



Organization of
American States

The Department of International Law

Third Edition



The Department of International Law of the Organization of American States

The Department of International Law (DIL) carries out its activities through six different programs:

1. Program of Advice to the Organs of the OAS

The DIL provides legal advice to the following organs of the Organization:

General Assembly: The DIL provides legal assistance to the General Assembly, and in particular to its General Committee, during the regular sessions of this organ.

Meeting of Consultation of Ministers of Foreign Affairs: The DIL provides legal assistance to the Meeting of Consultation. It was also part of good offices missions that were created during the Meetings of Consultation, for the Colombia-Ecuador (2008) and the Costa Rica-Nicaragua (2010) cases.

Permanent Council: The DIL provides legal assistance to the Permanent Council, its working groups, and its committees [particularly the Committee on Juridical and Political Affairs (CAJP) and its working groups on indigenous peoples and older persons].

Inter-American Juridical Committee: The DIL serves as technical secretariat to the Inter-American Juridical Committee (CJI), the OAS' advisory body on juridical matters.

General Secretariat: DIL provides legal assistance to the subsidiaries of the General Secretariat, particularly the Secretary General and his Office.

Specialized Conferences: The DIL provides legal assistance to the Specialized Conferences, in particular the Inter-American Specialized Conference on Private International Law (CIDIP), which it provides with technical secretariat services. To date, there have been seven editions of the CIDIP, which have adopted 26 legal instruments, including conventions, protocols, uniform documents, and model laws on applicable law, procedural law, family law, and commercial law.

2. Institutional Support for Member States

The DIL assists member states in implementing and developing domestic laws on:

Access to public information: Through execution of a specific project, the DIL supports member states in their efforts to take legislative action towards ensuring access to public information and to promote contact and exchange of best practices between and among national authorities responsible for implementing them, based on the Inter-American Model Law adopted by the General Assembly in 2010, which model law the DIL developed in collaboration with other entities of the system. It also helps member states organize national and regional seminars aimed at making recommendations for improving legal, judicial, and administrative practices in the subject area. In addition, in May 2013 the DIL submitted an Inter-American Program on Access to Public Information, which the Organization's policy-making bodies are currently considering. The DIL has permanent observer status with the Transparency and Access to Information Network (RTA) and in that capacity takes an active part in its activities.

Protection of Personal Data: The DIL promotes information channels with other international and regional organizations, on the protection of personal data in order to facilitate information-sharing and cross-border cooperation in the subject area. In 2013 it published a comparative study of legislation on personal data protection. The DIL also supports the CJI in putting together proposals on different ways to regulate personal data protection, including a draft Model Law. It is also a permanent observer with the Ibero-American Personal Data Protection Network and actively participates in world conferences organized by the privacy and personal data protection committees.

Secured Transactions: Through execution of a specific project, the DIL supports member states' capacity to implement reforms to their secured transactions systems, including promotion of access to credit, based on the Inter-American Model Law adopted by the CIDIP-VI and on the creation of public records based on the Inter-American Model Rules adopted by the CIDIP-VII.

Arbitration: The DIL is undertaking a project to strengthen the member states' capacity to implement commercial arbitration decisions by training judges and other public officials on how to effectively apply current international treaties and standards, particularly in terms of executing arbitration decisions and awards. The DIL also serves as the focal point between the OAS General Secretariat and the Permanent Court of Arbitration.

3. Program of Legal Advocacy for Persons in Situations of Vulnerability

Seeking to strengthen democracy in our countries through inclusion and recognition of pluralism and diversity, the DIL is directly engaged in the following arenas:

Access to justice for persons in situations of vulnerability: In 2014 the DIL published a collection of best practices in access to justice and public defense in the region and also assists the CAJP in conducting special sessions on the exchange of best practices and experiences in the field. The Department also serves as the focal point between the OAS General Secretariat and the Inter-American Association of Public Defenders (AIDEF) with which it organizes training in legal standards of access to justice and the inter-American system, for the region's public defenders.

