ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY

THIRTY-NINTH REGULAR SESSION
San Pedro Sula, Honduras
June 2 – 4, 2009

PROCEEDINGS
VOLUME I

AG/DEC. 60 - AG/DEC. 62 (XXXIX-O/09)
AG/RES. 2438 - AG/RES. 2530 (XXXIX-O/09)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS
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CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS
I hereby certify that this volume contains the official texts of the declarations and resolutions adopted by the General Assembly of the Organization of American States at its thirty-ninth regular session, held in San Pedro Sula, Honduras, from June 2 to 4, 2009.

José Miguel Insulza
Secretary General
Organization of American States
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DECLARATION OF SAN PEDRO SULA: TOWARD A CULTURE OF NON-VIOLENCE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), meeting in San Pedro Sula, Honduras, on the occasion of the thirty-ninth regular session of the General Assembly,

RECOGNIZING AND TAKING INTO ACCOUNT the concern expressed by their societies regarding violence in the Hemisphere, as well as the consequences that violence has for the social, economic, political, and cultural development of their peoples, affecting all population groups, especially those at risk, and seriously deteriorating their quality of life;

CONSIDERING that a culture of peace and non-violence must be viewed as a set of values, attitudes, and modes of behavior based on respect for life, human beings, and their dignity; that it gives priority to human rights, ending of violence, and adherence to the principles of freedom, justice, democracy, solidarity, tolerance, and respect for the diversity that characterizes the peoples of the Hemisphere; and that it must be promoted through education, dialogue, and cooperation;

TAKING INTO ACCOUNT that governments have a fundamental role to play in the promotion and strengthening of a culture of peace and non-violence;

RECALLING that all persons are born free and equal in dignity and in rights and, being endowed with reason and conscience, they should conduct themselves fraternally toward one another;

TAKING INTO ACCOUNT that full respect for and promotion of human rights and fundamental freedoms constitute the basis for the establishment and strengthening of a culture of peace and non-violence;

CONCERNED about the serious consequences of violence for the enjoyment and exercise of human rights and fundamental freedoms;

RECOGNIZING that violence and crime are serious obstacles to social harmony and to democratic and socioeconomic development in the Hemisphere, and that there is an urgent need for a comprehensive approach to their prevention;

BEARING IN MIND that the elimination of violence against women is an essential condition for their individual and social development and for their full and equal participation in society;

RECALLING the importance of preventing, impeding, and punishing the violence, segregation, exploitation, and discrimination directed at groups in vulnerable situations, among others, children, adolescents, the elderly, and persons with disabilities;
CONSIDERING the importance of fostering and strengthening social responsibility in the promotion of a culture of peace and non-violence, with the voluntary participation of the citizenry, the community, the mass media, and the private sector;

TAKING INTO ACCOUNT that the right to freedom of thought and expression is essential to the promotion and strengthening of a culture of peace and non-violence, because it is fundamental to democracy and the promotion of pluralism and tolerance, as well as to combating racism, discrimination, and xenophobia and preventing human rights violations;

CONCERNED about the impact of the economic and financial crisis, especially its social consequences and its effects on the achievement of the Millennium Development Goals;

REAFFIRMING full respect for the principles of sovereignty, territorial integrity, and political independence of states and nonintervention in matters which are essentially within the domestic jurisdiction of any state, in accordance with the Charter of the United Nations, the Charter of the Organization of American States, and international law;

BEARING IN MIND the relevance of, inter alia, the United Nations Declaration on the Elimination of Violence against Women, of 1993; the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará”; related declarations made by the Assembly of the Inter-American Commission of Women (CIM); and the global campaign “UNite to End Violence against Women,” launched by the United Nations Secretary-General in 2008;

RECALLING:

That both the Charter of the United Nations and the Charter of the Organization of American States advocate rejection of violence and promote a culture of peace;

The importance of the United Nations and inter-American legal instruments in this regard;

The Declaration of Bridgetown: “The Multidimensional Approach to Hemispheric Security,” adopted by the OAS General Assembly at its session in Bridgetown, Barbados, in 2002, as well as the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, Mexico, in 2003, which underscored the multidimensional scope of security and that the purpose of security is the protection of human beings;

United Nations General Assembly resolution 53/25, which proclaimed the period 2001-2010 the “International Decade for a Culture of Peace and Non-Violence for the Children of the World,” and related United Nations General Assembly resolutions, as well as the Declaration and Programme of Action of the United Nations on a Culture of Peace of 1999;

United Nations General Assembly resolution 61/271, “International Day of Non-Violence”;

United Nations General Assembly resolution 63/23, “Promoting development through the reduction and prevention of armed violence”;
OAS General Assembly resolutions AG/RES. 2164 (XXXVI-O/06), “Inter-American Program on Education for Democratic Values and Practices,” which underscored the importance of education for peace, and AG/RES. 2431 (XXXVIII-O/08), “Preventing Crime and Violence in the Americas,” as well as other General Assembly resolutions on this topic;


The outcomes of the First Meeting of Ministers Responsible for Public Security in the Americas, held in Mexico City, Mexico, in 2008; the Meeting of Ministers of Health of the Americas on Violence and Injury Prevention, held in Mérida, Mexico, in 2008; and the Second Meeting of National Authorities on Trafficking in Persons, held in Buenos Aires, Argentina, in 2009; and

That the recommendations of the World Report on Violence and Health (2002) of the World Health Organization (WHO) state that the multifaceted nature of violence requires the adoption of multiseectoral strategies with the commitment of governments and interested parties at all levels of decision making: local, national and international;

WELCOMING WITH SATISFACTION the important work carried out by the different organs, agencies, and entities of the inter-American system dedicated to the prevention of violence;

TAKING NOTE:

That, according to the WHO World Report on Violence and Health, violence is the result of the complex interplay of individual, relationship, social, cultural, and environmental factors;

Of the concerns expressed by the countries of the Central American Integration System (SICA) in the report of the First International Conference on the Structural Causes of Violence; and

Of the work done in the framework of the Inter-American Peace Forum, including the seminar “Democratization of Knowledge for the Creation of a Culture of Peace – Ceibal Plan,” held in Montevideo, Uruguay, in 2009; and

RECOGNIZING:

That violence can be manifested by or against individuals, as well as in families and other spheres of the community;

That inequality and social exclusion, as well as the lack of opportunities in society, contribute to the exacerbation of violence and that, consequently, it is essential to have economic and social development that offers equality of opportunity, justice, and social inclusion;
The fundamental role of family for the promotion and strengthening of a culture of peace and non-violence;

That children and adolescents can be exposed to violent behavior at home, at school, and in public due to a variety of factors, including cultural, economic, social, ethnic, and political factors;

That intolerance and violence directed at migrants and their families hinder a culture of peace and non-violence;

That violence in their societies, including armed violence, hinders the achievement of the Millennium Development Goals, and thus can affect economic and social development, which is essential for a culture of peace and non-violence;

The need to eliminate trafficking in, and the illicit manufacturing, use, and diversion of, small arms and light weapons, given that they aggravate violence in societies and hinder the consolidation of a culture of peace and non-violence;

That the progressive reduction of violence, respect for human rights, good governance, sound public administration, combating corruption and impunity, and the strengthening and upholding of democratic values and the rule of law are indispensable to creating and sustaining a culture of peace and non-violence;

The contribution of culture to the promotion of social cohesion and inclusion, as well as the positive impact of cultural activities, the contribution of creative industries, and cultural entrepreneurship, as means of combating, reducing, and preventing violence;

That free, pluralistic, independent, and responsible mass media can contribute actively to promoting the values of peace and non-violence, tolerance, and unconditional respect for human rights; and

That a culture of peace and non-violence includes efforts to meet the developmental and environmental needs of present and future generations.

DECLARE:

1. Their commitment to promote, within a framework of the rule of law, a culture of peace and non-violence, which is understood as a set of values, attitudes, and modes of behavior based on respect for life, human beings, and their dignity, and which gives priority to human rights, ending of violence, and adherence to the principles of freedom, justice, democracy, solidarity, tolerance, and respect for diversity.

2. The necessity to involve all sectors of society in fostering a culture of peace and non-violence.

3. The importance of broadly publicizing human rights by means of public policies that consolidate the efforts of the member states to promote a culture of peace and non-violence.
4. The importance of adopting measures necessary to prevent, impede, and punish the violence, segregation, exploitation, and discrimination directed at groups in vulnerable situations, among others, children, adolescents, the elderly, and persons with disabilities, as well as of seeking to ensure that domestic legislation addresses these acts of violence against them and that every effort is made to guarantee that they receive legal assistance when necessary to obtain redress.

5. Their commitment to promote actions aimed at safeguarding respect for the rights of indigenous peoples, persons of African descent, migrants and their families, and individuals in vulnerable situations, particularly those affected by violence generated by any kind of discrimination, including discrimination based on race, ethnicity, sexual orientation, and xenophobia.

6. The importance of promoting policies to foster greater awareness and sensitivity among citizens aimed at combating discrimination against persons with disabilities and avoiding their rights being undermined by acts of violence.

7. The need to promote the strengthening of state institutions in order to provide protection and security for individuals and combat impunity, with full respect for human rights, and to facilitate access to and the administration of justice.

8. Their determination to design public policies and encourage legislative measures, as appropriate, in order to combat violence and discrimination.

9. Their commitment to develop public policies and strengthen multilateral cooperation for the purpose of promoting effective empowerment of women in political, social, and economic spheres, as well as educational initiatives to eliminate cultural patterns which tolerate violence and discrimination against women and girls.

10. Their commitment to make progress in promoting and implementing domestic legislation to prevent, eliminate, and punish all forms of violence against women.

11. The need to promote opportunities for collaboration and dialogue between public officials and communities, according to the characteristics of each population, in order to develop violence prevention and conflict resolution programs.

12. Their determination to design public policies and educational programs with a view of achieving a cultural transformation aimed at eradicating domestic violence.

13. The importance of developing and implementing educational programs starting from the early years of education, in both the formal and informal systems, that promote a culture of peace and non-violence.

14. The need to provide comprehensive assistance, in accordance with domestic laws, to victims of violence to enable their recovery.

15. Their commitment to continue sponsoring policies, programs, and measures that foster the role of family in the promotion of a culture of peace and non-violence.
16. Their concern about the publication, circulation, or dissemination, including on the Internet, of materials that deliberately advocate, promote, or incite hatred or violence.

17. The importance of supporting efforts by local governments in reclaiming and safeguarding public spaces in order to provide safe surroundings.

18. Their determination to formulate and promote policies that incorporate sports, the arts, and other cultural activities, including the exchange of experiences, that foster respect for cultural diversity and heritage, and that include stimulus of creative industries and cultural entrepreneurship, which strengthen a culture of peace and non-violence.

19. Their commitment to strengthen hemispheric cooperation to fight crime and violence, through the adoption of strategies that emphasize the role of prevention at its various levels and the administration of justice.

20. The importance of multilateral cooperation based on full respect for the sovereignty of states while factoring in the principle of shared responsibility to deal with the global drug problem and related crimes in a comprehensive manner.

21. The need to develop and strengthen programs for the prevention of drug use and abuse in view of the violence they generate in schools, universities, communities, and the workplace.

22. The need to develop and strengthen programs for the prevention and treatment of alcohol abuse, in order to prevent associated violence.

23. Their decision to address the criminal gang problem, its related aspects, and its effects on the social environment, taking a comprehensive approach that includes, inter alia, prevention and the rehabilitation and reintegration of individuals affected by this phenomenon, strengthening cooperation to combat the criminal gang problem in order to eliminate violence and intimidation generated within and among their societies.

24. The need to pursue efforts to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (Programme of Action).

25. The importance of increasing cooperation, in accordance with their domestic and international commitments, to prevent, combat, and eradicate illicit manufacturing of and trafficking in firearms, ammunition, explosives, and related materials, in order to continue addressing crime and violence in society, as part of the consolidation of a culture of peace and non-violence.

26. The need to continue promoting the organization of prison systems based on respect for human dignity and human rights, including policies and practices geared toward rehabilitation and reintegration into society.

27. Their determination to address all types of violence against children and adolescents, especially child pornography in all its manifestations, including on the Internet, and to raise
awareness of the scope and effects of the commercial sexual exploitation of children and adolescents worldwide.

28. Their commitment to adopt policies and programs to ensure the social, economic, and cultural inclusion of youth, in order to create the necessary conditions for youth to live in a peaceful and non-violent society.

29. Their commitment to promote respect and tolerance for the cultural diversity, identities, and religions of their peoples, with a view to fostering a culture of peace and non-violence.

30. Their commitment to promote respect for and protection of the environment in the context of a culture of peace and non-violence, by including, inter alia, capacity building and the training of human resources in the formulation of development strategies and projects to ensure environmental sustainability.

31. Their intention to undertake coordinated cooperation initiatives to mitigate the impact of the economic and financial crisis and its effects on social programs, with the support, when appropriate, of international, regional, and subregional organizations.

32. To request the General Secretariat to carry out the necessary actions, with the support of member states, to achieve the implementation of this Declaration.
AG/DEC. 61 (XXXIX-O/09)

DECLARATION ON THE QUESTION OF
THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING its repeated statements that the Question of the Malvinas Islands is a matter of enduring hemispheric concern;

RECALLING its resolution AG/RES. 928 (XVIII-0/88), adopted by consensus on November 19, 1988, in which it requested the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find, as soon as possible, a peaceful solution to the sovereignty dispute;

BEARING IN MIND that in its resolution AG/RES. 1049 (XX-O/90), it expressed satisfaction over the resumption of diplomatic relations between the two countries;

RECOGNIZING that the accreditation of the United Kingdom of Great Britain and Northern Ireland, under CP/RES. 655 (1041/95), as a permanent observer of the OAS reflects principles and values shared by that country and OAS member states, which facilitate greater mutual understanding;

NOTING with satisfaction that the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland maintain important political, cultural and trade ties, share common values and are also engaged in close cooperation both bilaterally and in international fora;

BEARING IN MIND that, despite those ties and shared values, it has not yet been possible to resume the negotiations between the two countries with a view to solving the sovereignty dispute over the Malvinas Islands, South Georgias and South Sandwich Islands and the surrounding maritime areas in the framework of resolutions 2065 (XX), 3160 (XXVIII), 31/49, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25 of the United Nations General Assembly, the decisions adopted by the same body on the same question in the Special Committee on Decolonization, and the reiterated resolutions and declarations adopted at this General Assembly; and

HAVING HEARD the presentation by the head of delegation of the Argentine Republic,

WELCOMES the reaffirmation of the will of the Argentine Government to continue exploring all possible avenues towards a peaceful settlement of the dispute and its constructive approach towards the inhabitants of the Malvinas Islands.
REAFFIRMS the need for the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume, as soon as possible, negotiations on the sovereignty dispute, in order to find a peaceful solution to this protracted controversy.

DECIDES to continue to examine the Question of the Malvinas Islands at its subsequent sessions until a definitive settlement has been reached thereon.
AG/DEC. 62 (XXXIX-O/09)

RECOGNITION AND GRATITUDE TO THE KINGDOM OF SPAIN FOR THE CONTRIBUTION IT HAS MADE IN THE AREA OF COOPERATION AS A PERMANENT OBSERVER TO THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND that resolution AG/RES. 50 (I-O/71) established the status of “permanent observer” and entrusted the task of regulating it to the Permanent Council, which determined that this status would be granted to independent states, taking into account “the contributions that the requesting state may offer to independent states, taking into account “the contributions that the requesting state may offer to the programs of the Organization”;

UNDERSCORING the provisions of resolutions AG/RES. 1491 (XXVII-O/97), CP/RES. 52 (61/72), and CP/RES. 407 (573/84), which established the criteria that recognized the various ways in which permanent observers could participate in the activities and programs of the Organization of American States (OAS);

BEARING IN MIND the agreement signed between Spain and the General Secretariat on May 23, 1967, to govern their relations, and that, since December 6, 1972, Spain has enjoyed the status of permanent observer and has maintained a Permanent Mission to the OAS without interruption;

CONSIDERING the close bonds that unite the Spanish people and the peoples of the American nations and that, within the framework of relations between Spain and the OAS, fruitful collaborative ties have been established and have enabled broad cooperation and technical assistance programs through Spain’s contribution of considerable financial resources;

CONSIDERING the desirability of recognizing those permanent observers that have been making substantial contributions to the activities of the Organization on an ongoing basis;

UNDERSCORING the interest expressed by the Government of Spain in making the Americas a preeminent partner based on a set of linkages that promote increased interconnectedness and interdependence between Spain and the member countries of the Organization; and

CONSIDERING that, among the states that enjoy the status of permanent observer, special recognition should be given to those that have a history of close and current cooperation with the Organization in its activities and programs and have demonstrated particular interest in consolidating their relations with the inter-American community,
DECLARÉS:

1. To give special recognition to Spain for its support and contributions to the Organization and for its crucial and significant participation in all the activities and programs pursued through the Organization and in all its member countries.

2. To thank Spain for all the cooperation it has extended to the Organization.

3. To request the General Secretariat to take the additional administrative steps needed to further facilitate the contribution of Spain, in its capacity as permanent observer, to the Organization’s cooperation activities and programs.
AG/RES. 2438 (XXXIX-O/09)

RESOLUTION ON CUBA

(Adopted at the third plenary session, held on June 3, 2009)

THE GENERAL ASSEMBLY,

RECOGNIZING the shared interest in the full participation of all the member states;

GUIDED by the purposes and principles of the Organization of American States (OAS) embodied in the Charter of the Organization and in its other fundamental instruments related to security, democracy, self-determination, nonintervention, human rights, and development;

CONSIDERING the open-mindedness that characterized the dialogue of the Heads of State and Government at the Fifth Summit of the Americas, in Port of Spain, Trinidad and Tobago, and that in that same spirit the member states wish to establish a revitalized and ample framework of cooperation in hemispheric relations; and

BEARING IN MIND that, pursuant to Article 54 of the OAS Charter, the General Assembly is the supreme organ of the Organization,

RESOLVES:

1. That Resolution VI, adopted on January 31, 1962, at the Eighth Meeting of Consultation of Ministers of Foreign Affairs, which excluded the Government of Cuba from its participation in the inter-American system, hereby ceases to have effect in the Organization of American States (OAS).

2. That the participation of the Republic of Cuba in the OAS will be the result of a process of dialogue initiated at the request of the Government of Cuba, and in accordance with the practices, purposes, and principles of the OAS.
AG/RES. 2439 (XXXIX-O/09)

OPTIMIZING RESOURCES: USE OF VIDEOCONFERENCE AND OTHER COMMUNICATION TECHNOLOGIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND that resolutions AG/RES. 2437 (XXXVIII-O/08) and AG/RES. 1 (XXXVI-E/08) instructed the General Secretariat of the Organization of American States to intensify its ongoing initiative aimed at controlling operating expenditures and promoting an austerity policy for the effective, efficient, and prudent use of the Organization’s resources; and that this initiative should identify cost-reduction opportunities and determine specific cost-control measures in the use of meeting, conference, and office resources; and

CONSIDERING:

That it is the responsibility of all member states and the General Secretariat to seek alternative means of communication for the most efficient use of the financial resources of the Organization, thereby generating savings and facilitating access to information;

That modern communications technology, which facilitates the globalization process, permits “virtual” participation in meetings, conferences, and other events, which in turn reduces the need for costly travel, both for the Secretariat and for participants, and promotes the optimum use of the Organization’s resources;

That, as new technologies evolve, video and teleconferencing capability is increasingly available both within the Organization and among member states;

That the most recent meeting of the members of the Administrative Tribunal with the member states was held successfully via videoconferencing, thereby demonstrating the effectiveness of the system and the commitment of that entity to austerity measures in the Organization; and

That the financial crisis affecting all countries, including the member states of this Organization, requires all governments and institutions to implement further austerity measures and prudence in the use of their resources,

RESOLVES:

1. To urge the member states and the organs, agencies, and entities of the Organization of American States (OAS) as well as organizers of OAS-related events to use, whenever feasible and convenient, current communications technology, not only as one of the austerity measures being implemented among member states and within the General Secretariat, but also as part of the process of modernizing the Organization’s technological assets.
2. To request the General Secretariat to encourage the use of this communication system, especially for technical meetings financed by the OAS.

3. To request the General Secretariat to include in its quarterly reports the outcomes and the savings, if any, made through implementation of this resolution.
AG/RES. 2440 (XXXIX-O/09)

TELECOMMUNICATIONS DEVELOPMENT
IN THE REGION TO REDUCE THE DIGITAL DIVIDE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Inter-American Telecommunication Commission (CITEL) to the General Assembly (CP/doc.4382/09);

CONSIDERING that CITEL should remain an intergovernmental steering organization where member states and associate members work together to promote the growth and sustainable development of telecommunication and information networks and to facilitate universal access so that everyone everywhere can participate in the Global Information Economy and the Global Information Society and take advantage of their benefits;

RECALLING:

The commitments undertaken by the Heads of State and Government at the Summits of the Americas with regard to strengthening strategies to support the development and continuous updating of a regional telecommunications infrastructure plan and the effort to bridge the digital divide through ongoing implementation of the Agenda for Connectivity in the Americas and the Plan of Action of Quito; and

That the Declaration of Santo Domingo: “Good Governance and Development in the Knowledge-Based Society” requests that “the organs, agencies, and entities of the Organization of American States (OAS) continue to support the incorporation of ICTs into national development plans”;

TAKING INTO ACCOUNT that CITEL will hold the Fifth Regular Meeting of its Assembly in the first quarter of 2010 in Mexico; and

RECOGNIZING that CITEL carried out the following activities during 2008:

a. Adoption of various recommendations on standards coordination to ensure the interoperability and timely introduction of advanced technologies; harmonization of the radio frequency spectrum and the operation of radiocommunication services, including broadcasting; the development and implementation of cutting-edge technologies and economic aspects to promote the development of telecommunication services and networks;
b. Diverse professional telecommunication refresher courses with materials prepared by accredited training centers of the region, in coordination with the Center of Excellence for the Americas Region of the International Telecommunication Union (ITU);

c. Coordination and harmonization of regional perspectives prior to world telecommunication forums through the development of common positions and inter-American proposals; and

d. Organization of various seminars and workshops on matters of priority to the countries,

RESOLVES:

1. To reiterate and strengthen the priority mandate of the Inter-American Telecommunication Commission (CITEL) to address the ongoing evolution of information and communication technologies (ICTs) and to reduce the divide separating developed and developing countries in the area of telecommunications.

2. To instruct the Committee on Administrative and Budgetary Affairs of the Permanent Council to allocate the resources necessary to hold the Fifth Regular Meeting of the Assembly of CITEL in 2010.

3. To request the Secretary General to use his good offices with the member state governments to ensure participation by the highest-level governmental telecommunication authorities in the Fifth Regular Meeting of the Assembly of CITEL.

