in political processes in the Inter-American system. It is also providing assistance to the Inter-American Juridical Committee in the preparation of a study on human rights, sexual orientation, and gender identity and expression, as well as supporting the CAJP in its treatment of the issue.

**Refugees, Internally Displaced Persons, and Stateless Persons:** The DIL is the focal point between the OAS General Secretariat, and the United Nations High Commissioner for Refugees. As such, it works closely with the two, in particular in the organization of annual courses on law on refugees and stateless persons in the framework of the CAJP, strengthening the legal and institutional framework for the protection of refugees, asylum seekers, stateless persons, internally displaced persons, and other individuals requiring international protection, as well as holding conferences and seminars.

The DIL also provides legal advisory services to the Working Group to Prepare a Draft Inter-American Convention against Racism and All forms of Discrimination and Intolerance and to the Working Group to Prepare a Draft Inter-American Convention on Human Rights of Elderly People.

#### 4. Inter-American Program for the Development of International Law

The Inter-American Program for the Development of International Law was adopted by the General Assembly in 1997 and updated in 2011, when the DIL was entrusted with its implementation. Within that context, the DIL:

Is the repository of inter-American conventions and bilateral agreements on cooperation. In carrying out the task, the DIL keeps up-to-date a web page on all matters concerning these instruments (200 inter-American treaties and more than 6,000 bilateral agreements).

It keeps a web page on the inter-American legal agenda regularly updated with information on developments concerning all the issues for which it is responsible. (In 2012 the web page had 1.6 million visitors and a 4.6 million downloads).

It keeps up-to-date a web page with information on diplomatic academies in OAS member states.

For four decades it has been organizing the annual Course on International Law in Rio de Janeiro, awarding scholarships to young international lawyers from all over the Americas.

It regularly imparts refresher courses on the inter-American system and the inter-American legal agenda. (In 2012 it organized 20 events and provided training to nearly 2,000 people).

It prepares and publishes periodical legal publications. The DIL has a virtual store offering 35 legal publications.

It supports periodic meetings of legal consultants from foreign ministries and other senior officials responsible for international law matters in member states.

It publishes an annual report on its training and awareness-raising activities on the inter-American system.

It constantly publicizes its activities through its newsletter, which goes out to 1,500 subscribers. To subscribe, please contact [FMontero@oas.org](mailto:FMontero@oas.org)

#### 5. International Humanitarian Law and International Criminal Law

The DIL works closely with the International Committee of the Red Cross (ICRC) and the International Criminal Court (ICC) in order to:

Implement agreements signed by the OAS General Secretariat with those entities.

Encourage the active participation of National Committees on Humanitarian Law in OAS activities, as well as providing support for their meetings at the regional and global level.

Organize annually, in the framework of the CAJP, training courses and special meetings both on international humanitarian law, with the aim of fostering awareness and observance of international humanitarian law, and on ways to strengthen cooperation with the International Criminal Court.

Support the CJI in the preparation of a study on the subject of protection of cultural assets in the event of armed conflict, as well as of the guidelines governing the use of force and protection of persons in situations of internal violence that do not reach the threshold of an armed conflict.



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