Indigenous peoples: The DIL provides legal advice to the CAJP Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples. The Department's mandate also includes promoting the rights of indigenous peoples, to which end it implements a program of action to train indigenous leaders to make better use of and access to the inter-American system, with a special emphasis on good governance, human rights, political participation by women, and design of logical frameworks, so that participants will be able to replicate the workshops in their communities using manuals prepared by the DIL.

People of African descent: The mandate of the DIL is to execute projects to promote the issue of people of African descent within the Organization and in the OAS member states, as well as to disseminate information on and promote the rights of this group. In that context, the Department seeks to raise the visibility of people of African descent in the Americas; promote and disseminate information on regional standards for protection; and foster their participation in and influence on the political processes of the inter-American system.

Refugees, internally-displaced persons, and stateless persons: As the focal point between the OAS General Secretariat and the Office of the United Nations High Commissioner for Refugees, the Department works closely through the CAJP, especially on organizing annual courses on the rights of refugees and stateless persons and on strengthening the legal and institutional framework for the protection of refugees, asylum seekers, stateless persons, internally-displaced persons, and others in need of international protection. The plight of refugees and stateless persons is especially accentuated in DIL promotion and training activities. The Department also supports the CJI with preparation of a guide on protection of stateless persons in accordance with international standards in this area.

The Department of International Law also provides legal advice to the Working Group to Prepare a Draft Inter-American Convention on Human Rights of Older Persons; supports outreach activities on LGBTI rights; and is mandated to promote the Inter-American Convention against Racism, Racial Discrimination, and Related Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance, which were adopted in 2013.

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

The Inter-American Program for the Development and Promotion of International Law was adopted by the General Assembly in 1997 and updated in 2011, with the DIL entrusted with implementing it. In that context, the Department:

Serves as depository for inter-American conventions and bilateral cooperation agreements. In fulfilling this task, it maintains an up-to-date website on all matters related to these instruments (200 inter-American treaties and more than 6,500 bilateral agreements).

Maintains an up-to-date website about the inter-American legal agenda, with the proceedings on all the issues under its responsibility (in 2013 it received a total of 1,800,000 hits and saw a total of 5,200,000 downloads).

Maintains an up-to-date website with information on diplomatic academies in OAS member states.

Organizes annually for four decades, the Course on International Law in Rio de Janeiro, providing scholarships to young internationalist lawyers from the entire Americas region.

Regularly delivers refresher courses on the inter-American system and the inter-American legal agenda (in 2013 it hosted 25 events and trained about 2,500 individuals).

Prepares and distributes legal publications on a regular basis. The DIL has an online store with 38 legal publications.

Supports the periodic meetings of legal advisers to the Ministries of Foreign Affairs and other senior officials responsible for issues of international law in the member states.

Publishes an annual report on education, training, and outreach activities carried out under its inter-American system.

It promotes its activities on an ongoing basis, reaching out to more than 1,800 individuals through its Newsletter. To subscribe, contact **FMontero@oas.org**.

5. Program on International Humanitarian Law and International Criminal Law

The DIL collaborates closely with the International Committee of the Red Cross (ICRC) and with the International Criminal Court (ICC), to:

Implement agreements signed between those entities and the OAS General Secretariat.

Promote active participation by National Humanitarian Law Commissions in OAS activities, and to support their regional and global meetings.

Organize annual courses and special sessions on international humanitarian law, through the CAJP, to promote awareness of and respect for international humanitarian law; and on ways to strengthen cooperation with the International Criminal Court.

6. Program on Private International Law

The DIL promotes among member states further development of private international law, in collaboration with agencies and organizations engaged in this area, among them UNCITRAL, the Hague Conference on Private International Law, and the American Association of Private International Law (ASADIP).

Besides the issues under its Program of Institutional Support to Member States (arbitration and secured transactions), the DIL currently assists the CJI with the drafting of a Model Law on Electronic Warehouse Receipts for Agricultural Products; promotes adoption of the Model Law on Simplified Stock Corporations, approved by the CJI; and works on issues related to international contracts.



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