4. To instruct the General Secretariat to support, through CITEL, member state efforts to:

   a. Support programs for the installation of telecenters, together with the provision of applications useful for activities carried out in the area and for guiding and educating citizens in the use of these applications;

   b. Implement to the extent possible the guidelines and requirements established by CITEL on the use and sharing of the radio frequency spectrum, with the aim of achieving harmonization of spectrum use;

   c. Update national policies and legislation and promote the exchange of experiences, bearing in mind that the network and service convergence process is creating a new landscape, for which appropriate legislative conditions must be developed;

   d. Step up efforts to establish preparedness plans to effectively address emergencies caused by the natural disasters to which all countries of the region are vulnerable;
e. Promote the dissemination and application of the recommendations of CITEL among the different players so that they may contribute to the implementation thereof;

f. Step up preparations for and follow-up to high-level international telecommunication meetings, especially the preparation of inter-American proposals (IAPs) for them;

g. Promote the use of information and communication technologies and especially the availability of broadband infrastructure; and

h. Intensify cooperation between developed and developing countries, and among developing countries, with a view to facilitating access to telecommunications infrastructure, especially in rural areas.
AG/RES. 2441 (XXXIX-O/09)

STRENGTHENING OF THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND resolution AG/RES. 2374 (XXXVIII-O/08), “Support for the Inter-American Commission of Women,” which urged the Secretary General to take measures to support the work of the Inter-American Commission of Women (CIM) and to promote gender equity and equality within the Organization of American States (OAS) and in the Hemisphere;

REITERATING the point made in that resolution, namely that in the past five years the CIM has received additional priority mandates from the OAS member states without the corresponding budgetary appropriations;

CONSIDERING:

That resolution AG/RES. 1732 (XXX-O/00), which adopted the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), requested the General Secretariat to strengthen the Permanent Secretariat of the CIM by providing it with the necessary human and financial resources, and to help it obtain funds from private sources;

That resolutions AG/RES. 1451 (XXVII-O/97), AG/RES. 1592 (XXVIII-O/98), AG/RES. 1625 (XXIX-O/99), AG/RES. 1777 (XXXI-O/01), AG/RES. 1941 (XXXIII-O/03), AG/RES. 2021 (XXXIV-O/04), AG/RES. 2124 (XXXV-O/05), AG/RES. 2161 (XXXVI-O/06), and AG/RES. 2323 (XXXVII-O/07) have repeatedly instructed the General Secretariat and the Permanent Council to make every possible effort to allocate technical, human, and financial resources to the CIM so it would be better equipped to perform its essential activities; and

That the resources allocated to the CIM are still insufficient for it to comply effectively with all its mandates; and

RECALLING:

That the Permanent Secretariat of the CIM was designated as the Technical Secretariat to the Conference of States Parties to the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará,” and to the Committee of Experts of the Mechanism to follow up on implementation of said Convention (MESECVI) [AG/RES. 2138 (XXXV-O/05)]; and

That the Permanent Secretariat of the CIM was instructed, in resolution AG/RES. 2322 (XXXVII-O/07), to support the activities of the working group to be formed by the Permanent Council to prepare a program of activities for the Inter-American Year of Women in 2010,
RESOLVES:

1. To reiterate its instruction to the Secretary General to provide the Inter-American Commission of Women (CIM), in its role as a specialized organization of the Organization of American States (OAS), with adequate human and financial resources to strengthen its ability to carry out its growing mandates, in particular those recognized as priorities by the member states.

2. To urge the Secretary General to include CIM projects and programs among the priorities presented to external donors for funding; and to invite member states and permanent observers, as well as individuals and national or international organizations, whether public or private, that wish to do so, to make voluntary contributions to support the development and implementation of CIM projects and programs.

3. To renew the mandate to the Permanent Council, through the Committee on Administrative and Budgetary Affairs, to invite the CIM Permanent Secretariat to present periodic reports on the financial resources needed to fulfill the Commission’s mandates, including those related to celebration of the Inter-American Year of Women.

4. To request the Secretary General to report, through the Permanent Council, to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2442 (XXXIX-O/09)

CONSOLIDATION OF THE REGIME ESTABLISHED IN THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (TREATY OF TLALELOLCO)

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the Committee on Hemispheric Security (AG/doc.4992/09 add. 1);

RECALLING its previous resolutions on this topic, especially resolutions AG/RES. 1499 (XXVII-O/97), AG/RES. 1571 (XXVIII-O/98), AG/RES. 1622 (XXIX-O/99), AG/RES. 1748 (XXX-O/00), AG/RES. 1798 (XXXI-O/01), AG/RES. 1903 (XXXII-O/02), AG/RES. 1937 (XXXIII-O/03), AG/RES. 2009 (XXXIV-O/04), AG/RES. 2104 (XXXV-O/05), AG/RES. 2245 (XXXVI-O/06), AG/RES. 2298 (XXXVII-O/07), and AG/RES. 2377 (XXXVIII-O/08);

BEARING IN MIND that the Declaration on Security in the Americas affirmed that the establishment of the first nuclear-weapon-free zone in a densely populated area through the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the protocols thereto constitutes a substantial contribution to international peace, security, and stability;

REAFFIRMING that the consolidation of the nuclear-weapon-free zone set forth in the Treaty of Tlatelolco constitutes a firm demonstration of the steadfast commitment of Latin America and the Caribbean to the cause of complete and verifiable nuclear disarmament and the nonproliferation of nuclear weapons, in keeping with the principles and purposes of the Charter of the United Nations;

CONSIDERING that, under Article 1 of the Treaty of Tlatelolco, the Contracting Parties undertook “to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories: (a) the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and (b) the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way,” and that the Contracting Parties also undertook “to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon”;

CONSIDERING ALSO that Article 17 of the said Treaty states that nothing in its provisions “shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress”;
RECALLING that the preamble to the Treaty of Tlatelolco states that militarily
denuclearized zones are not an end in themselves, but rather a means for achieving general and
complete disarmament at a later stage;

REAFFIRMING the importance of strengthening the Agency for the Prohibition of Nuclear
Weapons in Latin America and the Caribbean (OPANAL) as the appropriate legal and political forum
for ensuring the full force and effect of the Treaty of Tlatelolco, as well as cooperation with the
agencies of other nuclear-weapon-free zones, in order to achieve their common objectives;

TAKING NOTE of the Meeting of Focal Points of Nuclear-Weapon-Free Zones and
Mongolia, held in Ulan Bator, Mongolia, on April 27 and 28, 2009;

BEARING IN MIND the upcoming 2010 Review Conference of the Parties to the Treaty on
the Non-Proliferation of Nuclear Weapons (NPT);

CONVINCED that internationally recognized nuclear-weapon-free zones are making an
important contribution to the international disarmament and nonproliferation regime as well as to the
maintenance of international peace and security;

RECOGNIZING that the Treaty of Tlatelolco has become the model for the establishment of
other nuclear-weapon-free zones in various regions of the world, such as the South Pacific (Treaty of
Rarotonga), Southeast Asia (Treaty of Bangkok), Africa (Treaty of Pelindaba), and Central Asia
(Treaty of Semipalatinsk), which, when they enter into force, will cover more than half the countries
of the world and all territories in the Southern Hemisphere; and

UNDERSCORING its firm support for all actions undertaken by the states parties, associated
states, and OPANAL to strengthen the denuclearization regime envisaged in the Treaty of Tlatelolco,

RESOLVES:

1. To call upon those states of the region that have not yet done so to sign or ratify the
amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the
Caribbean (Treaty of Tlatelolco), adopted by the General Conference of the Agency for the
Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in resolutions 267
(E-V), 268 (XII), and 290 (E-VII).

2. To reaffirm its commitment to continue striving for a disarmament and
nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect.

3. To express appreciation for the report OPANAL presented to the Committee on
Hemispheric Security (CSH) on February 26, 2009, and to call upon it to continue, in its area of
competence, to maintain ongoing contact with the Committee and report to it periodically on the
fulfillment of the commitments undertaken by the states of the region in the Declaration on Security
in the Americas, in particular, paragraph 11 thereof, as they pertain to nonproliferation of nuclear
weapons.
4. To recognize the work of OPANAL in ensuring compliance with the obligations undertaken in the Treaty of Tlatelolco.

5. To support OPANAL’s cooperation and coordination mechanisms with the Treaties of Rarotonga, Bangkok, Pelindaba, and Semipalatinsk, with Mongolia, and with any that may be established in the future, as well as with their respective agencies, in order to expedite the achievement of common objectives, as agreed to at the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Mexico City in April 2005.

6. To entrust the Permanent Council with holding, in the framework of the CSH, a meeting in the first half of 2011 on consolidation of the regime established in the Treaty of Tlatelolco, with the support of OPANAL and the participation of the United Nations and other appropriate international institutions competent in the area.

7. To urge the states to participate constructively in the work of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

8. To request the Permanent Council to report to the General Assembly at its fortieth and forty-first regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

9. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations and to the Secretary General of OPANAL.
AG/RES. 2443 (XXXIX-O/09)

FOLLOW-UP TO THE SPECIAL CONFERENCE ON SECURITY

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4992/09 add. 1);

RECALLING the decisions of the Second Summit of the Americas (Santiago, Chile, 1998), the Third Summit of the Americas (Quebec City, Canada, 2001), the Special Conference on Security (Mexico City, Mexico, 2003), the Special Summit of the Americas (Monterrey, Mexico, 2004), and the Fourth Summit of the Americas (Mar del Plata, Argentina, 2005), as well as the mandates issued in General Assembly resolutions related to the Special Conference on Security, especially resolutions AG/RES. 2274 (XXXVII-O/07) and AG/RES. 2357 (XXXVIII-O/08), “Follow-up to the Special Conference on Security”; and the Hemispheric Plan of Action against Transnational Organized Crime, adopted by the Permanent Council [CP/RES. 908 (1567/06)];

RECALLING ALSO that the Declaration on Security in the Americas establishes that “[o]ur new concept of security in the Hemisphere is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty”;

REAFFIRMING the commitment to revitalize and strengthen the organs, institutions, and mechanisms of the inter-American system related to the various aspects of hemispheric security, to achieve greater coordination and cooperation among them, within their areas of competence, in order to improve the ability of the states of the Americas to address traditional threats as well as new threats, concerns, and other challenges to hemispheric security;

RECALLING that, in 2006, the General Assembly established the Inter-American Defense Board (IADB) as an entity of the Organization, in fulfillment of paragraph 49 of the Declaration on Security in the Americas, and adopted the Statutes of the IADB, which, inter alia, define its legal and institutional relationship with the Organization of American States (OAS); and

WELCOMING WITH SATISFACTION the results of the Commemoration of the Fifth Anniversary of the Declaration on Security in the Americas, held in Washington, D.C., on February 19, 2009,
RESOLVES:

1. To urge all member states to continue implementing the Declaration on Security in the Americas, with a view to consolidating peace, stability, and security in the Hemisphere.

2. To endorse the Final Act of the Commemoration of the Fifth Anniversary of the Declaration on Security in the Americas (CP/doc.4371/09 rev. 1), adopted by the Permanent Council at its special meeting of February 19, 2009, in which the heads of delegation recognized the multidimensional scope of security, renewed their political commitment to the Declaration on Security in the Americas, and agreed to move forward on the basis of lessons learned, in order to strengthen their cooperation to address traditional threats as well as new threats, concerns, and other challenges to the security of the states of the Hemisphere.

3. To request the Permanent Council to convene, through the Committee on Hemispheric Security (CSH) and pursuant to the mandate in resolution AG/RES. 2357 (XXXVIII-O/08), a meeting in the last quarter of 2009 to consider the draft agenda (CP/CSH-1052/08 rev. 1) adopted at the CSH meeting of December 16, 2008.

4. To request the Secretariat for Multidimensional Security to propose to the CSH a methodology with guidelines for facilitating the preparation and submission by member states of voluntary reports on measures and actions pertaining to implementation of the Declaration.

5. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2444 (XXXIX-O/09)

MEETING OF MINISTERS RESPONSIBLE FOR PUBLIC SECURITY IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

EXPRESSING ITS SATISFACTION with the success of the First Meeting of Ministers Responsible for Public Security in the Americas, held on October 7 and 8, 2008, in Mexico City, Mexico;

RECOGNIZING the importance of the outcomes of the First Meeting of Ministers Responsible for Public Security in the Americas, especially the adoption of the Commitment to Public Security in the Americas (MISPA/doc.7/08 rev. 4), a document that expresses the political will of the countries of the region to confront crime and insecurity in a joint, preventive, comprehensive, coherent, effective, and continuous manner, and the priority they attach to doing so;

TAKING NOTE of the report of the Secretary General entitled “Public Security in the Americas: Challenges and Opportunities”;

WELCOMING WITH SATISFACTION the important work in the framework of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Committee against Terrorism (CICTE), the Inter-American Drug Abuse Control Commission (CICAD), the Hemispheric Plan of Action against Transnational Organized Crime, the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), the Inter-American Commission of Women (CIM), and the Pan American Health Organization (PAHO) in the area of multidimensional security;

TAKING NOTE of the Inter-American Police Training Program of the Organization of American States (OAS), the purpose of which is to leverage the different police training experiences which exist in the countries of the Hemisphere, and of the efforts of the countries to strengthen it by promoting specific activities that will benefit the region;

WELCOMING the offer of the Government of the Dominican Republic to host the Second Meeting of Ministers Responsible for Public Security in the Americas in 2009 and the offer of the Government of the Republic of Trinidad and Tobago to host the Third Meeting of Ministers Responsible for Public Security in the Americas in 2010; and

WELCOMING ALSO the offer of the Government of the Eastern Republic of Uruguay to hold a Meeting of Experts on Public Security in 2009 in preparation for the Second Meeting of Ministers Responsible for Public Security in the Americas,
RESOLVES:

1. To endorse the Commitment to Public Security in the Americas (MISPA/doc.7/08 rev. 4), adopted at the First Meeting of Ministers Responsible for Public Security in the Americas, which is an integral part of this resolution; and to encourage member states to effectively implement or continue implementing the commitments contained therein.

2. To request the General Secretariat to provide ongoing technical support to the states that request it in order to achieve the purposes, objectives, and actions set forth in the Commitment with respect to public security, crime prevention, policing, citizen and community participation, and international cooperation.

3. To request the General Secretariat to implement or continue implementing the mandates assigned to the General Secretariat in order to achieve the purposes, objectives, and actions set forth in the Commitment.

4. To instruct the Permanent Council to follow up on the Commitment, through the Committee on Hemispheric Security (CSH), ensuring that its efforts in relation to public security are complementary to those of other organs, agencies, and entities of the Organization working in this field.

5. To convene:
   a. The Meeting of Experts in Public Security, to be held in the Eastern Republic of Uruguay in August 2009, in preparation for the Second Meeting of Ministers Responsible for Public Security in the Americas;
   b. The Second Meeting of Ministers Responsible for Public Security in the Americas, to be held in the Dominican Republic in the last quarter of 2009; and
   c. The Third Meeting of Ministers Responsible for Public Security in the Americas, to be held in the Republic of Trinidad and Tobago in 2010.

6. To recommend that the Ministers Responsible for Public Security study the possibility of evaluating, at the next meeting, the advisability of holding the Meeting of Ministers Responsible for Public Security in the Americas every two years.

7. To request the Permanent Council to convene, through the CSH, any meetings it deems necessary for the member states to be able to coordinate preparations for the Second Meeting of Ministers Responsible for Public Security in the Americas, to be held in the Dominican Republic in the last quarter of 2009.

8. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
We, the Ministers Responsible for Public Security in the Americas, gathered together in Mexico City, Mexico, on October 7 and 8, 2008, bearing in mind the purposes of the Charter of the Organization of American States and recalling the Declaration on Security in the Americas adopted on October 28, 2003, have, within our specific spheres of competence, adopted the following Commitment.

RECOGNIZING:

That public security is the duty and exclusive obligation of the State, strengthens the rule of law, and is intended to safeguard the well-being and security of persons and protect the enjoyment of all their rights;

That conditions for public security are improved through full respect for human rights and fundamental freedoms, as well as through the promotion of education, health, and economic and social development;

The importance of international cooperation for improving economic and social conditions and thereby strengthening public security;

That law enforcement forms part of any public security strategy that includes crime prevention, rehabilitation, and reintegration, and that all those factors are required to effectively combat crime, violence, and insecurity;

The importance of the cross-cutting integration of the provisions of international law in the institutional culture, doctrine, education, training, and actions of the security forces;

The important work on multidimensional security on a subregional basis in the inter-American system and the United Nations system;

The contributions of international organizations and agencies, distinguished scholars, and civil society during the preparations for this ministerial meeting;

1. Forum of academics and experts in Santiago, Chile (CSH/GT/MISPA-2/08) (November 26-27, 2007); Forum of academics and experts in Montego Bay, Jamaica (CSH/GT/MISPA-4/08) (March 6-7, 2008); Meeting with civil society representatives, held in Guatemala City, Guatemala (CSH/GT/MISPA-14/08 corr. 1) (August 6-7, 2008); Inter-American Development Bank (IDB); International Center for the Prevention of Crime (ICPC); Inter-American Coalition for the Prevention of Violence (IACPV); International Committee of the Red Cross (ICRC); Andean Community; United Nations Children’s Fund (UNICEF); United Nations Office on Drugs and Crime (UNODC); Latin American and Caribbean Regional Office of the United Nations Human Settlements Programme (UN-
AWARE:

That the effective exercise of the rule of law depends on enforcement of the laws that govern it;

That violence and crime negatively affect the social, economic, and political development of our societies;

That the actions of public security institutions should be governed by respect for human rights, and the principles of legality, objectivity, efficiency, professionalism, and honesty;

Of the priority of confronting crime and insecurity in a joint, preventive, comprehensive, coherent, effective, and continuous manner;

Of the growing presence of private security services in many of our countries, which governments are responsible for regulating, monitoring, and supervising;

Of the need to ensure linkages with the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA) on public security issues related to criminal justice in the Americas in the context of its mandates;

CONCERNED:

That in addition to interpersonal violence and common crimes, many countries in the region are confronted with some of the following criminal activities: transnational organized crime, illegal trafficking of drugs, arms, and persons, money laundering, corruption, terrorism, kidnapping, criminal gangs, and crimes associated with the use of technology, including cybercrime;

That transnational organized crime activities may be used to finance and facilitate terrorism;

About the increase in many countries of the region in victims belonging to at-risk populations, especially youth, and about the increase in the participation of youth in crimes and acts of violence;

That violence can also manifest itself in different areas, affecting in particular and in different ways the community, families, women, children, and men;

About the need to improve prison conditions in the Hemisphere and the challenges to public security stemming from the increase in the prison population, including the administrative costs, the need to ensure the safety of inmates and prison staff, and the impact on rehabilitation of the inmates;

HABITAT); Pan American Health Organization (PAHO); Pro tempore Chair of MERCOSUR; United Nations Development Programme (UNDP); Executive Secretariat of the Inter-American Commission on Human Rights (IACHR); Caribbean Community (CARICOM); and the Inter-American Integration System (SICA).

2. The Government of Ecuador reserves its position on this paragraph.
TAKING NOTE of the Inter-American Police Training Program of the Organization of American States (OAS), the purpose of which is to leverage the different police training experiences of the countries of the Hemisphere;

BEARING IN MIND the progress achieved in the study on citizen security and human rights being prepared by the Inter-American Commission on Human Rights (IACHR) under an agreement with the United Nations Children’s Fund (UNICEF) and the Office of the United Nations High Commissioner for Human Rights (OHCHR); and

RECOGNIZING that additional efforts are needed at the hemispheric, subregional, and national levels, including at the local level, to reduce crime, violence, and insecurity in the region,

WE SHOULD THEREFORE:

PUBLIC SECURITY MANAGEMENT:

1. Foster and strengthen comprehensive long-term governmental public security policies, with full respect for human rights;

2. Strengthen, within the context of those policies, the capacity of our states to promote citizen security and to respond effectively to insecurity, crime, and violence, by adapting their legal framework, structures, operational procedures, and management mechanisms, as necessary;

3. Analyze public security problems from a comprehensive point of view, taking into account emerging threats, and to promote management instruments that enable national authorities to evaluate, and, where necessary, improve the effectiveness of public security policies;

4. Strengthen border security, wherever appropriate, in accordance with the legal and administrative systems applicable in the member states, with a view to preventing and counteracting crime and violence, all the while facilitating the legitimate flow of persons and goods;

5. Enhance our understanding of private security services and develop and/or strengthen, as necessary, legal norms to regulate their functioning;

6. Strengthen and, as appropriate, establish policies and programs for the modernization of the prison systems of the member states and for the design of sustainable social reintegration models, especially for youth;

PREVENTION OF CRIME, VIOLENCE, AND INSECURITY:

7. Foster, in coordination with the pertinent institutions, public policies designed to prevent crime, violence, and insecurity;

8. Promote educational programs, in particular in schools, and raise awareness among the different players in society regarding the prevention of crime, violence, and insecurity;
POLICE MANAGEMENT:

9. Promote the modernization of police management by incorporating transparency and accountability; enhance the professionalization of security forces; and improve the living and working conditions of their members;

10. Continue training human resources in public security issues, including the Inter-American Police Training Program of the Organization of American States (OAS);

11. Request the OAS General Secretariat to conduct a feasibility study, with inputs from member states, on the best ways to strengthen, in the region, the training and education of personnel with responsibility in public security matters, and to submit that study, as soon as possible, for consideration by the member states;

12. Consider creating and maintaining as necessary governmental observatories on crime and violence with the purpose of contributing to the design of strategic and operational plans for public security and citizen security, to strengthen the fight against and prevention of crime, violence, and insecurity;

CITIZEN AND COMMUNITY PARTICIPATION:

13. Encourage and strengthen citizen and community participation in the implementation of public security plans and programs;

14. Encourage and strengthen social responsibility as well as a culture of comprehensive prevention of crime, violence, and insecurity, with the participation of citizens, the community, the media, and the private sector;

15. Promote, in this context, public policies that strengthen citizen trust in public security institutions;

INTERNATIONAL COOPERATION:

16. Strengthen, within a multidimensional approach and in accordance with domestic law, channels of communication and the exchange of information, practices, and experiences among the member states in combating and preventing crimes affecting public security;

17. Promote the adoption of measures that encourage the sharing of relevant information by the police for the purpose of the prevention or investigation of transnational crime affecting public security in an efficient and reliable way, in accordance with national legislation;

18. Consider cooperation initiatives to increase knowledge of the different facets and impact of crime in the member states, in order to strengthen public security policy structures;

19. Encourage member states to consider developing comparable public security parameters in order to strengthen our cooperative efforts;
20. Take note of the contribution of subregional police cooperation mechanisms and of the establishment of the American Police Community (AMERIPOL);

21. Urge member states to consider acceding to and/or ratifying the treaties, agreements, and conventions that contribute to compliance with this Commitment;

22. Call upon the member states to recognize the role of mutual legal assistance and extradition in response to the commission, execution, planning, preparation, or financing of terrorist acts and organized crime, in accordance with their domestic law and established international conventions;

23. Promote the exchange of experiences coming from civil society that contribute to strengthening public security;

FOLLOW-UP:

24. Request the OAS General Assembly to convene future Meetings of Ministers Responsible for Public Security in the Americas;

25. Request the OAS General Secretariat to provide to the states that so request, ongoing technical support in matters of public security management, crime prevention, police management, citizen and community participation, and international cooperation, in order to achieve the purposes, objectives, and actions of this Commitment;

26. Invite OAS member states, permanent observers to the OAS, and the institutions of the inter-American system to make voluntary financial and/or human resource contributions to achieve the full implementation of this Commitment;

27. Invite the entities and agencies of the inter-American system, such as the Inter-American Development Bank and the Pan American Health Organization, as well as other United Nations and international agencies, to contribute, within their respective spheres of competence, to the achievement of the objectives of this Commitment;

28. Request the OAS Permanent Council, through the Committee on Hemispheric Security, to follow up on this Commitment;

29. Welcome with satisfaction the offer of the Government of the Republic of Uruguay to host a Meeting of Experts in Public Security during 2009 in preparation for the Second Meeting of Ministers Responsible for Public Security in the Americas;

30. Welcome with satisfaction the offer of the Dominican Republic to host the Second Meeting of Ministers Responsible for Public Security in the Americas in 2009, and the offer of Trinidad and Tobago to host the Third Meeting of Ministers Responsible for Public Security in the Americas in 2010; and
31. Thank and commend the Government of Mexico for having hosted the First Meeting of Ministers Responsible for Public Security in the Americas, which constitutes a milestone in the Hemisphere’s commitment to prevent and fight crime, violence, and insecurity.

