

Public International Law

Recent activities

Access to Public Information

In 2008, the Inter-American Juridical Committee approved 10 Principles on Access to Public Information, which subsequently led to the adoption in 2010 of the Inter-American Model Law, thus promoting widespread legislative development in the region.

The DIL develops an extensive consultation process among diverse actors in order to update the Inter-American Model Law on Access to Public Information, currently the OAS' most significant effort in the progressive development of international law. These consultations will result in a draft Model Law 2.0 that will be submitted to the Inter-American Juridical Committee for its consideration.

Likewise, the DIL supports the Special Rapporteurship for Freedom of Expression of the IACHR in the preparation of a practical guide to guarantee freedom of expression and access to various sources of online information in the course of electoral processes.

The DIL annually coordinates the special sessions of the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council of the OAS, in which

the Member States report on their progress and exchange good practices in the implementation of the Inter-American Program on Access to Public Information approved by the General Assembly in 2016, and works with the Member States in order to collectively advance in the development of said Program.

Since 2011 the DIL has, upon their request, supported the countries of the region in the adoption of legislative measures to guarantee access to public information, and in this context, has organized High Level Workshops in Mexico, the Dominican Republic, Panama, Peru, Costa Rica, Guatemala, Argentina and most recently Honduras, from which specific recommendations have resulted, favoring greater transparency and access to public information in the region.

Access to public information guarantees transparency in public service, increases levels of responsibility through accountability, and strengthens trust in institutions.

Access to public information consolidates democracy, empowers the most vulnerable sectors of our population, and promotes open competition, investment and the economic growth of our countries.



Department
of International
Law
Secretariat for Legal Affairs

The Department of International Law (DIL) of the OAS Secretariat for Legal Affairs supports the Member States in the adoption of commitments and the creation of inter-American legal norms with the objective of strengthening the rule of law and legal certainty. Furthermore, it promotes and disseminates public and private inter-American international law among the various actors of the Inter-American System, as a means to harmonize and strengthen the domestic laws of the countries in the region, contributing to the fulfillment of their international commitments.

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Public Defense

Access to justice is a fundamental human right that allows us to restore the exercise of those rights that have been violated.

The DIL promotes the Principles and Guidelines on Public Defense in the Americas, approved by the Inter-American Juridical Committee (CJI) in 2016, and together with the Inter-American Association of Public Defenders (AIDEF), works on their dissemination and, since 2010 supports training for public defenders in the region on the legal standards of access to justice in the Inter-American System. Likewise, it coordinates the organization of the annual sessions held by the CAJP to address various issues related to the role of public defenders, such as the monitoring mechanisms developed in the detention centers, or the role they fulfill in guaranteeing vulnerable groups' access to justice.

The work of the Official Public Defenders is essential for the strengthening of access to justice and the consolidation of democracy.

Technical Secretariat of the Inter-American Juridical Committee

In its capacity as Technical Secretariat of the CJI, the DIL's task is the widest dissemination among the Member States of the reports and documents adopted by that body, highlighting among others: the Practical Application Guide on the of the Jurisdictional Immunity of International Organizations (2018); the recommendations to strengthen the inter-American legal system regarding cultural heritage assets (2017); the Guide on Protection of Stateless Persons

(2015); the Guidelines for Migratory Management in Bilateral Relations (2014); the Guidelines on Corporate Social Responsibility in the Field of Human Rights and the Environment in the Americas (2014); and the General Guidelines for Border Integration (2013), among others.

Likewise, it supports the various rapporteurships of the Committee in subjects such as the law applicable to international contracts; the application of the principle of conventionality; binding and non-binding agreements; the effectiveness of foreign judicial decisions; cybersecurity; and the dissolution and liquidation of the simplified stock corporation; among others.

Personal data protection

The General Assembly of the OAS has recognized the need to promote and protect the cross-border flow of information in the Americas, while recognizing the growing importance of privacy and the protection of personal data.

Within the framework of the most recent regional and global developments regarding the protection of personal data, the DIL has been supporting the CJI in its mandate to update the Principles on the Protection of Personal Data adopted in 2012, taking into account the evolution thereof, particularly the Personal Data Protection Standards approved by the Ibero-American Data Protection Network in June 2017 (of which the DIL is an observer member), and other international instruments.

In 2012, the Inter-American Juridical Committee approved the Legislative Guide on Privacy and the Protection of Personal Data in the Americas, but has in fact studied the topic since 2000, when it presented its document *Right to Information: Access and Protection of Information and Personal Data in electronic format*.

Inter-American Program for the Development of International Law

The OAS Charter states that international law is the standard of conduct of States in their reciprocal relations and that international order is essentially constituted by the faithful fulfillment of the obligations derived from treaties and other sources of international law.

The Inter-American Program for the Development of International Law, approved by the General Assembly in 1997 and updated in 2001, contemplates a series of actions in the area of the dissemination of inter-American treaties, the progressive development of international law at the level of the OAS organs and its implementation in the countries of the region, and the teaching and dissemination of international law. As responsible for its implementation, the DIL:

1. serves as depositary of inter-American treaties and bilateral agreements;
2. organizes courses and workshops on the Inter-American System, such as the Course on International Law that has been held annually in Rio de Janeiro for almost 50 years;
3. publishes articles and studies on topics of international law, newsletters and its annual report of activities in various formats, highlighting the progressive development of inter-American law;
4. disseminates private international law in collaboration with other organizations and associations; trains judges and other public officials in the application of treaties pertaining to the execution of arbitral awards; and promotes model laws on Simplified Stock Corporations (2012) and Secured Transactions (2002) and its Registration Model Regulations (2009); as well as the Principles on Electronic Warehouse Receipts for Agricultural Products (2016).