Mexico City, Mexico

October 8, 2008
AG/RES. 2445 (XXXIX-O/09)

INTER-AMERICAN CONVENTION ON TRANSPARENCY IN CONVENTIONAL WEAPONS ACQUISITIONS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the activities of the Committee on Hemispheric Security (AG/doc.4992/09 add. 1);

BEARING IN MIND:

That one of the essential purposes of the Organization of American States set forth in its Charter is to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states;

That the Inter-American Convention on Transparency in Conventional Weapons Acquisitions recognizes that, in accordance with the Charter of the Organization of American States and the Charter of the United Nations, member states have the inherent right to individual and collective self-defense; and

That the Declaration on Security in the Americas also recognizes that transparency in conventional weapons acquisitions and in defense policies, the limitation of military spending while maintaining capabilities commensurate with legitimate defense and security needs, as well as other cooperation mechanisms between countries, are important confidence- and security-building measures which contribute to the reduction of tensions and to the strengthening of regional and international peace and security;

CONSIDERING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government declared that they would strive to improve the transparency and accountability of defense and security institutions and promote greater understanding and cooperation among government agencies involved in security and defense issues, through such means as increased sharing of defense policy and doctrine papers and personnel and information exchanges, including improving transparency in arms acquisitions;

BEARING IN MIND that the “Declaration of Banff,” adopted at the VIII Conference of Defense Ministers of the Americas, invites those states which have not yet done so to consider signing and ratifying the Inter-American Convention on Transparency in Conventional Weapons Acquisitions;

NOTING WITH SATISFACTION that the Governments of Argentina, Brazil, Canada, Chile, Ecuador, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela (Bolivarian Republic of) have deposited their instruments of ratification or accession, bringing to 12
the number of member states that are states parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions; and

NOTING ALSO that the Third Meeting of States Parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions was held in Washington, D.C., on January 22, 2009,

RESOLVES:

1. To reaffirm, where applicable, its mandates to the Permanent Council and to the General Secretariat contained in resolution AG/RES. 2382 (XXXVIII-O/08), “Inter-American Convention on Transparency in Conventional Weapons Acquisitions,” as well as the recommendations to the member states contained therein.

2. To reaffirm its commitment to the principles of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions and other related instruments applicable at the global, regional, and subregional levels.

3. To invite all member states which have not already done so to consider signing, ratifying, and/or acceding to the Convention.

4. To urge states parties to the Convention to identify, if possible prior to September 15, 2009, national points of contact to contribute to the preparation of notifications and annual reports.

5. To invite states parties to the Convention, non-states parties, permanent observers, regional and international organizations, and civil society organizations interested in transparency in conventional weapons acquisitions to consider the possibility of offering technical assistance to those states that so request and/or making voluntary contributions to support activities related to the application of the Convention.

6. To invite states parties to the Convention, non-states parties, permanent observers, subregional, regional, and international organizations, and civil society organizations interested in transparency in conventional weapons acquisitions to attend the First Conference of the States Parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, which will be held on November 19, 2009, in Washington, D.C.

7. To request that the General Secretariat, in accordance with Article V of the Convention, contact the permanent observers so that they may contribute to the objective of the Convention by providing information annually to the General Secretariat on their exports of conventional weapons to the states parties to the Convention.

8. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations, the Secretary General of the Organization for Security and Co-operation in Europe (OSCE), the Association of South-East Asian Nations Regional Forum (ARF), and other pertinent regional organizations.
9. To request the Secretary General to present a report to the Permanent Council prior to the fortieth regular session of the General Assembly on the status of signatures and ratifications of the Convention and of accessions thereto.

10. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2446 (XXXIX-O/09)

SUPPORT FOR THE CONFERENCE OF DEFENSE MINISTERS OF THE AMERICAS IN HOUSING ITS INSTITUTIONAL MEMORY

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECOGNIZING the Williamsburg Principles, agreed to by all member states of the Conference of Defense Ministers of the Americas (CDMA);

RECALLING the Declaration of Banff, adopted in 2008 at the VIII Conference of Defense Ministers of the Americas, whereby the Defense Ministers of the Americas decided to explore areas of support to immediately strengthen the institutional memory of the CDMA, and to create a working group to assess by December 2008 the modalities of CDMA cooperation with the Organization of American States (OAS), including the Inter-American Defense Board (IADB);

RECALLING that, in 2006, the General Assembly established the IADB as an entity of the Organization, and adopted the Statutes of the IADB, which, inter alia, define its legal and institutional relationship with the OAS; and

NOTING the importance that member states of the CDMA attach to the institutional memory of the Conference, which is defined as the documentary history, the CDMA Website and archival services, such as document registration and classification, distribution, and safekeeping,

RESOLVES:

1. To request the Secretary General to entrust to the Inter-American Defense Board, in accordance with its Statutes, the responsibility of hosting the institutional memory of the Conference of Defense Ministers of the Americas within existing financial and personnel resources.

2. To request the Permanent Council and the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

3. The Government of the Republic of Nicaragua enters its reservation to this document, as it considers that the institutional memory can be kept directly by the Conference of Defense Ministers of the Americas.
AG/RES. 2447 (XXXIX-O/09)

CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the activities of the Committee on Hemispheric Security (CSH) (AG/doc.4992/09 add. 1);

BEARING IN MIND that in the Declaration on Security in the Americas the member states affirmed that “[c]onfidence- and security-building measures and transparency in defense and security policies contribute to increasing stability, safeguarding hemispheric and international peace and security, and consolidating democracy,” and recommended that the CSH meet periodically as the “Forum for Confidence- and Security-Building Measures” in order to review and evaluate existing confidence- and security-building measures and, if appropriate, consider new measures that would make it possible to ensure progress in this area;

CONSIDERING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government declared that they would strive to improve the transparency and accountability of defense and security institutions and promote greater understanding and cooperation among government agencies involved in security and defense issues, through such means as increased sharing of defense policy and doctrine papers and personnel and information exchanges, including improving transparency in arms acquisitions;

TAKING INTO ACCOUNT that resolutions AG/RES. 2398 (XXXVIII-O/08) and AG/RES. 2270 (XXXVII-O/07), “Confidence- and Security-Building in the Americas,” contain a series of recommendations and mandates directed at the member states and the General Secretariat that are still in force; and

TAKING NOTE of the recommendations contained in the Declaration of Santiago and the Declaration of San Salvador on Confidence- and Security-Building Measures and in the Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security,

RESOLVES:

1. To call upon all member states to furnish information to the General Secretariat on the application of the Consolidated List of Confidence- and Security-Building Measures, in accordance with document CP/CSH-1043/08 rev. 1, “Consolidated List of Confidence- and Security-Building Measures for Reporting according to OAS Resolutions,” by July 15 of each year.
2. To instruct the Permanent Council to convene the Fourth Meeting of the Forum on Confidence- and Security-Building Measures for the last quarter of 2010, to examine the application of confidence- and security-building measures throughout the region and consider next steps.

3. To reaffirm the goal of participation by all member states, by 2010, in the United Nations (UN) Register of Conventional Arms and the UN Standardized International Reporting of Military Expenditures; and to renew its request that member states provide said information to the Secretary General of the Organization of American States by July 15 of each year.

4. To request the General Secretariat to update the Roster of Experts on Confidence- and Security-Building Measures every year, on the basis of the information supplied by the member states by July 1 each year, and to distribute the new roster to member states by July 30 of each year.

5. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations, the Secretary General of the Organization for Security and Co-operation in Europe (OSCE), the Association of South-East Asian Nations Regional Forum (ARF), and other pertinent regional organizations.

6. To request the Permanent Council and the General Secretariat to report to the General Assembly at its fortieth and forty-first regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2448 (XXXIX-O/09)

STRENGTHENING THE ROLE OF NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING:

The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights (A/CONF.157/23), which reaffirmed the important and constructive role played by national institutions for the promotion and protection of human rights (NHRIs);


The relevant reports of the United Nations Secretary-General, including his reports presented to the 10th session of the United Nations Human Rights Council entitled “National institutions for the promotion and protection of human rights” (A/HRC/10/54) and “The process currently utilized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to accredit national institutions compliant with the Paris Principles” (A/HRC/10/55); and

Resolution AG/RES. 2411 (XXXVIII-O/08), in which the General Assembly encouraged “the governments and organs of the inter-American system to promote the establishment of forums for dialogue between the institutions of the kind to which this resolution refers and the pertinent organs of the inter-American system, in order to strengthen their contribution to the democratic order in the Hemisphere”;

TAKING INTO ACCOUNT resolutions AG/RES. 2411 (XXXVIII-O/08), AG/RES. 2345 (XXXVII-O/07), AG/RES. 2221 (XXXVI-O/06), and AG/RES. 2132 (XXXV-O/05), “Strengthening of the National Human Rights Systems of the Member States and Support for the Work of Defenders of the People, Defenders of the Population, and Human Rights Attorneys or Commissioners (Ombudsmen),” which recognized the importance of national systems for the promotion and protection of human rights in safeguarding the rights of individuals;

WELCOMING the decisions of a growing number of states to establish national institutions for the promotion and protection of human rights in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights, “Paris Principles,” adopted by the United Nations General Assembly through resolution 48/134;

CONVINCED of the important role of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in promoting and protecting human rights and in accrediting national institutions in conformity with the Paris Principles;
RECALLING the commitment made by member states in the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, to strengthen the capacity of national human rights institutions and to contribute to the successful establishment of the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas (Network of the Americas); and

RECALLING ALSO resolution AG/RES. 2421 (XXXVIII-O/08), in which the General Assembly recognized the important contribution that NHRI accredited by the ICC can make to the work of the Organization of American States in the promotion of human rights, and resolved to facilitate, once the appropriate administrative and procedural requirements are in place, the participation of all NHRI from member states, including those accredited by the ICC, as well as representatives of the Network of the Americas, in the human rights activities of the organs, agencies, and entities of the Organization of American States,

RESOLVES:

1. To recognize national institutions for the promotion and protection of human rights (NHRI) which are members of the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas (Network of the Americas) accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) with “A” status in accordance with the Paris Principles, for the purposes of this resolution.

2. To adopt the following administrative and procedural modalities for allowing the participation of NHRI, referred to in the previous paragraph, in political bodies of the Organization of American States (OAS) dealing with human rights-related issues:

   a. The Secretariat of the Network of the Americas will provide to a focal point in the OAS General Secretariat an updated list of ICC-accredited NHRI with “A” status, on a bi-annual basis;

   b. Representatives of ICC-accredited NHRI from the Secretariat of the Network of the Americas or of the ICC Chair who wish to participate in OAS human rights-related meetings will inform the OAS General Secretariat in advance, providing the name and position of the individual representing them;

   c. The OAS General Secretariat will register ICC-accredited NHRI representatives upon request and provide them with all required documentation to allow their participation;

   d. One dedicated seat in relevant rooms will be allocated to NHRI to allow registered representatives to participate in meetings;

   e. Registered representatives will be allowed to speak after member states, within their mandates, under human rights-related items of the agenda;
f. Registered representatives will participate in their own right in meetings of the OAS in a manner consistent with the operational regulations of the relevant body, so as to provide expert advice and specialized information on subjects in which they have special competence or interest; and

g. The Chair of the relevant body will authorize registered NHRI representatives to issue documents under their own classification within the OAS classification system and to submit information and documentation under human rights-related agenda items of the OAS.

3. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2449 (XXXIX-O/09)

SOCIAL CHARTER OF THE AMERICAS: RENEWAL OF THE HEMISPHERIC COMMITMENT TO FIGHT POVERTY IN THE REGION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:


The report on the implementation of resolution AG/RES. 2363 (XXXVIII-O/08) (CP/doc.4393/09);

CONSIDERING that the Charter of the Organization of American States (OAS) establishes as one of the Organization’s essential purposes the eradication of extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

BEARING IN MIND:

That the Inter-American Democratic Charter states that democracy is essential for the social, political, and economic development of the peoples of the Americas;

That the Inter-American Democratic Charter also states that poverty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy; and

That the promotion and observance of civil, political, economic, social, and cultural rights are inherently linked to integral development and to equitable economic growth;

RECALLING the Declarations of the Summits of the Americas, the Declaration of Margarita on poverty, equity, and social inclusion, the Monterrey Consensus, and other pertinent OAS documents;

TAKING INTO ACCOUNT that the elimination of extreme poverty is an essential part of the promotion and consolidation of the democratic framework and is the common and shared responsibility of the states of the Americas;
BEARING IN MIND that the Heads of State and Government of the Americas, in the Declaration of Mar del Plata, adopted at the Fourth Summit of the Americas, and the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas, reiterated their support for the objectives of the Social Charter of the Americas and its Plan of Action;¹

RECALLING the proposal by the Bolivarian Republic of Venezuela that, once the work on the Social Charter of the Americas and its Plan of Action has been concluded, a special session of the General Assembly be held to adopt them;

ACCEPTING WITH PLEASURE the offer of the Bolivarian Republic of Venezuela to host the above-mentioned special session of the General Assembly;

REAFFIRMING the moral and political commitment to combat poverty in the region; and

CONVINCED, therefore, of the pressing need to make all necessary efforts to advance more rapidly in preparing the Social Charter of the Americas and its Plan of Action,

RESOLVES:


2. To renew the commitment it undertook and entrusted to the Joint Working Group of the Permanent Council and CEPCIDI to work intensively to conclude negotiations on the Draft Social Charter of the Americas and its Plan of Action; and to express the sincere political will of all our countries to conclude and adopt those documents before the end of 2009.

3. To reiterate the mandate given to the Permanent Council and CEPCIDI to jointly prepare a draft Social Charter of the Americas and a Plan of Action which includes the principles of social development and establishes specific goals and targets that reinforce the existing instruments of the Organization of the American States on democracy, integral development, and the fight against poverty.

¹ The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
4. To instruct the Executive Secretariat for Integral Development to prepare the draft Plan of Action, conceived for the attainment of specific, feasible goals, on the basis of existing mandates and following the structure of the Social Charter of the Americas.

5. To instruct the Permanent Council to consider, once the negotiation process has concluded, convening a special session of the General Assembly, taking into account the offer of the Bolivarian Republic of Venezuela to host it, for the adoption of the Social Charter of the Americas and its Plan of Action.

6. To request the Permanent Council and CEPCIDI to present the results of their work to the General Assembly for consideration and adoption.
AG/RES. 2450 (XXXIX-O/09)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 1364 (XXVI-O/96), “Free Trade and Investment in the Hemisphere,” through which the Inter-American Juridical Committee (CJI) was instructed to conduct a study on the matter;

RECOGNIZING the opinion of the CJI (CJI/RES. II-14/96), in which the Committee unanimously concluded that “in the significant areas described above the bases and potential application of the legislation which is the subject of this Opinion are not in conformity with international law”;

TAKING INTO ACCOUNT resolutions AG/RES. 1447 (XXVII-O/97), AG/RES. 1532 (XXVIII-O/98), AG/RES. 1614 (XXIX-O/99), AG/RES. 1700 (XXX-O/00), AG/RES. 1826 (XXXI-O/01), AG/RES. 1884 (XXXII-O/02), AG/RES. 1914 (XXXIII-O/03), AG/RES. 1976 (XXXIV-O/04); AG/RES. 2063 (XXXV-O/05); AG/RES. 2239 (XXXVI-O/06), AG/RES. 2301 (XXXVII-O/07), and AG/RES. 2376 (XXXVIII-O/08); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/doc.4399/09),

RESOLVES:

1. To take note of the Report of the Permanent Council on Free Trade and Investment in the Hemisphere, presented pursuant to resolution AG/RES. 2376 (XXXVIII-O/08).

2. To request the Permanent Council to report to the General Assembly at its fortieth regular session on developments in this regard.
AG/RES. 2451 (XXXIX-O/09)

MECHANISM TO FOLLOW UP ON IMPLEMENTATION OF
THE INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT, AND
ERADICATION OF VIOLENCE AGAINST WOMEN, “CONVENTION OF BELÉM DO PARÁ”

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2162 (XXXVI-O/06), AG/RES. 2330 (XXXVII-
O/07), and AG/RES. 2371 (XXXVIII-O/08), “Mechanism to Follow Up on Implementation of the
Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against
Women, “Convention of Belém do Pará,” which took note of the Permanent Council report on
implementation of the aforementioned follow-up mechanism;

CONSIDERING:

That the Convention of Belém do Pará, adopted in 2004, is the only binding international
legal instrument that specifically addresses gender-based violence, whereby the states parties
undertake to implement national and regional policies, laws, and programs of action to eradicate
violence against women;

That to date, 32 member states have ratified the Convention of Belém do Pará;

That despite efforts undertaken by the countries of the region, violence against women
remains an area of special concern and a scourge that calls for ongoing action to combat and punish
it;

That the Statute of the Mechanism to Follow Up on Implementation of the Inter-American
Convention on the Prevention, Punishment, and Eradication of Violence against Women,
“Convention of Belém do Pará” (MESECVI) has been in effect since 2004, as a means of analyzing
progress and trends in meeting the objectives of the Convention and facilitating cooperation among
the states parties and with the member states of the Organization of American States (OAS) as a
whole;

That the MESECVI concluded the evaluation phase of its first Multilateral Evaluation Round
in July 2008, with the Conference of States Parties adopting the country reports and its first
Hemispheric Report, reports that are an important indicator of the progress achieved by governments
in implementing the Convention of Belém do Pará in Latin America and the Caribbean, which is a
clear expression of the member states’ interest in and support for its becoming a genuine tool for
moving forward in punishing and eradicating gender-based violence in the Hemisphere;

That the MESECVI is currently at the stage of following up on the recommendations made
by the Committee of Experts (CEVI) to the states parties in the Hemispheric Report, and that this
stage is expected to be concluded in mid-2009 and will facilitate more effective implementation of
the Convention of Belém do Pará;

That the Secretariat for the MESECVI bodies is the OAS General Secretariat, through the
Permanent Secretariat of the Inter-American Commission of Women (CIM), with advisory services
provided by the Inter-American Commission on Human Rights (IACHR) and other areas of the
General Secretariat, when necessary; and

That the global economic crisis has affected the valuable financial contributions made by the
Government of Mexico to the MESECVI, and that therefore the human and financial resources of the
Technical Secretariat of the MESECVI are not sufficient to ensure its stable, full, and effective
functioning;

RECALLING

That, to date, 29 of the 32 states parties have appointed experts and 28 have named
Competent National Authorities:

That, during the evaluation phase of the first Multilateral Evaluation Round, which began in
November 2005, 28 states parties replied, through their Competent National Authorities, to the
evaluation questionnaire drawn up by the CEVI, which speak to the governments’ interest and broad
participation in the Mechanism;

That in late August 2008 the Secretariat transmitted to the permanent missions to the OAS
and the Competent National Authorities the document containing indicators on follow-up to the
recommendations of the CEVI, to which 14 countries replied; and

That financial contributions to date have not brought about a process whereby the MESECVI
is able to provide technical support to governments that need and have requested it; and

NOTING WITH CONCERN:

That, to date, Mexico is the only contributor to the specific funds of the OAS intended to
finance the MESECVI;

That given the increase in the work assigned to the Secretariat to properly address the
MESECVI follow-up, there is a need for trained, specialized permanent staff who can perform their
functions on a full-time, exclusive basis; and

That, in some cases, there are delays in appointing and/or replacing experts and/or alternate
experts and/or Competent National Authorities, or that governments have not made any provisions
for resources to facilitate their participation in CEVI meetings, all of which hinder and sometimes
prevent the Mechanism and its evaluation rounds from being fully operational,
RESOLVES:


2. To endorse the decisions, conclusions, and agreements arising from the Second Conference of States Parties to the Convention of Belém do Pará, with particular emphasis on the commitments undertaken to promote the MESECVI and to implement the recommendations of the Committee of Experts (CEVI) and the hemispheric report.

3. To welcome the conclusion of the evaluation phase of the first Multilateral Evaluation Round of the MESECVI, as well as its belief that this exercise will significantly contribute to the attainment of the goals set forth in the Convention.

4. To congratulate the states parties for their efforts to fulfill the objectives of the Convention; and once again to urge those states that have not yet done so to appoint their respective expert and/or Competent National Authority, so as to ensure the full implementation and success of the MESECVI.

5. To thank the Government of Mexico for its continued contribution to the Mechanism; and to invite all the states parties and states that are not party to the Convention, as well as permanent observers, international financial institutions, and public, civil society, and private sector entities to contribute to the specific fund set up by the Organization of the American States to finance the operations of the MESECVI.

6. To reiterate its appreciation to the Permanent Secretariat of the Inter-American Commission of Women (CIM) for its support to the states parties in the process of implementing the MESECVI; and to express appreciation for the invaluable role of the Mechanism’s Technical Secretariat in helping to meet the objectives of the Convention of Belém do Pará.

7. To urge the states parties to the Convention and all member states to strengthen the MESECVI and to bolster hemispheric cooperation to combat violence against women, including through the participation of experts in CEVI meetings.

8. To urge the states parties to the Convention to provide the MESECVI with economic support and human resources to enable it to meet its work schedule and to ensure its optimal functioning.

9. To request the Secretary General to allocate, in accordance with available financial resources and with the agreement of the Committee on Administrative and Budgetary Affairs, the necessary human, technical, and financial resources for the CIM to continue supporting the implementation of the MESECVI.

10. To request the Secretary General to consider the possibility of holding a donors’ meeting to secure the resources needed for the operations of the MESECVI.

12. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2452 (XXXIX-O/09)

APPOINTMENT OF WOMEN TO SENIOR MANAGEMENT POSITIONS
AT THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1627 (XXIX-O/99), AG/RES. 1790 (XXXI-O/01), AG/RES. 1872 (XXXII-O/02), AG/RES. 1954 (XXXIII-O/03), AG/RES. 1977 (XXXIV-O/04), AG/RES. 2096 (XXXV-O/05), AG/RES. 2191 (XXXVI-O/06), AG/RES. 2335 (XXXVII-O/07), and AG/RES. 2427 (XXXVIII-O/08), “Appointment of Women to Senior Management Positions at the OAS,” in which it urged the Secretary General to establish as an objective that women should occupy 50 percent of posts in all categories of the system of the Organization of American States (OAS);

BEARING IN MIND Article 137 of the OAS Charter, which states that the Organization does not allow any restriction based on race, creed, or sex with respect to eligibility to hold positions in the Organization and to participate in its activities; and Article 120 of the Charter and Article 37 of the General Standards to Govern the Operations of the General Secretariat, which stipulate that first consideration shall be given to efficiency, competence, and integrity in the recruitment of General Secretariat personnel, but that importance shall also be attached to the criterion of the widest possible geographic distribution in hiring personnel at all grade levels;

CONSIDERING that the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, which was adopted by the General Assembly through resolution AG/RES. 1732 (XXX-O/00), calls for the General Secretariat to “implement measures to ensure full and equal access by men and women to all categories of posts in the OAS system, particularly in decision-making positions”;

REAFFIRMING the commitments expressed at the highest levels at the Summits of the Americas and in other inter-American forums to promote gender equity and equality and women’s human rights by strengthening and fostering women’s full and equal participation in decision-making at all grade levels, women’s empowerment, and their equal opportunity to exercise leadership;

REAFFIRMING ALSO that the Declaration of Nuevo León recognized that “the empowerment of women, their will and equal participation in the development of our societies, and their equal opportunities to exercise leadership are fundamental for the reduction of poverty, the promotion of economic and social prosperity, and for people-centered sustainable development”;
RECALLING that in the Declaration of Commitment of Port of Spain\textsuperscript{L} of the Fifth Summit of the Americas, held in Trinidad and Tobago in 2009, the member states committed to “ensuring the integration of a gender perspective as a cross cutting issue in national and hemispheric policies, plans and programmes,” to enacting “laws and public policies that promote respect for women’s human rights and fundamental freedoms, as well as gender equality, equity and parity,” and to enforcing “domestic labour laws to provide for acceptable conditions of work and safe and healthy workplaces, free from violence, harassment and discrimination”;

RECALLING ALSO that in the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in 2005, the member states committed “to eliminate discrimination against women at work through, among other measures, the implementation of a range of policies that will increase women’s access to decent, dignified, and productive work, including policies addressing training and education and protection of the rights of women, as well as proactive policies to ensure that men and women enjoy equality in the workplace”; 

ACKNOWLEDGING that ensuring equal opportunity for women—taking their diversity into account–in leadership and decision-making positions is only one important element of a continuum of actions, policies, and activities required to achieve gender equality in the workplace and improve gender mainstreaming throughout the OAS;

EMPHASIZING the importance of the need to effectively integrate gender-balance considerations throughout the human resource management policies of the OAS;

NOTING WITH SATISFACTION the advances made in meeting the goal of having women occupy 50 percent of posts at all levels, especially at those grade levels where the goal has been met or exceeded; and

AWARE that, despite this progress, the goal of 50/50 gender distribution in senior management positions has not been met,

RESOLVES:

1. To urge the Secretary General to:

   a. Ensure, through the Department of Human Resources, that a human resource policy is developed and applied that is based on the principle of gender equity and equality;

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1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
b. Continue his work to establish policies of gender equality in the workplace and to make each manager accountable for the application of these policies;

c. Redouble his efforts to achieve, as a matter of priority, the goal of having women, including indigenous women, occupy 50 percent of posts at each grade level within the organs, agencies, and entities of the Organization of American States (OAS), particularly at the P-5 grade level and above, bearing in mind the application of the criteria of diversity and geographic distribution in professional positions; and

d. Appoint women as representatives and special envoys to represent the Secretary General in matters relating to all areas and sectors, and as heads of electoral observation missions.

2. To urge all member states to support the efforts of the Secretary General by identifying and submitting the candidacies of women to occupy positions of trust within the OAS, and to encourage more women to apply for vacant positions, which will have been widely publicized in all member states.

3. To call on the organs, agencies, and entities of the OAS to:

a. Redouble efforts to meet the goal of having women occupy 50 percent of posts at each grade level, particularly at the P-5 grade level and above, and to continue to accelerate their recruitment of women for vacant positions, taking into account the criteria of diversity and equitable geographic distribution; and

b. Encourage specific activities to integrate the gender perspective into their work, according to the specific subject areas of the various departments and offices, as one of the measures for follow-up and strengthening of the project undertaken to these ends by the General Secretariat.

4. To request the Secretary General to monitor closely the progress made by the organs, agencies, and entities of the Organization in meeting the goal of having women occupy 50 percent of posts at all grade levels, and to keep the Permanent Council informed with respect to the implementation of this resolution, providing an annual update with relevant statistics from the Department of Human Resources and detailed information on the strategies and actions taken to implement this resolution and reach that goal.

5. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2453 (XXXIX-O/09)

THE AMERICAS AS AN ANTIPERSONNEL-LAND-MINE-FREE ZONE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

REITERATING its profound concern over the presence in the Americas of thousands of antipersonnel land mines and other undetonated explosive devices;

BEARING IN MIND:

The serious threat that mines and other unexploded ordnance pose to the safety, health, and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, and rehabilitation programs and operations;

That the presence of mines is a factor that impedes economic and social development in rural and urban areas;

That mines have a humanitarian impact with very serious consequences, which are long-lasting and require sustained socioeconomic assistance to victims; and

That their elimination constitutes an obligation and prerequisite for the development and integration of peoples, especially in border areas, and helps to consolidate a common strategy for combating poverty;

DEEPLY CONCERNED that Colombia is one of the countries with the highest number of antipersonnel-land-mine victims in the world;

ALARMED by the continued and increasing use of antipersonnel land mines and other improvised explosive devices by non-state actors, especially illegal armed groups in Colombia;

2. The United States remains committed to humanitarian mine action and to cooperating in practical steps to end the harmful legacy of landmines. The United States will continue to support OAS efforts to eliminate the humanitarian threat of all persistent landmines and declare countries “mine-impact-free. The “conversion of the Americas into an antipersonnel-land-mine-free zone” is incompatible with current United States landmine policy, which clearly states that we will not become a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).

The United States also regrets that this resolution does not by name condemn the use of landmines in Colombia by the Revolutionary Armed Forces of Colombia (FARC) in a manner similar to the OAS Permanent Council resolution 837 “Condemnation of Terrorist Acts in Colombia” adopted on February 12, 2003. The United States on August 14, 2007 condemned the continued and growing use of landmines and other explosive devices by the FARC after the UN, credible nongovernmental organizations, and the press highlighted the FARC as the “largest non-state armed group and most prolific user of mines.”
RECOGNIZING WITH SATISFACTION:

The efforts being made by member states to implement comprehensive mine-action programs, including mine clearance, stockpile destruction, the physical and psychological rehabilitation of victims and their reintegration, activities aimed at mine-risk education, and the socioeconomic reclamation of demined areas;

The mine-free-territory declarations made by the Republics of Costa Rica, El Salvador, Guatemala, Honduras, and Suriname, and the efforts made in fulfillment of those declarations; and

The efforts made by Colombia in the area of mine action;

NOTING WITH SATISFACTION the initiation of demining work in Chile in the Quebrada de Escritos pass (Region I); Cancosa, Paso Tecar (Llullaillaco National Park), and Aguas Calientes (Region II); and Bahía Azul and Isla Hornos (Region XII);

NOTING:

The valuable contribution by the United States Department of Defense Humanitarian Demining Research and Development Program in providing a Sifting Excavator to carry out demining operations in the Quebrada de Escritos pass (Commune of Arica, Chile);

The work accomplished by the Governments of Ecuador and Peru on their common border, which has permitted the exchange of information and levels of cooperation that constitute an effective confidence- and security-building measure and a path toward greater integration among their peoples; and

The sustained effort by Nicaragua to conclude its destruction of antipersonnel mines, which will soon enable it to declare itself a mine-free country in the Hemisphere; its extensive prevention education program aimed at sensitizing children, adolescents, and the general public to mine dangers; and the resolute support it provides to the physical and professional rehabilitation program for mine victims;

RECOGNIZING WITH GRATIFICATION:

The valuable contributions by member states such as Argentina, Bolivia, Brazil, Canada, Chile, Colombia, El Salvador, Guatemala, Honduras, Nicaragua, Peru, Trinidad and Tobago, the United States, and Venezuela (Bolivarian Republic of); and by permanent observers such as Austria, Belgium, Denmark, the European Union, France, Germany, Italy, Japan, the Netherlands, Norway, the Republic of Korea, the Russian Federation, Spain, Sweden, and the United Kingdom;

The success of the Program for Comprehensive Action against Antipersonnel Mines (AICMA) of the Organization of American States (OAS), which for more than 16 years has supported humanitarian demining activities and the destruction of explosive devices and carried out campaigns to educate people living in mine-affected communities about the risks posed by landmines and to address the physical, psychological, and socioeconomic rehabilitation of landmine survivors and their families;
The important and efficient coordination work of the General Secretariat, through AICMA, together with the technical assistance of the Inter-American Defense Board;

The installation in Santiago, Chile, in September 2007, of the headquarters of the representative for Latin America of the Geneva International Centre for Humanitarian Demining (GICHD); and

The work of nongovernmental organizations in furthering the aim of a Hemisphere and a world free of antipersonnel land mines, which is often performed in cooperation and association with the states, AICMA, and other international entities;

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly, in particular the section on matters assigned to the Committee on Hemispheric Security (AG/doc.4992/09 add. 1); and


RECALLING the 18 General Assembly resolutions from 1997 to 2005 directly relating to antipersonnel landmines, which were referenced individually in resolution AG/RES. 2180 (XXXVI-O/06) and adopted by consensus by all member states;

RECALLING ALSO that, in the Declaration on Security in the Americas, adopted at the Special Conference on Security, the states of the Hemisphere reaffirmed their support for establishing the Hemisphere as an antipersonnel-land-mine-free zone;

NOTING WITH SATISFACTION the global celebrations of the 10th anniversary of the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) in 2009, its many successes over the past decade, and the continued effort to meet the challenges that remain to rid the world of antipersonnel mines; and

NOTING: The successful outcome of the Ninth Meeting of the States Parties to the Ottawa Convention, held from November 24 to 28, 2008, in Geneva, Switzerland, and the hemispheric commitment to the Convention with the naming of Argentina as co-chair of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies; of Chile as co-chair of the Standing Committee on the General Status and Operation of the Convention; of Ecuador as co-rapporteur of that committee; and of Peru as co-rapporteur of the Standing Committee on Victim Assistance and Socio-Economic Reintegration;
The consideration of granting of extensions under Article 5 of the Convention at the Ninth Meeting of States Parties to the Ottawa Convention to the four OAS countries which requested them;

The selection of Colombia as the venue for the Second Review Conference of the Ottawa Convention, to take place from November 30 to December 4, 2009, in Cartagena de Indias; and

The Regional Workshop on Progress and Challenges in Achieving a Mine-Free Americas, held in Managua, Nicaragua, from February 24 to 26, 2009, in preparation for the Second Review Conference of the Ottawa Convention,

RESOLVES:

1. To renew its support for the efforts of member states to rid their territories of antipersonnel land mines and destroy their stockpiles, and convert the Americas into the world’s first antipersonnel-land-mine-free zone.

2. To support comprehensive humanitarian mine action efforts in the Republic of Nicaragua, which will make it possible in the coming year to declare Central America a mine-free zone.

3. To urge those states parties that requested and were granted extensions under Article 5 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) to make every effort necessary to comply with their Article 5 obligations within the periods established.

4. To stress the responsibility of all member states to continue their vital cooperation in mine action as a national, subregional, and regional priority, as well as a means to promote confidence and security, and to develop statements of remaining goals, contribute resources, and collaborate with the Program for Comprehensive Action against Antipersonnel Mines (AICMA) of the Organization of American States (OAS).

5. To urge the international donor community to continue its humanitarian support for victim rehabilitation in Guatemala, El Salvador, and other countries, and in ongoing demining activities in Chile, Colombia, Ecuador, Nicaragua, and Peru.

6. To urge the member states, permanent observers, international organizations, and the international community in general to continue their technical and financial support for continuation of the combined Ecuador-Peru humanitarian demining program on their common border, which constitutes a successful example of international cooperation and an effective confidence- and security-building measure.

7. To firmly condemn, in accordance with the principles and norms of international humanitarian law, the use, stockpiling, production, and transfer of antipersonnel mines by non-state actors, acts which put at grave risk the population of the affected countries; and to strongly call upon non-state actors to observe the international norm established by the Ottawa Convention to facilitate progress toward a mine-free world.
8. To condemn also the use of antipersonnel land mines and improvised explosive devices by non-state actors, especially illegal armed groups in Colombia.

9. To invite all states parties to participate at the highest possible level in the Second Review Conference of the Ottawa Convention, to take place from November 30 to December 4, 2009, in Cartagena de Indias, Colombia, as a means of demonstrating their continued commitment to the objectives of that convention.

10. To celebrate the support demonstrated by 33 member states of the Hemisphere through their ratification of the Ottawa Convention; and to encourage the governments to continue working in the area of mine action in accordance with said Convention and with their mine action plans in order to meet mine-clearance deadlines pursuant to Article 5 of the Convention.

11. To urge member states which have not yet done so to ratify or consider acceding to the Ottawa Convention as soon as possible to ensure its full and effective implementation.

12. To call upon all states parties and non-states parties that share the objectives of the Ottawa Convention to take all necessary action, at the national, subregional, regional, and international levels, to implement the Nairobi Action Plan 2005-2009.

13. To reiterate the importance of participation by all member states in the OAS Register of Antipersonnel Land Mines by April 15 of each year, in keeping with resolution AG/RES. 1496 (XXVII-O/97); and to commend member states which have regularly submitted their reports to that end, instructing them to provide to the OAS Secretary General a copy of the Ottawa Convention Article 7 transparency reports presented to the United Nations Secretary-General. In this connection, in keeping with the spirit of the Ottawa Convention, to invite member states which are not yet party thereto to consider voluntarily providing this information.

14. To urge member states which have not yet done so to become parties as soon as possible to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and to the five protocols thereto; and to request member states to inform the Secretary General when they have done so.

15. To request the Inter-American Defense Board (IADB) to continue providing technical advice to the AICMA Program.

16. To instruct the General Secretariat to continue providing member states, within the resources allocated in the program-budget of the Organization and other resources, with the support necessary to continue the mine-clearing programs, prevention education programs for the civilian population, and programs for the rehabilitation of victims and their families and for the socioeconomic reclamation of demined areas.

17. To reiterate the mandate assigned to the General Secretariat to continue, through the AICMA Program, its efforts with the member states, permanent observers, other states, and donor organizations to identify and obtain voluntary funding for the demining programs and comprehensive action against antipersonnel mines carried out by the member states in their respective territories, and
to continue cooperating in projects to assist comprehensive action against antipersonnel mines, including humanitarian demining, the physical and psychological rehabilitation of victims and their families, prevention education, and socioeconomic reclamation of demined areas.

18. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to other international organizations as he deems appropriate.

19. To request the Permanent Council and the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2454 (XXXIX-O/09)

PROMOTION OF WOMEN’S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the implementation of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (CP/CG-1761/09 corr. 1);

RECALLING:

That, through the adoption of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP) [AG/RES. 1732 (XXX-O/00)], the governments of the Hemisphere committed to developing decisive strategies to integrate a gender perspective in all spheres of public life as a way of attaining the ultimate goal of promoting and protecting women’s human rights and gender equity and equality, and achieving equality of rights and opportunities between women and men;

That international forums such as the Summits of the Americas, the Special Conference on Security, held in Mexico, and the Summit of the Americas on Sustainable Development, held in Bolivia, have reiterated the mandate to promote gender equity and equality in all areas; and

That this year marks the ninth anniversary of the adoption by the General Assembly of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, through resolution AG/RES. 1732 (XXX-O/00); and

CONSIDERING:

The mandate emerging from the aforementioned resolution for the Organization of American States (OAS) to facilitate the integration of a gender perspective into all the work of its organs, agencies, and entities, and to provide support to governments in the systematic compilation and dissemination of statistical data disaggregated by sex;

Resolutions AG/RES. 1777 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), AG/RES. 1941 (XXXIII-O/03), AG/RES. 2023 (XXXIV-O/04), AG/RES. 2124 (XXXV-O/05), AG/RES. 2192 (XXXVI-O/06), AG/RES. 2324 (XXXVII-O/07), and AG/RES. 2425 (XXXVIII-O/08), which took note of the reports presented by the Secretary General on compliance with the IAP, and, as reflected in those reports, of the results of the actions taken in this respect by the organs, agencies, and entities of the OAS;

That, according to the report presented by the Secretary General (CP/CG-1761/09 corr. 1), in 2008, some 45 percent of the substantive areas and 15 percent of the offices of the General
Secretariat reported on integration of the gender perspective into their annual activities, indicating that the General Secretariat is still working toward a satisfactory level of compliance; and

OBSERVING WITH SATISFACTION that the Third Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States was held in Santiago, Chile, on November 13, 2008, pursuant to resolution AG/RES. 2425 (XXXVIII-O/08),

RESOLVES:

1. To take note of the Secretary General’s eighth report on the implementation of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), submitted in fulfillment of resolution AG/RES. 2425 (XXXVIII-O/08); and to urge him to continue with its implementation.

2. To reaffirm its support for the work of the Inter-American Commission of Women (CIM) as the principal forum for generating hemispheric policy on gender equity and equality and the promotion of women’s human rights; and to continue to support the CIM’s efforts at follow-up and implementation of the IAP, including activities to continue promoting gender mainstreaming in the ministerial meetings on labor, justice, education, social development, science and technology, and sustainable development, in matters related to leadership, migration, conflicts and peacebuilding, and natural disasters, among others, as well as in the follow-up to the mandates of the Summits of the Americas process, in particular the Fourth Summit of the Americas.

3. Once again to request the Permanent Council, in fulfillment of the mandates handed down by this Assembly, the Summits of the Americas, and the IAP, to continue its efforts to integrate a gender perspective into the work of its special committees and working groups and into its resolutions, activities, and initiatives, as the case may be, to ensure that they benefit women and men on an equal and equitable basis.

4. To thank the Government of Chile for its generous hospitality and for the facilities it provided, which ensured the success of the Third Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States, held in Santiago, Chile, on November 13, 2008.

5. Also to thank the Canadian International Development Agency (CIDA) for the funds allocated to the project to promote the incorporation of gender analysis into the subsidiary bodies of the General Secretariat and into the ministries of labor in the region, including the organization of online courses and an information system on the subject, within the framework of the 2008-2011 OAS/CIDA Cooperation Plan.

6. To urge the member states to:

   a. Continue their efforts to develop public policies, strengthen institutional mechanisms for the advancement of girls and women, including young women, and enforce laws that promote respect for their human rights and
gender equity and equality, including equal opportunity for women and men at all levels;

b. Begin or continue, in accordance with their domestic law and as appropriate, to compile statistics and analyze data disaggregated by sex and race in all sectors, so as to better understand and address the differentiated impact of policies, programs, and projects on specific populations, among them girls and women, including young women; and

c. Fulfill the mandates of the Fourth Summit of the Americas through:

i. The development of support programs that take into account the differentiated impact of labor and social policies on young people, women, and men and that can contribute to eliminating discrimination against women, including young women, in the workplace and to increasing their full and equal access to decent, dignified, and productive work; and

ii. The production and utilization of statistics disaggregated by sex and race, particularly in the labor area, for the development of labor policies based on gender equity and equality.

7. To urge the Secretary General to:

a. Continue, with support from the CIM, promoting and working on full implementation of the IAP so as to achieve integration of a gender perspective into all programs, activities, and policies of the Organization of American States (OAS);

b. Request the organs, agencies, and entities of the Organization to include in their annual reports to the General Assembly their initiatives to mainstream the gender perspective into their policies, programs, projects, and activities, and to forward that information to the CIM so that it may be included in the annual report to the General Assembly that is drawn up pursuant to this resolution;

c. Initiate activities to commemorate the Inter-American Year of Women in 2010 pursuant to resolution AG/RES. 2322 (XXXVII-O/07) and to request the organs and entities, in connection with that commemoration and as a follow-up to the agreement adopted by the Executive Committee of the CIM at its first regular meeting, held on March 30 and 31, 2009, in Washington, D.C., to make reference in the reports mentioned in the preceding paragraph to the progress made in gender mainstreaming over the past decade, as well as to the resources dedicated to that topic;

d. Continue to implement jointly with the CIM the gender analysis training project at the OAS, targeted especially at senior staff in management
positions and new staff members who work in priority areas, and to develop, with the Department of Planning and Follow-up, gender indicators for specific priority programs and/or topics at the OAS for their inclusion in a pilot project; and

e. Give priority, when allocating external resources, to activities that facilitate expansion of the OAS Gender Analysis Training Program and activities to commemorate the Inter-American Year of Women.

8. To request the Permanent Council to report to the General Assembly at its fortieth regular session, in coordination with the CIM, on the implementation of the IAP and of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
THE GENERAL ASSEMBLY,

BEARING IN MIND:

That the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in that instrument, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status; and

That the American Declaration of the Rights and Duties of Man establishes that every human being has the right to life, liberty, and the security of his person;

REAFFIRMING the importance of the principles of universality, indivisibility, and interdependence of human rights;

CONSIDERING that the Charter of the Organization of American States proclaims that the historic mission of the Americas is to offer to man a land of liberty and a favorable environment for the development of his personality and the realization of his just aspirations and that the elimination of extreme poverty, equitable distribution of wealth and income, and the full participation of peoples in decisions relating to their own development are, inter alia, basic objectives of integral development;

RECALLING the results of the Second World Assembly on Ageing (Madrid, 2002) and the two regional intergovernmental conferences (Santiago, 2003, and Brasilia, 2007);

EMPHASIZING that in the Declaration of Commitment of Port of Spain,¹ the Heads of State and Government of the Americas pledged to continue “working to incorporate issues of aging into public policy agendas” and to promote “in the regional framework and with support from PAHO and ECLAC, a review of the feasibility of preparing an inter-American convention on the rights of older persons”;

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
NOTING that population aging is a complex age-related reality that poses new challenges for states as to the particular way in which the specific needs of older persons are addressed, and that therefore their rights warrant special international promotion and protection;

RECALLING that many countries have special laws and regulations to benefit older persons and that specific needs and concerns have been incorporated into public policies, which could be shared and articulated through dialogue and through more intensive and more effective cooperation; and

REAFFIRMING full respect for the rights of all persons, with inclusion and equity, and without discrimination by reason of age,

RESOLVES:

1. To express concern over the lack of studies and reports at the hemispheric level on specific institutions and mechanisms related to the problems of older persons, especially violations and infringements of their rights, which makes it necessary to move forward in the creation of international instruments for proper evaluation of their problems and in the adoption of measures for their protection.

2. To instruct the Permanent Council to include on its agenda consideration of the problems affecting older persons in the Hemisphere, with a view to promoting regional cooperation to identify their specific needs and appropriate public policies for addressing said needs.

3. To urge the Permanent Council to convene, with assistance from the Secretariat for Legal Affairs and the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR) if possible, a special meeting of national representatives and experts from the academic sector and civil society, as well as from international organizations, for the purpose of sharing information and best practices and also of examining the feasibility of preparing an inter-American convention on the rights of older persons.

4. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2456 (XXXIX-O/09)

HEMISPHERIC EFFORTS TO COMBAT TRAFFICKING IN PERSONS: CONCLUSIONS AND
RECOMMENDATIONS OF THE SECOND MEETING OF NATIONAL AUTHORITIES
ON TRAFFICKING IN PERSONS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND resolutions AG/RES. 2019 (XXXIV-O/04), AG/RES. 2026 (XXXIV-
O/04), and AG/RES. 2118 (XXXV-O/05), as well as resolutions AG/RES. 2256 (XXXVI-O/06) and
AG/RES. 2348 (XXXVII-O/07), on hemispheric efforts to combat trafficking in persons, which
recalled “the governments’ commitment to improve their capacity to identify, investigate, prosecute,
and punish those responsible for trafficking in persons, especially in women and children, and to
provide due assistance and protection to the victims,” and the recommendations of the Sixth and the
Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas
(REMJA-VI and REMJA-VII);

TAKING INTO ACCOUNT the conclusions and recommendations of the First Meeting of
National Authorities on Trafficking in Persons, held on Isla Margarita, Bolivarian Republic of
Venezuela, in March 2006;

RECOGNIZING the importance of the results of the Second Meeting of National Authorities
on Trafficking in Persons, held in Buenos Aires, Argentina, from March 25 to 27, 2009, in particular
the adoption of its document “Conclusions and Recommendations of the Second Meeting of National
Authorities on Trafficking in Persons” (RTP-II/doc.5/09 rev. 9), which expresses the political will of
the member states to strengthen regional and international cooperation to combat this serious crime;

BEARING IN MIND the commitment assumed by the member states to improve their
capacity for identifying, investigating, prosecuting, and punishing those responsible for trafficking in
persons, especially in women and children, and to provide due assistance and protection to the
victims, in the framework of the Protocol to Prevent, Suppress and Punish Trafficking in Persons,
Especially Women and Children, supplementing the United Nations Convention against
Transnational Organized Crime (Palermo Convention);

UNDERSCORING the continuing concern about the growing problem of trafficking in
persons expressed by our Heads of State and Government in Summits of the Americas and in
summits of the Rio Group, the member states of MERCOSUR and Associated States, the Andean
Community, the Union of South American Nations (UNASUR), and the Central American
Integration System (SICA), as well as in Ibero-American Summits and in Latin America and
Caribbean-European Union Summits, which reaffirmed the commitment to promote effective
measures to prevent and combat this crime;
CONSIDERING:

That trafficking in persons is one of the most lucrative illicit activities in the world;

That, given its specific characteristics, trafficking in persons affects and endangers primarily the most vulnerable groups and has a devastating impact on victims, depriving them of the enjoyment of their human rights and fundamental freedoms;

That poverty, inequity, and social exclusion are some of the factors that increase the vulnerability of persons, especially children and adolescents, to becoming victims of traffickers and smugglers, who often belong to organized criminal groups that operate at both domestic and transnational levels; and

That the fight against trafficking in persons must be addressed from a human rights and a gender perspective;

RECOGNIZING the important role of civil society in efforts to combat trafficking in persons;

NOTING WITH SATISFACTION the document “Conclusions and Recommendations of the Civil Society Preparatory Meeting for the Second Meeting of National Authorities on Trafficking in Persons” (March 3-4, 2009, RTP-II/doc.7/09);

BEARING IN MIND that all states are obligated to act with due diligence to prevent and investigate trafficking in persons and punish those responsible, to rescue victims and take the necessary actions to protect them, and to avoid any negative impact on victims’ enjoyment of their human rights and fundamental freedoms;

AWARE of the need to draw attention to the negative behavior of the so-called clients or users of trafficking in persons for purposes of sexual exploitation;

AWARE ALSO of the importance of an attitude of shared responsibility among countries of origin, transit, and destination for cases of international trafficking for purposes including labor or sexual exploitation;

CONVINCED:

That trafficking in persons is a serious global problem that requires broad, multidisciplinary international cooperation among all countries; and

That hemispheric efforts to combat trafficking in persons must be geared toward the adoption of concrete measures to prevent the crime and provide protection and comprehensive assistance to victims, guaranteeing them the enjoyment of, and full respect for, human rights both nationally and internationally, and toward the strengthening of measures to pursue criminal organizations, as well as the investigation, prosecution, and punishment of the crime; and
RECALLING that the Second Meeting of National Authorities on Trafficking in Persons decided to entrust the General Secretariat with preparing a draft work plan, to be considered by the Committee on Hemispheric Security, bearing in mind the progress made at the subregional level, as well as at the international level, avoiding duplication of effort and generating enhanced coordination,

RESOLVES:

1. To reinforce the effective implementation of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and to reaffirm the commitment of the member states of the Organization of American States (OAS) to fight the crime of trafficking in persons, by means of a comprehensive approach that takes into account the prevention of trafficking, prosecution of its perpetrators, protection of and assistance to its victims and respect for their human rights, and strengthening of international cooperation in the area.

2. To welcome the conclusions and recommendations of the Second Meeting of National Authorities on Trafficking in Persons (RTP-II/doc.5/09 rev. 10), held in Buenos Aires, Argentina, from March 25 to 27, 2009, which are part of this resolution.

3. To request the General Secretariat to prepare a draft work plan to be considered by the Committee on Hemispheric Security, based on the conclusions and recommendations of the First and the Second Meeting of National Authorities on Trafficking in Persons, and other relevant provisions of the OAS, bearing in mind the achievements at the subregional and international levels, avoiding duplication of effort and generating enhanced coordination.

4. To encourage member states to take the necessary measures to implement the conclusions and recommendations of the Second Meeting of National Authorities on Trafficking in Persons.

5. To urge member states to promote measures that help draw attention to the negative behavior of so-called clients or users, as they are the ones who fuel the cycle of sexual exploitation and bear responsibility for creating demand for trafficking in persons for purposes of sexual exploitation.

6. To urge those member states that have not yet done so to consider ratifying, acceding to, or accepting, as the case may be, the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other initiatives and actions intended to prevent trafficking in persons, prosecute its perpetrators, and protect and assist its victims.

7. To encourage the member states to strengthen immediate operational contacts for expeditious information exchange making possible direct and timely communication that contributes to the investigation of the crime of trafficking in persons.
8. To recognize the important role of civil society in combating trafficking in persons and to recommend that member states reinforce dialogue and cooperation with civil society organizations in their efforts to combat this crime.

9. To request the Permanent Council to report to the General Assembly at its forty-first regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
APPENDIX

CONCLUSIONS AND RECOMMENDATIONS
OF THE SECOND MEETING OF NATIONAL AUTHORITIES
ON TRAFFICKING IN PERSONS

(Adopted on March 27, 2009, and reviewed by the Style Committee)

We, the National Authorities of the member states of the Organization of American States (OAS) responsible for combating trafficking in persons, meeting in Buenos Aires, Argentina, from March 25 to 27, 2009;

EMPHASIZING the importance of this meeting, the efforts of our countries to combat trafficking in persons, and the commitment of our governments to strengthen regional and international cooperation to combat this serious crime;

TAKING INTO CONSIDERATION the Conclusions and Recommendations of the First Meeting of National Authorities on Trafficking in Persons of the OAS, held on Isla Margarita, Bolivarian Republic of Venezuela, from March 14 to March 17, 2006, which recalled “the governments’ commitment to improve their capacity to identify, investigate, prosecute, and punish those responsible for trafficking in persons, especially in women and children, and to provide due assistance and protection to the victims”;

TAKING INTO ACCOUNT the results of the United Nations Forum to Fight Human Trafficking, held in Vienna, from February 13 to February 15, 2008;

TAKING INTO ACCOUNT ALSO the Global Report on Trafficking in Persons of the United Nations Office on Drugs and Crime (UNODC), of 2009;

BEARING IN MIND General Assembly resolutions on hemispheric efforts to combat trafficking in persons, as well as the recommendations of the Sixth and the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VI and VII);

RECALLING that in the Declaration on Security in the Americas and the Hemispheric Plan of Action against Transnational Organized Crime our states condemned transnational organized crime because it undermined our institutions and had a negative impact on our societies, and renewed their commitment to combat it by strengthening domestic legal frameworks, the rule of law, and multilateral cooperation that respects the sovereignty of each state;

1. Resolutions AG/RES. 2019 (XXXIV-O/04), AG/RES. 2026 (XXXIV-O/04), AG/RES. 2118 (XXXV-O/05), AG/RES. 2256 (XXXVI-O/06), and AG/RES. 2348 (XXXVII-O/07).
2. Resolutions AG/RES. 2228 (XXXVI-O/06) and AG/RES. 2369 (XXXVIII-O/08).
3. Adopted at the third plenary meeting of the Special Conference on Security, held in Mexico City on October 28, 2003.
4. Resolution CP/RES. 908 (1537/06).
TAKING NOTE of our commitment to the principles underlying the Universal Declaration of Human Rights; the American Declaration of the Rights and Duties of Man; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the American Convention on Human Rights, especially the provisions concerning the protection of children; the United Nations Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Convention); the Inter-American Convention on International Traffic in Minors; and Convention No. 182 on the Worst Forms of Child Labour of the International Labour Organization, as well as the resolutions adopted on this subject by the General Assembly, the Economic and Social Council, and the Commission on Crime Prevention and Criminal Justice of the United Nations;

RECALLING the decision on trafficking in persons adopted at the fourth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, which, among other things, urged member states to strengthen domestic policies and cooperation with the United Nations system to combat trafficking in persons;

BEARING IN MIND the continuing concern about the growing problem of trafficking in persons expressed by our Heads of State and Government in Summits of the Americas and in summits of the Rio Group, the member states of MERCOSUR and Associated States, the Andean Community, the Union of South American Nations (UNASUR), and the Central American Integration System (SICA), as well as in Ibero-American Summits and in Latin America and Caribbean-European Union Summits, the Regional Conference on Migration, the South American Conference on Migration, the Specialized Migration Forum of MERCOSUR and Associated States, and other subregional settings;

CONSIDERING the Declaration of Santiago on Migration Principles (2004), the Montevideo Declaration against Trafficking in Persons in MERCOSUR and Associated States (2005), the Declaration of Asunción on Trafficking in Persons and Smuggling of Migrants (2001), the Conclusions and Recommendations of the First International Congress of MERCOSUR and Associated States on Trafficking in Persons and Child Pornography (2008), and other documents adopted and advances made on trafficking in persons adopted in the Americas;

AWARE that poverty, social inequity, and social exclusion are some of the factors that increase the risk that persons, particularly children, may become victims of traffickers and smugglers who often belong to organized criminal groups which operate both domestically and transnationally;

CONSIDERING that trafficking in persons constitutes a serious violation of human rights and, especially, of human dignity;

RECOGNIZING the need to bolster the national and hemispheric response to all forms of trafficking in persons, both domestically, in accordance with the legislation and jurisprudence of the member states, as well as transnationally;
RECOGNIZING ALSO the determination of the member states to make protection of victims one of the core focuses of national public policies on international cooperation against trafficking in persons;

MINDFUL of the lack of visibility in our societies of forms of exploitation other than sexual exploitation, such as involuntary servitude, forced labor, and practices analogous to slavery, among others;

BEARING IN MIND that countries of origin, transit, and destination should continue working to formulate public policies and should continue cooperating on prevention, rehabilitation, voluntary repatriation, and reintegration programs, with a comprehensive and multidisciplinary approach that takes into account gender and age, while upholding the security of the victims and respect for the full enjoyment of human rights;

BEARING IN MIND ALSO that all states are obligated to act with due diligence to prevent and investigate trafficking in persons and punish those responsible, and to rescue victims and take the necessary actions to protect them and avoid any potential negative impact on victims’ enjoyment of their human rights and fundamental liberties;

CONVINCED of the need to draw attention to the negative behavior of the so-called clients or users of trafficking in persons for purposes of sexual exploitation;

CONCERNED by the use of new information technologies, among them the Internet, as instruments for exploiting the prostitution of others, trafficking in women for the purpose of marriage, sex tourism for the purpose of exploiting women and children, child pornography, pedophilia, and other forms of sexual exploitation;

CONCERNED ALSO by the increase in transnational organized crime activities and in persons who profit from trafficking in persons, especially in women and children;

AWARE that it is also necessary to direct assistance measures at men and boys who are victims of trafficking for purposes of labor or sexual exploitation;

AWARE ALSO of the need to adopt adequate measures to ensure that the victims of trafficking are not re-victimized as a result of the actions taken by government authorities;

ACKNOWLEDGING the work of civil society organizations and their initiatives for strengthening national capacities;

TAKING NOTE of the contributions made by experts, international entities and organizations, civil society organizations, and observers who took part in the meeting; and

TAKING INTO ACCOUNT a comprehensive approach to the subject, we analyzed the implementation of applicable international legal instruments; the protection of and assistance to victims of trafficking in persons, especially women and children; prevention of the crime; the prosecution of traffickers; and cooperation among countries of origin, transit, and destination of trafficking in persons; as well as the establishment or enhancement of statistical records,
MAKE THE FOLLOWING RECOMMENDATIONS:

1. To enhance the implementation of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and to invite those member states that have not yet done so to sign, ratify and/or accede to it, as appropriate.

2. To underscore that trafficking in persons should be addressed from a shared-responsibility perspective as a crosscutting approach in which countries of origin, transit, and destination, as well as states concerned with fighting this scourge, can work together to mitigate and eradicate the harmful effects of this crime on our societies.

3. To continue efforts to implement the conclusions and recommendations of the First Meeting of National Authorities on Trafficking in Persons.

4. To request the Secretariat for Multidimensional Security, with the collaboration of the member states, to prepare a document that collects the successful experiences of countries in the Hemisphere, in order to identify best practices that could be introduced at the hemispheric level.

5. To maximize efforts to implement the recommendations agreed upon in this document.

6. To institute or strengthen, as appropriate, in accordance with the domestic legal system, expeditious mechanisms for facilitating data collection and the exchange of information and experiences, forming subregional, regional, hemispheric, and international cooperation networks to allow competent authorities to combat trafficking in persons.

7. To ensure, as part of the comprehensive approach to combating trafficking in persons in the Hemisphere, that legislative, administrative, or any other type of measures adopted, implemented, or strengthened respect human rights and include a gender and age perspective.

8. To request the General Assembly to hold biennial meetings of national authorities on trafficking in persons, as available funds permit.\(^5\)

As a result of the input of Technical Working Group I: Prosecution of the crime of trafficking in persons, administration of justice, and strategies for international cooperation and institutional strengthening:

9. To consider the use in each of the member states, as appropriate and consistent with national law, of tools such as joint investigations and special investigative techniques, in accordance with the United Nations Convention against Transnational Organized Crime (Palermo Convention).

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\(^5\) It would follow the practice of the Conference of States of Parties to the Palermo Convention, which would make it possible to hold meetings on trafficking in persons every year, alternating between the OAS one year and the United Nations the next.
10. To strengthen contacts of an operational and immediate nature, so as to enable direct and timely communication that contributes to the investigation of the crime of trafficking in persons.

11. To recommend that the General Secretariat prepare a hemispheric compendium of investigative and judicial cooperation mechanisms as a useful reference tool for all domestic agencies involved in prosecuting this crime and bringing its perpetrators to justice.

12. To commend the Secretariat for Multidimensional Security for forging a close relationship with the United Nations Office on Drugs and Crime (UNODC) and other international organizations, so as to encourage harmonious efforts in programs carried out in this area in the Hemisphere and to promote further collaboration in this regard.

13. To commend the Secretariat for Multidimensional Security for forging a close relationship with the United Nations Office on Drugs and Crime (UNODC) and other international organizations, so as to encourage harmonious efforts in programs carried out in this area in the Hemisphere and to promote further collaboration in this regard.

14. To strengthen judicial and administrative cooperation, as appropriate, in accordance with the international instruments in force.

15. To strengthen, in accordance with domestic laws, mechanisms for cooperation among the member states on judicial investigation, mutual legal assistance, and extradition, in accordance with the Inter-American Convention on Mutual Assistance in Criminal Matters and other applicable instruments, through appropriate authorities and the secure electronic mail system.

16. To strengthen expeditious mechanisms for the exchange of information and, to the extent possible, of intelligence among member states, to help identify the modus operandi, routes, and flows of traffickers between countries of origin, transit, and destination, including the possibility of promoting the establishment of technically compatible databases.

17. To encourage member states to consider developing comparable parameters with respect to trafficking in persons in order to enhance cooperation efforts.

18. To endeavor to guarantee full protection to all victims of trafficking in persons throughout the investigative and judicial proceedings, as well as the assistance of psychosocial professionals.

19. To prioritize a victim-centered approach and ensure respect for the victim’s human rights, safety, and well-being, including risk assessment when the victim is called upon to testify.

20. To endeavor to guarantee that the laws, regulations, programs, and activities to combat trafficking in persons do not preclude the possibility of the victims’ remaining in the territory, temporarily or permanently, as appropriate, with due consideration for humanitarian and personal factors.

21. To evaluate internally domestic measures implemented with regard to trafficking in persons through, where appropriate, progress indicators, and to produce national diagnostic assessments in order to identify areas for improvement.
21. To avoid, in accordance with domestic laws and jurisprudence, the detention, criminal prosecution, and punishment of victims of trafficking in persons for their participation in illegal activities, to the extent that such participation was the direct result of their being the victims of trafficking and to the extent that the victims were forced or compelled to participate in such activities.

22. To act with due diligence in identifying, prosecuting, and bringing to justice traffickers, including those who control or exploit victims of trafficking in persons.

23. To cooperate within the framework of the OAS to train those responsible for administering the criminal justice system and dispensing justice to try cases involving trafficking in persons in a manner that recognizes the seriousness of such crimes.

24. To strengthen, as appropriate, the effectiveness and efficiency of border control mechanisms, with special emphasis on the protection of children, without prejudice to international commitments applicable to the free movement of persons and goods.

As a result of the input of Technical Working Group II: “Prevention of the crime of trafficking in persons and protection of and integral assistance to victims, with special emphasis on women and children, including international cooperation and institutional strengthening”:

25. To request that all parties involved (OAS, member states, other organizations and civil society) keep permanently in mind, in their efforts to prevent this phenomenon, the structural causes that give rise to trafficking in persons in our societies and to guide their prevention programs accordingly with a view to mitigating these factors.

26. To strengthen hemispheric cooperation among the member states in a spirit of shared responsibility and, on the basis of a multidisciplinary approach which includes preventive measures, especially those aimed at discouraging demand, to provide assistance to victims and respect their human rights and fundamental freedoms.

27. To strengthen the legal protection of workers throughout the region, urging all social sectors, including the private sector, to assume social responsibility and reject practices that involve any form of exploitation of human beings.

28. To promote the preparation of multidisciplinary studies and assessments to analyze and understand the causes and consequences of the phenomenon of trafficking in persons. As much as possible, this must include the forces driving demand, the modus operandi of the criminal networks, the movement of profits generated by trafficking in persons, the way it relates to other legal or illegal activities, the income circuit, and the negative social, psychological, physical, and emotional and other types of impact on the victims.

29. To promote the preparation, within the OAS framework, of maps of trafficking routes in order to prioritize preventive actions in the most vulnerable areas, as the case may be. In that sense, the assistance of civil society organizations is essential for campaigns, actions, and prevention policies.
30. To strengthen measures for monitoring travel agencies and employment recruiters in countries of origin, transit, or destination, in order to prevent them from trafficking in persons, bearing in mind international commitments on the free circulation of persons.

31. To strengthen training and heighten the awareness of government personnel and competent authorities in the identification, protection, and assistance to victims of trafficking in persons, and in the correct application of the universal instruments, legislation, and national directives on the subject.

32. To promote and implement, with civil society participation, public information campaigns aimed at raising awareness in society about preventing and combating the crime of trafficking in persons, and to ensure that they focus on respect for human rights and take into account the age and gender of the population.

33. To conduct mass information campaigns to promote responsible use of the Internet and new communication technologies, with special emphasis on children.

34. To emphasize the development of educational plans and programs as key factors in the prevention of trafficking in persons and to seek to include them, as appropriate, at all academic levels.

35. To request the General Secretariat to identify, with the participation of the member states, and transmit the experience of the countries of the Hemisphere with regard to programs on education, promotion of civic-mindedness, human rights, and a gender perspective as best-practices tools.

36. To promote the adoption of appropriate measures to combat trafficking in persons, taking into account factors that increase vulnerability, including poverty, inequity, social exclusion, and gender inequality, among others.

37. To promote measures that address the increasing vulnerability of women and girls to trafficking and exploitation, as well as related gender-based violence.

38. To implement and/or strengthen effective measures that take into account matters of gender and age, in order to combat and eliminate all forms of trafficking in persons as part of a comprehensive strategy against this crime that would include a human rights perspective; and, if appropriate, to produce national plans of action in that area.

39. To alert parents or legal guardians, through public information campaigns and other means, of the tactics frequently employed by traffickers, so that they can better protect their children from exploitation.

40. To develop, implement, and, as appropriate and in accordance with domestic laws, standardize guidelines, directives, or guides to best practices for the treatment of victims. These should be gender-focused and age-adapted and take the best interests of the child into account, with minimum standards of care for comprehensive assistance—psychological, medical, legal, and social, independently of whether the victims are cooperating in judicial
proceedings. They should include mechanisms for the detection, identification, and rescue of victims and for their reintegration into society, with due regard for sensitive and confidential information.

41. To verify that victims of trafficking in persons outside of their countries of origin receive assistance and legal information in a language that they understand, as well as consular and social assistance in order to meet their immediate needs, calling upon authorities of the recipient country to work in close coordination with accredited consular authorities.

42. To develop a regional strategy to protect victims of all forms of trafficking in persons in accordance with the provisions of the Palermo Convention and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

43. To implement special measures for immediate protection when the victims of trafficking are children, the best interests of the child being the primary concern.

44. To identify appropriate means to warn migrants or possible migrants of the dangers and consequences of trafficking in persons and to enable them to receive information about assistance in case they need it.

45. To strengthen cooperation that would allow, when appropriate, the voluntary, orderly, safe, and dignified repatriation of victims of trafficking in persons, in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, aimed at guaranteeing them security and integrity.

46. To encourage measures that help draw attention to the negative behavior of the so-called clients or users as the ones who fuel the vicious cycle of sexual exploitation and bear responsibility for creating the demand for trafficking in persons for purposes of sexual exploitation.

47. To complete, disseminate, and regularly update the Directory of National Authorities for purposes of assisting the victims of trafficking, identifying points of contact in the countries of the region.

48. To promote, strengthen, and develop, as appropriate, national plans of action and strategies to combat trafficking in persons that are comprehensive, multidisciplinary, and victim-centered and that ensure coordination of the efforts of all interested parties.

WE ALSO RESOLVE:

49. To instruct the General Secretariat to prepare a draft work plan to be considered by the Committee on Hemispheric Security, based on the conclusions and recommendations of the First and the Second Meeting of National Authorities on Trafficking in Persons, and other relevant provisions of the OAS, bearing in mind the achievements at the subregional and international levels, avoiding duplication of effort and generating enhanced coordination.
50. To entrust the Secretariat for Multidimensional Security with the development of comparable parameters on legal frameworks, prevention, prosecution of crime, assistance and protection for victims, and intergovernmental cooperation on trafficking in persons.

51. To submit the document containing the Conclusions and Recommendations of the Second Meeting of National Authorities on Trafficking in Persons, held in Buenos Aires, Argentina, to the Fifth Summit of the Americas, the General Assembly at its thirty-ninth regular session, and REMJA-VIII.

52. To express our very special gratitude to the Governments of the Republic of Argentina and the Eastern Republic of Uruguay, in their capacity as co-organizers, for their warm and kind hospitality and for the excellent organization of this meeting.
AG/RES. 2457 (XXXIX-O/09)

STRENGTHENING THE ACTIVITIES OF THE
JUSTICE STUDIES CENTER OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the mandates assigned by the Third and the Fourth Summit of the Americas; resolution AG/RES. 1 (XXVI-E/99), which decided to establish the Justice Studies Center of the Americas (JSCA); resolution AG/RES. 2068 (XXXV-O/05), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas”; the Annual Report of the Permanent Council to the General Assembly (AG/doc.4548/06 add. 6), especially with respect to the implementation of resolution AG/RES. 2068 (XXXV-O/05); and resolutions AG/RES. 2228 (XXXVI-O/06), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas”; AG/RES. 2216 (XXXVI-O/06), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Strengthening the Activities of the Justice Studies Center of the Americas”; AG/RES. 2266 (XXXVII-O/07), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Support for the REMJA Process”; AG/RES.2281 (XXXVII-O/07), “Strengthening the Activities of the Justice Studies Center of the Americas”; AG/RES. 2369 (XXXVIII-O/08), “Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA)”; and AG/RES. 2413 (XXXVIII-O/08), “Strengthening the Activities of the Justice Studies Center of the Americas”;

CONSIDERING that the member states can continue examining the proposals presented by the JSCA at each Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA);

BEARING IN MIND the presentation by the JSCA to the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI), held in Santo Domingo, Dominican Republic, in April 2006, of a funding plan which proposed a system of suggested voluntary contributions by member states to cover the JSCA’s basic costs;

APPRECIATING the voluntary contributions made by Canada, Chile, Mexico, and Italy;

TAKING INTO ACCOUNT the 2008 annual report on the Center’s activities and the report presented to REMJA-VII, on April 29, 2008, which reflect the specific activities undertaken by the JSCA in recent years to strengthen justice systems in the member states; and noting that the JSCA reported that it is working intensively to expand existing projects and develop new ones with multilateral agencies and financial institutions; and

RECALLING that Article 17 of the Center’s Statute, adopted in 1999 by the General Assembly at its twenty-sixth special session, establishes that the JSCA and its activities may be funded with voluntary contributions from member states as well as with funds from other public and private sources,
RESOLVES:

1. To reiterate its appeal to member states to make voluntary contributions to the Justice Studies Center of the Americas (JSCA) to cover its basic costs.

2. To invite the permanent observers to the Organization to make voluntary contributions to the JSCA.

3. To request the Permanent Council to continue, through the Committee on Juridical and Political Affairs, to include on its agenda a dialogue with the JSCA to consider the best ways to expand cooperation between the member states and the Center, taking into account the conclusions and recommendations of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJAs) in this regard.

4. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2458 (XXXIX-O/09)

XX PAN AMERICAN CHILD CONGRESS –
INTER-AMERICAN SPECIALIZED CONFERENCE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN that the XX Pan American Child Conference, to be held in Peru from September 23 to 25, 2009, was declared an “Inter-American Specialized Conference” through Permanent Council resolution CP/RES. 949 (1688/09), of April 21, 2009; and

RECOGNIZING that the activities of the Inter-American Children’s Institute (IIN) are an essential component of the important work being carried out by the Organization of American States to promote and protect the human rights of children in the Hemisphere,

RESOLVES:

1. To endorse the decision adopted by the Permanent Council to declare the XX Pan American Child Conference, to be held in Lima, Peru, from September 23 to 25, 2009, an “Inter-American Specialized Conference.”

2. To encourage member states to do their utmost to make this event a success and to be represented at the highest possible level.

3. To thank the Government of Peru for its generous offer to host the XX Pan American Child Conference, which will be held in Lima from September 23 to 25, 2009, and which the Permanent Council of the Organization has declared an Inter-American Specialized Conference.
AG/RES. 2459 (XXXIX-O/09)

SUPPORT FOR THE WORK OF THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual reports of the organs, agencies, and entities of the Organization of American States (OAS) (AG/doc.4992/09 and add. 1), particularly the Annual Report of the Inter-American Committee against Terrorism to the General Assembly (CP/doc.4390/09);

REITERATING the commitments assumed in resolutions AG/RES. 1650 (XXIX-O/99), “Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism”; AG/RES. 1734 (XXX-O/00), “Observations and Recommendations on the Annual Report of the Inter-American Committee against Terrorism”; and AG/RES. 1789 (XXXI-O/01), AG/RES. 1877 (XXXII-O/02), AG/RES. 1964 (XXXIII-O/03), AG/RES. 2051 (XXXIV-O/04), AG/RES. 2137 (XXXV-O/05), AG/RES. 2170 (XXXVI-O/06), AG/RES. 2272 (XXXVII-O/07), and AG/RES. 2396 (XXXVIII-O/08), “Support for the Work of the Inter-American Committee against Terrorism”;

REITERATING ALSO that, as stated in the Inter-American Convention against Terrorism, terrorism, whatever its form or manifestation and whatever its origin or motivation, has no justification whatsoever, is inimical to the full enjoyment and exercise of human rights, and poses a grave threat to international peace and security, institutions, and the democratic values enshrined in the OAS Charter, the Inter-American Democratic Charter, and other regional and international instruments;

REITERATING FURTHER that it is important for member states to sign, ratify, implement, and continue implementing, as the case may be, the Inter-American Convention against Terrorism, as well as the pertinent regional and international conventions and protocols, including the 13 universal conventions and protocols, and United Nations Security Council resolutions 1373 (2001) and 1624 (2005) and those of the United Nations General Assembly, in order to find, deny safe haven to, and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation, or commission of terrorist acts, or provides safe havens, as well as resolutions 1267 (1999), and 1540 (2004);

NOTING WITH SATISFACTION the holding of the Ninth Regular Session of the Inter-American Committee against Terrorism (CICTE) in Washington, D.C., from March 4 to 6, 2009, and the adoption of the Declaration on Strengthening Border Controls and International Cooperation in the Fight against Terrorism;
RECALLING the need to confront terrorism through sustained cooperation, with full respect for the obligations imposed by international law, including international human rights law, international humanitarian law, and international refugee law;

REAFFIRMING that the fight against terrorism demands the broadest possible cooperation among the member states and coordination among international and regional organizations, in order to prevent, punish, and eliminate terrorism in all its forms;

RECOGNIZING the importance of the United Nations Global Counter-Terrorism Strategy, of September 8, 2006 (document A/RES/60/288), and the importance of its implementation in the fight against terrorism; and

NOTING WITH SATISFACTION:

That to date 24 member states have ratified or acceded to the Inter-American Convention against Terrorism; and

The holding of the Seventh Meeting of CICTE’s National Points of Contact, on March 3, 2009, in Washington, D.C.,

RESOLVES:

1. To reiterate its most vigorous condemnation of terrorism in all its forms and manifestations as criminal and unjustifiable under any circumstances, in any place, and regardless of who perpetrates it, and because it poses a grave threat to international peace and security, to the rule of law, and to the democracy, stability, and prosperity of the countries of the region.

2. To endorse the Declaration on Strengthening Border Controls and International Cooperation in the Fight against Terrorism, adopted by the member states of the Inter-American Committee against Terrorism (CICTE) at its ninth regular session, and to encourage the member states to fulfill the commitments contained therein.

3. To urge member states that have not yet done so to sign, ratify, or accede to, as the case may be, and to implement in an effective way, the Inter-American Convention against Terrorism, as well as the 13 related universal conventions and protocols and the relevant resolutions of the United Nations Security Council.

4. To reiterate the importance of adopting measures to strengthen international cooperation mechanisms, especially at the hemispheric level, including the application of extradition and mutual legal assistance as well as the exchange of information, including financial information, in accordance with domestic law, in order to find, deny safe haven to, and bring to justice any person who supports, facilitates, participates, or attempts to participate in the financing, planning, preparation, or commission of terrorist acts or provides safe havens.

5. To call upon all member states that have not yet done so to ratify the Inter-American Convention against Terrorism and to implement it effectively.
6. To express its abiding commitment to fight terrorism and the financing thereof with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001) and to improve the implementation of the Nine Special Recommendations on Terrorist Financing of the Financial Action Task Force on Money Laundering (FATF).

7. To express its satisfaction with the progress made by member states in the adoption of effective measures to prevent, combat, and eradicate terrorism; and to underscore the need to continue identifying cooperation mechanisms in the fight against terrorism at the bilateral, subregional, regional, and international levels and strengthening their application.

8. To reiterate its satisfaction with the forum for dialogue, coordination, and cooperation that CICTE affords, and with its efforts to identify measures to strengthen hemispheric cooperation to prevent, combat, and eliminate terrorism, including the technical assistance provided to states that so request, with the aim of fulfilling the obligations assumed in the different binding international instruments, in accordance with the CICTE Work Plan.

9. To instruct the CICTE Secretariat to implement the programs and projects approved in the CICTE Work Plan for 2009.

10. To express appreciation once again to the member states and permanent observers that have contributed human and other resources to the CICTE Secretariat for implementation of CICTE’s Work Plan.

11. To call once again on member states, permanent observers, and pertinent international organizations to maintain or increase, as appropriate, their voluntary financial contributions and/or contributions of human resources to CICTE to enable it to perform its functions and promote the improvement of its programs and areas of activity.

12. To instruct the General Secretariat to continue providing the CICTE Secretariat, within the resources allocated in the program-budget of the Organization and other resources, with administrative and any other support needed, including support for the Tenth Regular Session of CICTE, scheduled to be held at the headquarters of the Organization of American States, in Washington, D.C., from March 17 to 19, 2010, including the three preparatory meetings for that regular session, and for the Eighth Meeting of CICTE’s National Points of Contact, which will take place in conjunction with that regular session.

13. To request the Chair of CICTE to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2460 (XXXIX-O/09)

INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF
AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES,
AND OTHER RELATED MATERIALS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in
particular the section on the matters entrusted to the Committee on Hemispheric Security
(AG/doc.4992/09 add. 1);

UNDERSCORING the importance of the Inter-American Convention against the Illicit
Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials
(CIFTA);

REITERATING the urgent need for all member states to take appropriate measures for full
implementation of the Convention, and the importance of promoting and facilitating cooperation and
the sharing of information and experiences among all the states at the bilateral, regional, and
international levels with a view to averting, combating, and eradicating the illicit manufacturing of
and trafficking in firearms, ammunition, explosives, and other related materials;

REAFFIRMING the principles of sovereignty, nonintervention, and the juridical equality of
states;

RECALLING resolution AG/RES. 2381 (XXXVIII-O/08) and previous General Assembly
resolutions on the CIFTA, as well as the Declaration of Bogotá on the functioning and application of
the CIFTA and the Tlatelolco Commitment, adopted at the First and the Second Conference of States
Party, respectively;

CONSIDERING that the states of the Hemisphere recognized, in the Declaration on Security
in the Americas, adopted on October 28, 2003, in Mexico City, that the illicit manufacturing of and
trafficking in firearms, ammunition, explosives, and other related materials are a threat to hemispheric
security and, when used by terrorists and criminals, undermine the rule of law, breed violence and, in
some cases, impunity, exacerbate conflicts, and represent a serious threat to human security, and
agreed to combat the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and
other related materials;

BEARING IN MIND the United Nations Programme of Action to Prevent, Combat and
Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, as well as the United
Nations Convention against Transnational Organized Crime (Palermo Convention);

CONSIDERING the substantial progress made by the Consultative Committee of the CIFTA,
especially the decisions adopted at its Tenth Regular Meeting, held on April 24, 2009;
NOTING WITH SATISFACTION:

The results of the Fourth Meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, held on April 23, 2009, at the headquarters of the Organization of American States (OAS), in connection with its consideration of the model legislation and commentaries in relation to confiscation and forfeiture of firearms, ammunition, explosives, and other related materials (Article VII);

The seminar “Practical Approaches to Combating the Illicit Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials across Borders: Meeting of Law Enforcement Authorities and Customs Officials,” organized by the General Secretariat, through its Department of Public Security, in conjunction with the Government of Canada and the Government of the United States of America, and held in Vancouver, British Columbia, from March 16 to 18, 2009, with the aim of improving cooperation and the exchange of experiences among customs authorities on trafficking in firearms, ammunition, explosives, and other related materials;

The participation by the Technical Secretariat of the CIFTA in the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held from July 14 to 18, 2008, at United Nations Headquarters, in New York;

The Work Program 2009-2010 of the Consultative Committee of the CIFTA, which the Committee adopted at its tenth regular meeting; and

The firearms destruction programs implemented by member states in the framework of the CIFTA, the Declaration of Bogotá, and the Tlatelolco Commitment, and the technical support of the General Secretariat in this area;

CONGRATULATING the Secretariat for Multidimensional Security for forging a closer relationship with the United Nations and other international organizations so as to foster cooperative efforts on programs implemented in this Hemisphere and promote greater collaboration in the area;

RECALLING that the Fifth Meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers will be held on October 8 and 9, 2009, at OAS headquarters;

WELCOMING that the Dominican Republic deposited its instrument of ratification of the Convention at the General Secretariat on April 24, 2009, and that, as a result, 30 states are now parties thereto; and

CONVINCED that illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials are a threat to security, breed violence, exacerbate conflicts, and adversely affect the rule of law. We reiterate the need for effective cooperation to prevent, combat, and eradicate this threat and, in this regard, we reaffirm the value of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and of its model legislation as a basis for such cooperation. We will continue combating the illicit manufacturing of and trafficking in firearms,
ammunition, explosives, and other related materials by, among other actions, marking and tracing firearms, destroying excess stocks of firearms designated by each state, securing and managing stockpiles, and regulating firearms brokering, including sanctions for illicit arms brokering for the purpose of avoiding their diversion through illicit channels and their proliferation,

RESOLVES:

1. To urge all member states that have not already done so to give prompt consideration to ratifying or acceding to, as the case may be, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and to adopting all necessary measures for its effective implementation.

2. To urge the member states to strengthen, as appropriate, border control to combat illicit trafficking in firearms, ammunition, explosives, and other related materials.

3. To continue consideration of the draft model legislation and commentaries in relation to confiscation and forfeiture of firearms, ammunition, explosives, and other related materials; and to begin consideration of the draft model legislation on recordkeeping, confidentiality, and exchange of information, in accordance with Articles XI, XII, and XIII of the Convention, at the Fifth Meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, convened for October 8 and 9, 2009.

4. To encourage the member states to implement, as appropriate, the model legislations adopted by the General Assembly, and to request assistance, where appropriate, through the Technical Secretariat in the development and enactment of these legislations.

5. To convene, in the framework of the Consultative Committee of the CIFTA, the Sixth Meeting of the OAS Group of Experts for February 11 and 12, 2010, at the headquarters of the Organization of American States (OAS), to consider the draft model legislation on security measures, pursuant to Article VIII of the Convention.

6. To convene, in the framework of the Consultative Committee of the CIFTA, the Seventh Meeting of the OAS Group of Experts for October 21 and 22, 2010, at OAS headquarters, to consider the draft model legislation on controlled delivery, pursuant to Article XVIII of the Convention.

7. To convene for April 23, 2010, at OAS headquarters, the Eleventh Regular Meeting of the Consultative Committee of the CIFTA, pursuant to Article XXI of the Convention, and also to provide support for such preparatory meetings as are relevant.

8. To request the General Secretariat to continue organizing, in the framework of the CIFTA, the Declaration of Bogotá on the functioning and application of the CIFTA, and the Tlatelolco Commitment, specialized workshops and training programs on the destruction of small arms, light weapons, and ammunition, on stockpile management, and on the identification, marking, tracing, and inventory and diversion control of firearms, ammunition, and explosives.

10. To invite the Consultative Committee of the CIFTA to continue reporting periodically to the Committee on Hemispheric Security of the Permanent Council on developments in the implementation of the Declaration of Bogotá and the Tlatelolco Commitment, so that said Committee may take such information into account when preparing coordinated strategies and integrated action plans in connection with the new threats, concerns, and other challenges to hemispheric security, including transnational organized crime.

11. To invite the member states to consider making voluntary contributions, in the form of financial and human resources, to bring about the full implementation of the CIFTA and the strengthening of its Technical Secretariat.

12. To request the member states, permanent observers, and international, regional, and subregional organizations interested in the subject, as well as the international community, to consider the possibility of providing the Technical Secretariat with technical, human, and educational assistance to support the implementation of measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

13. To invite member states, permanent observers, and international organizations to consider contributing to the OAS fund established by the General Assembly for the collection and destruction of firearms as well as for related training programs, in order to channel financial and technical resources to those member states that require assistance and support in implementing the CIFTA.

14. To direct that the meetings of the Consultative Committee, including meetings within this framework, be held within the resources allocated in the program-budget of the Organization and other available resources; and to request the General Secretariat to provide the necessary administrative and technical secretariat support for these purposes.

15. To request the Secretary General to present a report to the General Assembly at its fortieth regular session on the status of signatures and ratifications of, and accessions to, the CIFTA.

16. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution.
AG/RES. 2461 (XXXIX-O/09)

PROMOTION OF HEMISPHERIC COOPERATION
IN DEALING WITH CRIMINAL GANGS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2144 (XXXV-O/05), “Promotion of Hemispheric Cooperation in Dealing with Gangs”; AG/RES. 2247 (XXXVI-O/06), “Promotion of Hemispheric Cooperation in Dealing with Gangs Involved in Criminal Activities”; and AG/RES. 2299 (XXXVII-O/07) and AG/RES. 2380 (XXXVIII-O/08), “Promotion of Hemispheric Cooperation in Dealing with Criminal Gangs”;

HAVING SEEN the presentations by agencies of the inter-American system and General Secretariat bodies during the special meeting of the Committee on Hemispheric Security to analyze the problem of criminal gangs, held on January 17, 2008;

TAKING NOTE of the comments by member states at that special meeting and of their concern at the expansion of the phenomenon of criminal gangs to different countries and subregions, in various forms and with various characteristics, as well as at the trend, in some cases, toward more violent forms of behavior and growing links with arms trafficking, illicit drug use and trafficking, extortion, and other offenses;

RECOGNIZING that poverty, inequity, and social exclusion, among other factors, may create conditions conducive to the emergence of criminal gangs;

CONSIDERING that there are different categories of gangs, for each of which it is necessary to design and implement targeted, balanced, crosscutting, and comprehensive public policies that take into account the protection of human rights, effective and fair law enforcement, the prevention of violence, rehabilitation, the reintegration of transgressors, and assistance to victims;

REAFFIRMING that, in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas, the Heads of State and Government emphasized their decision to address the criminal gang problem, its related aspects, and its effects on the social environment, which challenge the progress made by our societies in the process to achieve stability, democratization, and sustainable development, taking a global approach that includes, \textit{inter alia}, prevention, rehabilitation, and reintegration of individuals affected by this phenomenon. To that end, they will encourage efforts by the Organization of American States to prepare a comprehensive hemispheric strategy to promote inter-American cooperation in dealing with criminal gangs;\footnote{1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that}
BEARING IN MIND the Commitment to Public Security in the Americas, adopted at the First Meeting of Ministers Responsible for Public Security in the Americas, held in 2008 in Mexico City;

CONSIDERING that the General Assembly instructed the Permanent Council to establish, through the Committee on Hemispheric Security, a Working Group to Prepare a Regional Strategy to Promote Inter-American Cooperation in Dealing with Criminal Gangs, which was formally established on January 15, 2009;

BEARING IN MIND the opinion of the Inter-American Commission on Human Rights that it is generally agreed “that the quest for initiatives aimed at guaranteeing public security needs to be based on firm principles of respect for human rights”;

UNDERSCORING the impact of criminal gangs on the economic and social environment, which threatens the progress our societies have made in the quest for stability, democratization, and sustainable development, and the need for states to cooperate closely with one another and to adopt a regional strategy for cooperation in dealing with criminal gangs; and

NOTING the conclusions, recommendations, and initiatives emerging from the forums and meetings being held at regional, subregional, and national levels on ways to deal with the criminal gang problem,

RESolves:

1. To encourage member states to promote, in coordination with pertinent institutions, the design and implementation of targeted, balanced, crosscutting, and comprehensive public policies that take into account the protection of human rights, effective and fair law enforcement, the prevention of violence, rehabilitation, the reintegration of transgressors, and assistance to victims.

2. To instruct the General Secretariat, working in coordination with the competent organs, agencies, and entities of the Organization of American States, to continue to lend coordinated support to initiatives by member states aimed at preventing and fully addressing the phenomenon of criminal gangs in its diverse forms and specific manifestations, as well as the reintegration of transgressors into society.

3. To instruct the General Secretariat to draft, through the Department of Public Security of the Secretariat for Multidimensional Security, a document that may serve as reference for the preparation of a regional strategy to promote inter-American cooperation in dealing with criminal gangs.

4. To request the Permanent Council to convene, within the framework of the Working Group to Prepare a Regional Strategy to Promote Inter-American Cooperation in Dealing with Criminal Gangs of the Committee on Hemispheric Security, a second special meeting to continue analyzing the phenomenon of criminal gangs, in accordance with national and subregional priorities,

Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
at which member states, agencies of the inter-American system, and other international organizations and civil society may present their views and experiences at the national, subregional, and hemispheric levels, with a view to continuing to prepare a regional strategy to promote inter-American cooperation in dealing with criminal gangs, in accordance with resolution AG/RES. 2380 (XXXVIII-O/08).

5. To instruct the Working Group to continue its efforts to prepare a regional strategy to promote inter-American cooperation in dealing with criminal gangs.

6. To request the Permanent Council and the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2462 (XXXIX-O/09)

MEETING OF MINISTERS OF JUSTICE OR OTHER MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular as it pertains to the implementation of resolution AG/RES. 2369 (XXXVIII-O/08), “Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA)” (AG/doc.4992/09 add. 1);

RECALLING that, in the Summits of the Americas, the Heads of State and Government supported the work done in the context of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJAs) and the implementation of their conclusions and recommendations;

BEARING IN MIND that in the Declaration on Security in the Americas the states of the Hemisphere reaffirmed “that the Meetings of Ministers of Justice or Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective fora for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address new threats to security”;

TAKING INTO ACCOUNT that, in resolution AG/RES. 2369 (XXXVIII-O/08), the General Assembly decided to instruct the Permanent Council to duly follow up on the “Conclusions and Recommendations of REMJA-VII” and, pursuant thereto, to convene the referenced meetings, which would be held within the resources allocated in the program-budget of the Organization and other resources;

TAKING INTO ACCOUNT ALSO the contributions made at the Second Meeting of the Working Group on Penitentiary and Prison Policies in the OAS member states, held in Valdivia, Chile, from August 26 to 28, 2008; the Second Meeting of National Authorities on Trafficking in Persons, held in Buenos Aires, Argentina, from March 25 to 27, 2009; and the Fourth Meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition of the REMJA, held in San Salvador, El Salvador, from March 31 to April 2, 2009; and

TAKING INTO ACCOUNT FURTHER that, in resolution AG/RES. 2369 (XXXVIII-O/08), the General Assembly decided to “accept with appreciation the offer of Brazil to host REMJA-VIII, which is to be held in 2010,”
RESOLVES:

1. To express its satisfaction with the progress made in implementing the recommendations of REMJA-VII, which are reflected, inter alia, in:
   a. The Second Meeting of the Working Group on Penitentiary and Prison Policies, held in Valdivia, Chile, from August 26 to 28, 2008; the Second Meeting of National Authorities on Trafficking in Persons, held in Buenos Aires, Argentina, from March 25 to 27, 2009; and the Fourth Meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition, held in San Salvador, El Salvador, from March 31 to April 2, 2009;
   b. The regional training workshop on cybercrime, held in Bogotá, Colombia, from September 2 to 5, 2008, as well as the compilation of information on legislation issued by the member states and its dissemination through the Inter-American Cooperation Portal on Cybercrime;
   c. Institutionalization and consolidation of the Criminal Matters Network, which has formal ties with 30 countries of the Americas as beneficiaries of the information exchange and secure mail services that the Network provides, for purposes of international cooperation in mutual legal assistance and extradition; as well as the training provided to its users on the Network’s use at the workshop in San Salvador, El Salvador, on March 31, 2009, in the framework of the Fourth Meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition; and
   d. The compilation of information on legislative advances in the countries of the Americas regarding mutual assistance in criminal matters and extradition; victim and witness protection; attachment, confiscation, and seizure of assets; and the use of new technologies for mutual assistance in criminal matters and extradition, for the purposes of following up on the recommendations made in that regard and of fostering inter-American cooperation in those areas.

2. To instruct the Permanent Council to convene the following meetings prior to REMJA-VIII, pursuant to the “Conclusions and Recommendations of REMJA-VII,” resolution AG/RES. 2369 (XXXVIII-O/08), and the “Document of Washington,” which will be held within the resources allocated in the program-budget of the Organization and other resources:
   a. Meeting of Specialists in Forensic Investigation; and
   b. Sixth Meeting of the Group of Governmental Experts on Cyber-crime.

3. To convene the Eighth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VIII), to be held in Brazil in 2010, within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Permanent Council to set a date for that meeting and to proceed with preparations for it, with the
support of the Department of Legal Cooperation of the Secretariat for Legal Affairs of the General
Secretariat.

4. To request the Permanent Council to report to the General Assembly at its fortieth
regular session on the implementation of this resolution, the execution of which shall be subject to
the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2463 (XXXIX-O/09)

SUPPORT FOR THE COMMITTEE FOR THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST PERSONS WITH DISABILITIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

The Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, adopted in Guatemala on June 7, 1999, which entered into force on September 14, 2001, and has been ratified by 17 member states; and

Resolution AG/RES. 2366 (XXXVIII-O/08), “Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities”;

HAVING SEEN the report of the Second Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities, held on July 28 and August 1, 2008, in Brasilia, Federative Republic of Brazil (CEDDIS/doc.44/08); and

CONSIDERING the progress made by the Committee at its second meeting, which will enable a Third Meeting of the Committee to be held,

RESOLVES:

1. To thank the people and Government of the Federative Republic of Brazil for their generous hospitality and for their steadfast and effective support, which contributed to the success of the Second Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities.

2. To congratulate the Committee for the progress it has made and to encourage it to convene its Third Meeting for the second half of 2009, in order to finish drafting the report on the gradual implementation of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, especially its Article VI and Article 20 of the Committee’s Rules of Procedure, which will make it possible to forward said report to the General Assembly, for its information, at its next regular session and to adopt the document on parameters for measuring the progress made by states in implementing the Convention.

3. To request the states parties to the Convention, other member states and permanent observers, and international and national organizations to contribute to the specific fund of voluntary contributions entitled the “Specific Fund for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities,” to supplement the financing of the activities of the Committee and its Technical Secretariat—the Department of International Law of the General Secretariat—and to allow for the participation of representatives appointed by those states parties that,
owing to special circumstances, are unable to finance such participation, urging the Secretary General to use his good offices to encourage all above-mentioned players to contribute to the Fund.

4. To note with satisfaction Permanent Council resolution CP/RES. 947 (1683/09), of March 18, 2009, which adopted the Rules of Procedure governing the operations of the Fund referred to in the preceding paragraph.

5. To invite civil society organizations representing persons with disabilities and their families to forward to the Committee such information as they deem relevant regarding steps taken by the states parties to the Convention to implement said Convention, so that Committee members may in turn take that information into account.

6. To request the Secretary General to continue, through the Department of International Law, to support the tasks assigned to the Committee, giving preference to the headquarters of the Organization of American States as the venue for its meetings.

7. To instruct the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2464 (XXXIX-O/09)

PROGRAM OF ACTION FOR THE DECADE OF THE AMERICAS FOR THE RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES (2006-2016) AND SUPPORT FOR ITS TECHNICAL SECRETARIAT (SEDISCAP)

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT that, in the Plan of Action of the Fourth Summit of the Americas (Mar del Plata, Argentina, November 2005), the Heads of State and Government instructed the Organization of American States (OAS) to “consider at the next OAS period of regular sessions of the General Assembly to be held in the Dominican Republic, a Declaration on the Decade of the Americas for Persons with Disabilities (2006-2016), together with a program of action”;


BEARING IN MIND:

The Declaration on the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016), adopted in Santo Domingo, Dominican Republic, with the theme “Equality, Dignity, and Participation” [AG/DEC. 50 (XXXVI-O/06)], the objectives of which are the recognition and full exercise of the rights and dignity of persons with disabilities and their right to participate fully in economic, social, cultural, and political life and in the development of their societies, without discrimination and on an equal basis with others; and

The need, during the aforementioned Decade, to undertake programs, plans, and measures to bring about the inclusion of and full participation by persons with disabilities in all aspects of society; to carry out social, political, economic, cultural, and development programs that afford such persons opportunities; and to promote effective measures to prevent new disabilities and provide persons with disabilities access to rehabilitation services and programs, on an equal basis with others;

CONSIDERING:

That the Program of Action assigns the coordination of its execution to a technical secretariat, hereinafter referred to as SEDISCAP, the purpose of which is to provide support to member states, persons with disabilities and their organizations, and OAS bodies, to follow up on the
commitments set forth therein and the planning of activities in pursuit of its specific aims and measures; and

Resolution CP/RES. 926 (1625/08), “Installation in Panama of the Technical Secretariat for the Implementation of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016)”; and that said Technical Secretariat was inaugurated on June 5, 2008;

CONVINCED that successful application and implementation of the Program of Action for the Decade depends on member states’ honoring their commitments and on support from multilateral cooperation agencies and civil society organizations, especially those specialized in this area, and the private sector; and

TAKING INTO ACCOUNT the Meeting of the Directors of Disability Institutions and Public Disability Policy Makers, held in Panama from January 21 to 23, 2009, and organized by SEDISCAP under the auspices of the Government of Panama,

RESOLVES:

1. To thank the Government of the Republic of Panama for its steadfast and effective support for the Program of Action and for the installation in Panama City of the Technical Secretariat for the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016) (SEDISCAP).

2. To express its satisfaction with the results of the Meeting of the Directors of Disability Institutions and Public Disability Policy Makers, aimed at achieving the objectives of the Program of Action.

3. To reiterate the importance of contributing to the Specific Fund for Voluntary Contributions established by the Permanent Council, the purpose of which is to support SEDISCAP operations; and to invite the member states and permanent observers, as well as individuals and public and private entities, whether national or international, to make contributions to that fund in accordance with the Charter of the Organization of American States and the General Standards to Govern the Operations of the General Secretariat.

4. To thank the General Secretariat for its support for the operations of said Technical Secretariat.

5. To request the Secretary General, taking account of the legal and financial status of SEDISCAP, to provide the Permanent Council, at the end of SEDISCAP’s first year of effective operation, with a report on its operations, budget outturn, adjusted budgets, and budget projections, and on firm funding commitments for subsequent years.

6. To instruct the Permanent Council to follow up on this resolution, which will be implemented, where it pertains to SEDISCAP, with resources from the Specific Fund for Voluntary Contributions established for that purpose and, where it pertains to the responsibilities assigned in this area to the Secretariat for Legal Affairs, within the resources allocated in the program-budget of
the Organization and other resources. In addition, to present a report on its implementation to the General Assembly at its fortieth regular session.
AG/RES. 2465 (XXXIX-O/09)

MIGRANT POPULATIONS AND MIGRATION FLOWS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2248 (XXXVI-O/06), AG/RES. 2326 (XXXVII-O/07), and AG/RES. 2356 (XXXVIII-O/08) “Migrant Populations and Migration Flows in the Americas”;

RECALLING WITH SATISFACTION the decision taken by the Permanent Council of the Organization of American States (OAS) at its meeting of October 24, 2007, to establish the Special Committee on Migration Issues (CEAM) to analyze migration issues and flows from an integral perspective, taking into account the relevant provisions of international law, especially international human rights law;

RECALLING the important work of the OAS in promoting and protecting the human rights of migrant workers and their families;

RECALLING ALSO the adoption, by resolution AG/RES. 2141 (XXXV-O/05), of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families;

RECALLING FURTHER resolution CIM/RES. 252 (XXXIV-O/08) of the Inter-American Commission of Women, adopted in November 2008, which urged the CEAM to continue to integrate a gender perspective in its analysis of international migration;

CONSIDERING the importance of continuing the discussion and analysis of human migration, regular and irregular, and migration flows in the Americas and their causes and impact on all member states;

RECOGNIZING that migration is also a reflection of the processes of integration and globalization, and a phenomenon that should be examined from a multilateral and multidimensional perspective, integrating a gender perspective;

RECOGNIZING ALSO that all member states are countries of origin, transit, and destination of migrants, and the social and economic importance of migration in the member states;

EMPHASIZING the importance for member states of being able to rely on accurate and timely information regarding migrant workers, an important indicator of migratory trends in the Americas, as a basis for formulating public policies, cooperation activities, and the exchange of best practices;
TAKING INTO ACCOUNT that these migration flows will very likely increase as a result of various social, economic, political, and demographic factors, including migration resulting from subregional integration efforts;

TAKING NOTE of the discussions of the CEAM meeting of February 13, 2009, held pursuant to resolution AG/RES. 2356 (XXXVIII-O/08) to identify ways to link the efforts of the OAS to the regional migration consultative processes, such as those of the Regional Conference on Migration (RCM or “Puebla Process”), the South American Conference on Migration, and the Specialized Forum on Migration of MERCOSUR; which are reflected in document CE/AM-77/09 rev. 3; and

TAKING NOTE ALSO of the results of the special meeting of the Committee on Juridical and Political Affairs on implementation of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, which was held on February 12, 2009, pursuant to resolution AG/RES. 2289 (XXXVII-O/07), and underscored the need to follow closely the impact that the global financial crisis can have on migratory flows and trends,

RESOLVES:

1. To welcome the work that the Special Committee on Migration Issues (CEAM) has been doing to analyze migration issues and flows from an integral perspective, taking into account the relevant provisions of international law, especially international human rights law.

2. To welcome also the work that the CEAM has undertaken with respect to discussion of temporary worker programs, migration and development, the brain drain, disaster situations, care to migrant communities, consular assistance and protection, and gender perspectives on migration.

3. To encourage the CEAM and the General Secretariat to continue to fully engage member states in the process of planning and executing its activities.

4. To reaffirm the importance of migration data and information, especially the Migration Information System of the Americas (SIMA), and to thank the member states for their contributions to the sharing of information and best practices in relation to their existing legal frameworks, regulations, policies, and programs.

5. To welcome the efforts undertaken by the General Secretariat to contribute to improving information and knowledge about migration flows and trends through the initial phase of implementation of the Continuous Reporting System on Labor Migration for the Americas (SICREMI).

6. To request the Organization of American States (OAS), through the Executive Secretariat for Integral Development, to continue to seek ways to link its efforts and share information in the area of migration with the regional processes involved in migration issues, such as the Regional Conference on Migration (RCM or “Puebla Process”), the South American Conference on Migration, the Specialized Forum on Migration of MERCOSUR, the Andean Community of Nations, and other forums, and to report back to the CEAM on the progress made.
7. To encourage member states to continue discussing their experiences and providing information to the General Secretariat on their existing legal frameworks, regulations, policies, and programs.

8. To request the OAS to deepen its work on the important topics of migration and development, remittances, migration and the brain drain, gender perspectives on migration, and migrant children and adolescents, and to examine how the economic and financial crisis has affected migrants in these various areas.

9. To request the OAS to continue to work on the development of a database that complements those already available on existing legal frameworks and regulations related to migration, and on the identification and mapping of the different temporary worker programs in which nationals of the member states are engaged, and to report to the CEAM on progress in this regard.

10. To urge the CEAM to continue its work and to instruct the Permanent Council to undertake, in the second quarter of 2010, an evaluation of the same that considers, among other things, the rationalizing and unification of the approach to the topic of migration in the OAS.

11. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2466 (XXXIX-O/09)

EDUCATION ON HUMAN RIGHTS IN FORMAL EDUCATION IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2066 (XXXV-O/05), in which the General Assembly suggested including human rights content and basic activities in the academic curricula of educational institutions; and resolutions AG/RES. 2321 (XXXVII-O/07) and AG/RES. 2404 (XXXVIII-O/08);

CONSIDERING that in the Plan of Action of the First Summit of the Americas, held in Miami in 1994, the Heads of State and Government established that governments should “[d]evelop programs for the promotion and observance of human rights, including educational programs to inform people of their legal rights and their responsibility to respect the rights of others”;

CONSIDERING ALSO that Article 13 of the Inter-American Democratic Charter establishes that “[t]he promotion and observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and to the consolidation of democracy in the states of the Hemisphere”;

BEARING IN MIND that Article 13.2 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador,” refers to essential factors to which education in each of the states parties should be directed, one of them being respect for human rights;

APPRECIATING the efforts of the Inter-American Institute of Human Rights (IIHR) in producing, since 2002, seven Inter-American Reports on Human Rights Education, which record progress made by the states parties to the Protocol of San Salvador with respect to human rights education;

RECALLING that Article 49 of the Charter of the Organization of American States provides that “[t]he Member States will exert the greatest efforts, in accordance with their constitutional processes, to ensure the effective exercise of the right to education,” taking into account, inter alia, that “[e]lementary education, compulsory for children of school age, shall also be offered to all others who can benefit from it. When provided by the State it shall be without charge”;

CONSIDERING that the right to human rights education from the very first years at school helps strengthen the democratic system, development, security, and progress of the free societies of the Americas;

REAFFIRMING that the Inter-American Democratic Charter regards the promotion and protection of human rights as a prerequisite for the existence of a democratic society;
APPRECIATING the efforts of the Inter-American Meeting of Ministers of Education on Human Rights Education, convened by the Minister of Education of Panama and the IIHR and held in May and June 2007, and the Ministerial Dialogue, convened by the Ministry of Education of Colombia and the IIHR and held in May 2008, to strengthen the human rights material incorporated into the states’ formal educational systems;

RECOGNIZING that effectively incorporating human rights education into the formal educational system, a measure to which all member states are committed, is an aspect of medium- and long-term efforts and therefore requires financial sustainability;

RECOGNIZING ALSO that the IIHR has, in compliance with its mandates, been playing a fundamental role in supporting the inter-American system for the effective incorporation of education on human rights into formal educational systems and in other areas in the countries of the Americas; and

NOTING WITH SATISFACTION the progress made in the implementation of the Inter-American Program on Education for Democratic Values and Practices since its launch in August 2005, and the important role played by the IIHR on the Advisory Board for the Program,

RESOLVES:

1. To acknowledge the progress, actions, and policies gradually being implemented by member states with respect to human rights education for children and young people in academic institutions, as documented by the Inter-American Reports on Human Rights Education.

2. To suggest to member states that they implement, if and to the extent that they have not yet done so, the recommendations contained in the Inter-American Reports on Human Rights Education at the different levels of their formal education systems.

3. To suggest to member states that they analyze the contributions of the Curricular and Methodological Proposal of the Inter-American Institute of Human Rights (IIHR) to incorporate human rights education into the official curriculum for children aged 10 to 14, with a view to their adopting it and in accordance with Article 13.2 of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador.” Accordingly, to recommend to member states that have not already done so that they adopt, sign, and ratify this instrument.

4. To underscore the work and achievements of the Inter-American Meeting of Ministers of Education on Human Rights Education in the signatory states to the Protocol of San Salvador, in which participants shared their experience and discussed the curricular and methodological developments needed to introduce or strengthen human rights education in each state party’s educational system.

5. To encourage member states to continue supporting the IIHR in educational activities and projects conducted at the national and regional levels under this mandate, in particular in the use of the technological tools developed by that institution for distance training of teachers in the formal educational system, on the contents and methodology of human rights education.
AG/RES. 2467 (XXXIX-O/09)

ERADICATING ILLITERACY AND FIGHTING DISEASES
THAT AFFECT INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 180 (XI-O/06), CIDI/RES. 196 (XII-O/07), CIDI/RES. 210 (XIII-O/08), and CIDI/RES. 225 (XIV-O/09), “Eradicating Illiteracy and Fighting Diseases That Affect Integral Development”; and

Resolutions AG/RES. 2308 (XXXVII-O/07) and AG/RES. 2387 (XXXVIII-O/08), “Eradicating Illiteracy and Fighting Diseases That Affect Integral Development”;

TAKING INTO ACCOUNT that achieving integral development entails the consolidation in the Americas of basic and essential goals upon which such development can be built, such as increasing the literacy of our populations and alleviating the diseases that undermine this objective;

CONSIDERING:

That the Fourth Summit of the Americas sets out, in paragraph 13 of the Declaration of Mar del Plata, the commitment of the Hemisphere’s leaders to developing comprehensive policies to institutionalize the fight against poverty, consolidating more democratic societies with opportunities for all, and promoting greater access to education, health care, labor markets, and credit; and

That in the Fifth Summit of the Americas, the Heads of State and Government recognized “that education is a lifelong process that promotes social inclusion and democratic citizenship and allows people to contribute fully to the development of society” and that they “will give high priority to improving and expanding literacy, numeracy and science proficiency, as well as access to tertiary, technical-vocational and adult education”;

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
RECALLING that, similarly, Article 34.h of the Charter of the Organization of American States (OAS) speaks of the rapid eradication of illiteracy and the expansion of educational opportunities for all, as one of the basic goals to be pursued in the process of attaining integral development;

RECALLING ALSO that achieving universal primary education and fighting HIV/AIDS, malaria, and other diseases were topics expressly included in the United Nations Millennium Declaration and in the Millennium Development Goals derived therefrom;

RECALLING FURTHER that, in the framework of the XVII International AIDS Conference, the Ministers of Education and of Health of Latin America and the Caribbean reaffirmed the importance of comprehensive sex education, with emphasis on the prevention of HIV and sexually transmitted infections, and, in the “Prevention with Education” declaration, committed to strengthening synergies between prevention and education as the best tools for reducing the scale of the epidemic in the region;

BEARING IN MIND:

That illiteracy and functional illiteracy are the reason that a large number of people are deprived of the possibility of participating fully in processes aimed at achieving integral development and of receiving its benefits;

That there are major shortcomings and precarious conditions in the health area and in health care provision in the Americas, particularly as regards chronic, emerging, and re-emerging diseases, which in some cases seriously affect the ability of people to participate in the aforesaid processes;

That there is a link between a higher level of literacy in the population and the capacity to have ready access to and benefit from the contents of publicly disseminated materials, programs, or campaigns—of an informative, preventive, or palliative nature—aimed at reducing health-care inequities and improving health conditions in the countries of the Hemisphere;

That, at the Special Summit of the Americas and the Fourth Summit of the Americas, the Heads of State and Government expressed their concern about chronic, emerging, and re-emerging diseases, and pledged to strengthen cooperation and the exchange of information in the fight against these diseases, as well as to develop promotion, prevention, control, and treatment programs, with a view to implementing integral public health actions;

That the Declaration of Scarborough and Commitments to Action, adopted at the Fourth Meeting of Ministers of Education within the Framework of CIDI, recognizes the need to work on the high illiteracy rates in the countries of the region, proposes that the design of a regional literacy program be considered, and entrusts the OAS with studying this possibility;

That the Declaration of Mar del Plata of the Fourth Summit of the America supports the recommendations contained in the aforementioned Declaration of Scarborough and Commitments to Action and promotes literacy to ensure a democratic citizenry, foster decent work, fight poverty, and achieve greater social inclusion;
That the Plan of Action of the Fourth Summit of the Americas calls for the study of a literacy program within the framework of the OAS before 2008, taking into account successful experiences in the field, in order to advance toward the eradication of illiteracy; and

That the Strategic Plan for Partnership for Integral Development 2006-2009 includes, among the priority actions in the area of education, “supporting the efforts of member states to reduce high levels of illiteracy so as to ensure a democratic citizenry, facilitate decent work, fight against poverty, and achieve greater social inclusion for the entire population”;

TAKING NOTE of the participation by the Department of Education and Culture in the regional conference on world literacy entitled “From Literacy to Lifelong Learning: Towards the Challenges of the 21st Century,” held in Mexico from September 10 to 13, 2008, in preparation for the 6th International Conference on Adult Education (CONFINTEA VI), and of the study on public policies, strategies, and adult literacy and education programs in the Caribbean nations (2003-2008);

AWARE of the need to ensure education of quality with equality of opportunity and of prospects for our peoples;

CONVINCED that full literacy is a fundamental element in achieving more just and inclusive societies, in consolidating democracy in the Americas, and in transmitting such basic democratic values as respect for institutions and individual freedoms, tolerance, human rights, and gender equity;

CONCERNED about the obstacles to integral development that arise from diseases, principally from those that have a social impact or may be related to poverty or lack of education; and

UNDERSCORING its conviction that the difficulties and challenges posed by illiteracy, poor-quality education, and health problems in the Americas can be overcome only through an approach based on solidarity that involves governments and civil society as a whole, taking into account opportunities to incorporate modules on health into formal education curricula,

RESOLVES:

1. To reaffirm the determination of the member states, as reiterated in the Declaration and the Plan of Action of the Fourth Summit of the Americas and embodied in resolution AG/RES. 2308 (XXXVII-O/07), adopted by the General Assembly of the Organization of American States (OAS) at its thirty-seventh regular session, to take measures and pursue specific programs to achieve full literacy of the Hemisphere’s populations and improve the quality of education at all levels, as well as to overcome diseases that represent obstacles to integral development.

2. To continue, as decided, the process of studying a program to move toward the elimination of illiteracy in the Hemisphere, taking into account successful experiences in the field; and, in that regard, to acknowledge the efforts undertaken in this area in the framework of the Inter-American Committee on Education on the proposed “Literacy Initiative,” urging it to increase and enhance these efforts.
3. To recommend that, in that process, consideration be given to best practices in member states; and to that end to instruct the General Secretariat to continue conducting, through its relevant technical areas, the study of such practices in the member states, in order to share the results obtained.

4. To reiterate its request to the General Secretariat, through the Executive Secretariat for Integral Development (SEDI) and pursuant to operative paragraphs 2 and 3 above, to resolutely support and collaborate with the member states in their efforts related to this matter.

5. To reiterate to the national authorities in the area of education the recommendation that they explore the possibility of setting a tentative date for the eradication of illiteracy in the Americas, bearing in mind the individual characteristics of each member state, in order to attain that goal as soon as possible.

6. To support the member states, through the technical areas of the General Secretariat with specific responsibility in the matter, in their efforts to eradicate illiteracy and improve the quality of education, in coordination, where appropriate, with other regional or international organizations with initiatives in the area, in particular the United Nations Educational, Scientific and Cultural Organization (UNESCO).

7. To thank the Pan American Health Organization (PAHO) for its ongoing support to the OAS and to the objectives of this resolution, especially the presentation of its 2008 annual report, which includes a focus on the social determinants of health, through programs that address the social determinants of hunger, including aspects of education, environmental and living conditions, and access to health care.

8. To continue strengthening formal dialogue with PAHO, through the strategic partnership between the two organizations, in order to coordinate respective efforts, in the area of competence of each, with regard to health problems in the Americas and their social impact; and to encourage an ongoing exchange between both organizations through such activities as may be agreed upon.

9. To reiterate the appeal to the ministers and highest-level authorities in the areas of education and health in the Hemisphere to consider the subject of this resolution.

10. To request the General Secretariat to present an annual report, through SEDI, to the Inter-American Council for Integral Development (CIDI) on the implementation of this resolution.

11. To request CIDI to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2468 (XXXIX-O/09)

2011: INTER-AMERICAN YEAR OF CULTURE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 226 (XIV-O/09), “2011: “Inter-American Year of Culture”;

TAKING INTO ACCOUNT that the Heads of State and Government, meeting in Port of Spain, Trinidad and Tobago, at the Fifth Summit of the Americas, reaffirmed that intercultural dialogue and respect for cultural diversity foster mutual understanding and help reduce conflict, discrimination, and barriers to economic opportunity and social participation; and

TAKING INTO ACCOUNT ALSO:

That the Ministers of Culture and Highest Appropriate Authorities, at their fourth inter-American meeting in the framework of the Inter-American Council for Integral Development (CIDI), held in Bridgetown, Barbados, on November 20 and 21, 2008, called on our nations to reflect on the social value of investing in culture and on the ever-increasing economic potential of creative and cultural industries; and affirmed that stimulating creativity in our citizens from a young age is a strategy that not only fosters personal growth and social development, but also contributes to finding new and innovative approaches to scientific, industrial, technological, and social problems; and

That the Ministers instructed the Inter-American Committee on Culture to reinforce cooperation with the Inter-American Committee on Education in the consideration of projects and activities to strengthen ties between culture and education, including activities associated with the Inter-American Year of Culture, such as the Gabriela Mistral Inter-American Poetry Competition and other projects to be considered,

RESOLVES:

1. To declare 2011 the “Inter-American Year of Culture.”

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
2. To invite member states to carry out initiatives to celebrate and strengthen their cultural diversity and the artistic creativity of their peoples in the framework of the Inter-American Year of Culture.

3. To instruct the Inter-American Committee on Culture to carry out initiatives in the framework of the Inter-American Year of Culture, with special emphasis on the role of culture in offering opportunities for young people in the Hemisphere, such as the Gabriela Mistral Inter-American Poetry Competition, sponsored by the Government of Chile.

4. To instruct the Inter-American Council for Integral Development (CIDI) to follow up on the preparatory work for the Inter-American Year of Culture and, with assistance from the General Secretariat, to encourage and support the projects and initiatives carried out in that context and to foster measures to support their respective financing.

5. To instruct CIDI to report to the General Assembly at its fortieth regular session on follow-up and implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2469 (XXXIX-O/09)

STRENGTHENING PARTNERSHIP FOR DEVELOPMENT: POLICY DIALOGUE, TECHNICAL COOPERATION, STRUCTURE, AND MECHANISMS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:


REITERATING the importance of strengthening the Inter-American Council for Integral Development (CIDI) and its organs, as well as mechanisms for policy dialogue and technical cooperation, with the intent to improve their functioning;

TAKING INTO ACCOUNT:

The important mandates of CIDI and those emanating from the sectoral meetings of ministers and high-level authorities in the areas of social development, education, culture, labor, tourism, sustainable development, and science and technology, as well as those that come from the Strategic Plan for Partnership for Integral Development 2006-2009;

The importance for member states to engage in substantive policy dialogue at CIDI meetings on topics of common interest, thus making it possible to achieve progress in the formulation of policies, the definition of priorities, and the development of specific actions aimed at promoting integral development in the Hemisphere; and
That it has been deemed advisable to extend the term of the Strategic Plan for Partnership for Integral Development 2006-2009 to allow the working group to complete its work and provide input for negotiations on the next Strategic Plan;

CONSIDERING:

That a process of reflection and consultation is under way within the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on policy dialogue mechanisms within CIDI and the present structure of partnership for development, exploring diverse options for strengthening it;

That, in that context, CEPCIDI created a working group with the mandate of “considering the various options for strengthening CIDI and its organs and improving their functioning” on the basis of the many valuable contributions received from the member states on the role and mandate of CIDI;

That, at the Thirteenth Regular Meeting of CIDI, held on May 14 and 15, 2008, at the headquarters of the Organization of American States (OAS) in Washington, D.C., a joint dialogue was held for the first time with the authorities of the inter-American committees and of the Inter-American Conference of Ministers of Labor, for the purpose of better coordinating their work and of learning first-hand about their activities, achievements, and the challenges they face in implementing their mandates;

That the Special Technical Meeting of National Authorities and Experts on Cooperation was held in Playa del Carmen, Mexico, on October 16 and 17, 2008, and adopted the Course of Action of Playa del Carmen (CIDI/COOPTEC/doc.6/08), in which a decision was made to continue the dialogue among national authorities and technical cooperation experts, with a view to encouraging an effective hemispheric agenda that emphasizes the value-added of the OAS and contributes to the process of reflection and consultation to strengthen CIDI; and

That the Government of Colombia has offered to host a Specialized Meeting of CIDI with High-Level Cooperation Authorities, to be held on October 26 and 27, 2009 (CEPCIDI/INF.77/09); and

TAKING INTO ACCOUNT:

That the Working Group to Strengthen CIDI began its work, is carrying out consultations with the different CIDI organs, and is awaiting their recommendations and inputs;

That the Management Board of the Inter-American Agency for Cooperation and Development approved the outline of its Work Plan, which has five core themes: (i) strengthening of mechanisms to foster dialogue, linkages, and coordination; (ii) forms of cooperation; (iii) plan for mobilizing and raising funds; (iv) methodology for reporting, recording, and measuring the impact of cooperation; and (v) review and update of the current regulatory framework; and
That, in that respect, the Executive Secretariat for Integral Development has developed important tools to facilitate access to and the use of information on cooperation projects, including CooperaNET, the cooperation projects database, and the recording and valuation of in-kind contributions by the member states.

RESOLVES:

1. To recognize the progress made by the Working Group to Strengthen CIDI, established by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI); to extend its mandate; and to request the Working Group to present its recommendations to CEPCIDI by December 31, 2009.

2. To welcome the outcomes of the Special Technical Meeting of National Cooperation Authorities and Experts, which constitute important inputs for the process of reflection on strengthening the Inter-American Council for Integral Development (CIDI).

3. To request that, when CIDI considers possible courses of action to strengthen itself, its organs, and mechanisms for policy dialogue and technical cooperation, should it find it necessary to amend the provisions of the statutes or rules of procedure of CIDI, CEPCIDI, the Special Multilateral Fund of CIDI (FEMCIDI), and the Inter-American Agency for Cooperation and Development (IACD), it approve those amendments ad referendum of the General Assembly, as appropriate.

4. To thank the Management Board of the IACD and the inter-American committees for their valuable contributions to the process of analysis and consultation for the strengthening of CIDI.

5. Also to thank the Executive Secretariat for Integral Development (SEDI) for its contributions in developing the various tools to facilitate access to project information and a register of cooperation projects.

6. To instruct the General Secretariat to provide, through SEDI, all necessary support to the Working Group of CEPCIDI to enable it to carry out its mandate.

7. To request CEPCIDI to follow up on the progress of its working group and, once there are recommendations for strengthening CIDI and its organs, to convene a special meeting of CIDI to present and consider them.

8. To request CIDI to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2470 (XXXIX-O/09)

XVI INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,


CONSIDERING:

That, at the Third Summit of the Americas, held in Quebec City, Canada, from April 20 to 22, 2001, the Heads of State and Government reaffirmed the fundamental importance of the Inter-American Conference of Ministers of Labor (IACML);

That, at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 4 and 5, 2005, the Heads of State and Government acknowledged the important contributions of the ministries of labor to achieving its objectives of creating jobs to fight poverty and strengthen democratic governance and to promoting decent work and social and labor policies that encourage investment and economic growth with equity;

That, at the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, from April 17 to 19, 2009, the Heads of State and Government agreed to promote “continuous training programmes in collaboration with workers’ representatives and the private sector as appropriate, with the goal of generating the necessary technical skills to enable workers to respond to the demands of the labour market,” and in that regard they called upon “the Ministers of Labour, within the context of the OAS Inter-American Conference of Ministers of Labour (IACML), in collaboration with their workers’ and employers’ consultative bodies and with the support of the ILO, as appropriate, to endorse, at the 16th IACML to be held in 2009, a work programme that advances these objectives”;

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua re-affirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
That the dialogue of ministers of labor that took place during the XV IACML, held in Trinidad and Tobago in 2007, was focused on the topic of work as central to social and economic development; and

TAKING INTO ACCOUNT:

That the XV Inter-American Conference of Ministers of Labor, held in Trinidad and Tobago in 2007, welcomed the offer of Argentina to host the XVI IACML;

That the working groups of the Conference met in Montevideo, Uruguay, in April 2008;

That the working groups of the Conference will meet in Mexico City, Mexico, in May 2009 to follow up on the Declaration and the Plan of Action of Port of Spain, adopted at the XV IACML;

That the technical preparatory meeting for the XVI IACML will be held in Buenos Aires, Argentina, in July 2009, where it is expected that agreements will be reached on the draft Declaration and draft Plan of Action and that the final versions of the reports of the working groups will be adopted; and

That the member states, with support from the General Secretariat, have done significant work to follow up on the XV Inter-American Conference of Ministers of Labor and to prepare for the XVI IACML,

RESOLVES:

1. To accept with gratitude the offer of the Government of Argentina to host the XVI Inter-American Conference of Ministers of Labor (IACML), to be held from September 23 to 25, 2009.

2. To recognize the unique importance of holding the XVI IACML this year, in light of the current economic crisis and its impact on employment.

3. To call upon the member states to participate in the XVI IACML by sending their highest-level labor officials.

4. To instruct the General Secretariat to support, through the Executive Secretariat for Integral Development, the meetings of the working groups of the IACML, as well as preparations for the XVI IACML, and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development on that process.

5. To request the Inter-American Council for Integral Development to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2471 (XXXIX-O/09)

REPORT OF THE SECOND MEETING OF MINISTERS AND HIGH AUTHORITIES ON SCIENCE AND TECHNOLOGY IN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CEPCIDI/RES. 145 (CXL-O/08) and AG/RES. 2388 (XXXVIII-O/08), which convened the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI; CIDI/RES. 174 (X-O/05) and AG/RES. 2087 (XXXI-O/05), “Report of the First Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI”; and CIDI/RES. 220 (XIV-O/09), “Report of the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI”;

HAVING SEEN the Final Report of the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI (CIDI/REMCYT-II/doc.7/09);

TAKING INTO ACCOUNT that the Heads of State and Government gathered at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 4 and 5, 2005, undertook to improve the quality of science education and to incorporate science, technology, engineering, and innovation as principal factors in national strategies and plans for social and economic development, for the fundamental purpose of helping to reduce poverty and generate decent jobs, and that, in that regard, they expressed support for the Declaration and Plan of Action of Lima adopted at the First Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI;

TAKING INTO ACCOUNT ALSO that the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that ministerial meetings are producing significant results in support of Summit mandates and that this cooperation will continue to be developed; and

CONSIDERING:

That on October 27 and 28, 2008, the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI was held in Mexico City, Mexico;

That the dialogue of Ministers and High Authorities on Science and Technology focused on the theme “Science, technology, engineering, and innovation as tools for human prosperity” and analyzed three topics: science, technology, engineering, and innovation and policies for integral development, especially those that promote social inclusion and sustainable food production; science, technology, engineering, and innovation as tools for sustainable management of natural resources (biodiversity, environment, biotechnology, and energy resources); and science, technology, engineering, and innovation as tools for increasing productivity, focusing on human resource education and training and technological innovation; and
That the Ministers and High Authorities on Science and Technology adopted the Declaration of Mexico (CIDI/REMCYT-II/DEC. 1/08) and the Plan of Action of Mexico (CIDI/REMCYT-II/doc.6/08 rev. 1),

RESOLVES:

1. To congratulate the Government of Mexico for successfully hosting the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI.

2. To endorse the Declaration and the Plan of Action adopted at the Second Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI, which are part of this resolution.

3. To instruct the Inter-American Committee on Science and Technology to follow up on the ministerial agreements and the Plan of Action of Mexico.

4. To instruct the General Secretariat to lend the necessary support, through the Executive Secretariat for Integral Development, to the preparations for, and follow-up to, the meetings in the area of science and technology.

5. To request the Inter-American Council for Integral Development to report to General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
DECLARATION OF MEXICO:
“SCIENCE, TECHNOLOGY, ENGINEERING, AND INNOVATION
AS TOOLS FOR HUMAN PROSPERITY”¹

(Adopted at the seventh plenary session, held on October 28, 2008, and reviewed by the Style Committee on August 19, 2009)

WE, THE MINISTERS AND HIGH AUTHORITIES OF SCIENCE AND TECHNOLOGY OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), meeting in Mexico City on October 27 and 28, 2008, on the occasion of the Second Meeting of Ministers and High Authorities on Science and Technology in the framework of the Inter-American Council for Integral Development (CIDI) of the OAS,

CONSIDERING:

That the Heads of State and Government meeting at the Fourth Summit of the Americas in Mar del Plata, Argentina (2005) undertook the commitment to support improvements in the quality of science education and to incorporate science, technology, engineering, and innovation as major factors in national economic and social development plans and strategies with the primary purpose of contributing to reducing poverty and generating employment. In this sense, they also supported the Declaration and Plan of Action of Lima adopted at the First Meeting of Ministers and High Authorities of Science and Technology in the Framework of CIDI;

That the Fifth Summit of the Americas, to be held in Port of Spain, Trinidad and Tobago (2009), has identified as its central theme “Securing our Citizens’ Future by Promoting Human Prosperity, Energy Security, and Environmental Sustainability,” and that in this context science, technology, engineering, and innovation make an essential contribution toward achieving those goals;

RECALLING:

That the Heads of State and Government meeting at the Summit of the Americas in Punta del Este, Uruguay (1967) pointed, for the first time at the hemispheric level, to the importance of science and development for the economic and social development of our countries;

That the Summits of the Americas, including Miami, United States (1994), Santiago, Chile (1998), Quebec City, Canada (2001), Monterrey, Mexico (2004), and Mar del Plata, Argentina (2005), recognized the importance of science and technology, innovation, energy, and environmental protection as the bases for sustainable development and regional integration;

That the Meeting of Ministers Responsible for Science and Technology in the Hemisphere, held in Cartagena de Indias, Colombia (1996), emphasized the strategic role of science and technology in socioeconomic development and recommended, in the context of regional integration and cooperation, that importance be given to generating knowledge, formulating appropriate public

1. Document distributed as CIDI/REMCYT-II/DEC. 1/08.
policies, and creating and utilizing science and technology indicators, as well as to promoting innovation;

That the OAS General Assembly adopted resolution AG/RES. 2304 (XXXVII-O/07), “Strengthening Technical Cooperation for Integral Development,” which recognized the need to implement innovative cooperation mechanisms and modalities that make the most efficient use of the capacities of the OAS as a multilateral organization; and

RECOGNIZING:

That science, technology, engineering, and innovation are indispensable elements to achieve human prosperity and social cohesion which, in a broad sense, integrates social inclusion and participation as strategies for equitable redistribution of income, building social capital, and equal access to public goods and services through the generation and dissemination of knowledge for development and social well-being;

That those countries that have invested resources in the area of science and technology have been able to improve their level of human development and that, as a result, it is essential to increase public and private investment in this area, with the support of the multilateral organizations;

That strengthening of science education is a fundamental pillar of the social legitimization of scientific and technological activities, with a view to promoting economic and social development in the Americas;

That technological developments require innovative policies in science and technology that allow the harmonious and safe development of advanced research in specific areas, such as biotechnology and biosafety, energy, agriculture, new materials, and nanotechnology, among others, and that take into account their impact on the quality of life and the environment;

That bilateral and multilateral hemispheric cooperation is fundamental to complement and promote national efforts geared toward building human and institutional capacity for the development of science, technology, and productive innovation;

That member states should commit efforts to stimulate public and private investment in research and development to promote the competitiveness of industries and growth and economic development in the Hemisphere;

That full integration of the gender perspective in science, technology, engineering, and innovation is critically important for the equitable participation of women in the development of the knowledge society with equal access to the benefits thereof;

That the participation of civil society\(^2\) is important for the advance of science, technology, engineering, and innovation and that its contribution enriches and helps to guide the countries’ public policies;

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\(^2\) Venezuela believes that the term “civil society” should be supplemented with the concept of organized communities and, in a wider sense, the different sectors of society.
That science and technology are essential tools for the sustainable management of natural resources;

That scientific research and technological innovation offer an opportunity to promote and strengthen sustainable food production at the hemispheric level in order to make it more competitive and socially beneficial, with emphasis on the development of rural areas;

The value of traditional knowledge and of the technologies and innovations of indigenous peoples and local communities and their contributions to advances in biotechnology and the sustainable management of natural resources;

That biotechnological research and biosafety, given their impact and relationship to foods and the environment, are areas with the greatest potential for contributing to economic growth and the social development of our peoples;

That the engineering capacity of countries is a fundamental basis for putting applied science and research into practice, as well as for attracting new investment capital;

That the synergy among engineering, technological management, and innovation helps to improve companies’ productivity and competitiveness, promoting the expansion of markets, creating skilled jobs, and reducing poverty;

That innovation, together with natural resources, capital, and human resources, are basic elements for promoting economic growth and social development;

That the creation of new knowledge promotes innovation by generating higher levels of productivity and competitiveness;

That in order to remain globally competitive and, in the light of the increasingly technological content of goods and services, companies must adapt continuously to technological change through significant investments in research and development;

That competitiveness increasingly depends on human resources and educational quality to develop applied research and make better use of natural resources;

That the Inter-American Metrology System (SIM) has been an exemplary program of cooperation that has achieved the participation of the 34 OAS member states, making it possible to significantly drive the provision of technological services (metrology, standardization, accreditation, certification, assays and tests, and others), which are essential for guaranteeing the quality of the products and processes with which we compete in the global economy, and that these services are essential to ensure competitiveness of small and medium enterprises (SMEs) and are essential to the quality of life (health, security, and environment);
That the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, for the mutual benefit of producers and users of technological knowledge and in a manner conducive to social and economic welfare and to a balance of rights and obligations;

The value of traditional knowledge, including its social, economic, intellectual, scientific, ecological, technological, commercial, educational, and cultural value, acknowledging that traditional knowledge systems are frameworks of ongoing innovation; and

That information and communication technologies are essential for the efficient and effective management of data and information, as well as for the establishment and dissemination of specialized collaborative networks, which are the basis of the knowledge society,

DECLARE THAT WE SHALL JOIN FORCES TO:

I. In the context of science, technology, engineering, and innovation, and public policies for integral development:

1. Formulate and implement national policies in science, technology, engineering, and innovation directed at the creation and application of knowledge that are clearly integrated with economic and social policies and that bear in mind the principles of solidarity, equity, and social justice seeking human prosperity.

2. Make efforts to significantly increase public investment in science and technology and to encourage private sector investment so as to promote research and development and technological innovation.

3. Promote linkages among the public, private, academic, scientific, and technological sectors through special programs that promote the building of knowledge-and-innovation-based societies in the Hemisphere.

4. Support the establishment and strengthening of national innovation systems directed to the productive sectors in order to improve their productivity, their performance, and their competitiveness.

5. Prepare and implement social inclusion policies and programs that allow the excluded sectors of our societies to be included in the concrete benefits of science, technology, engineering, and innovation.

6. Encourage early education in science and mathematics in formal and nonformal settings, thereby encouraging younger people and society in general to participate in science, technology, engineering, and innovation activities.

7. Promote the generation and dissemination of knowledge of science and technology, and innovation and public engagement as tools for social inclusion and cohesion in the member states.
8. Encourage research and technological transfer and innovation, as well as other mechanisms to provide incentives for the sustainable production of food and the development of rural areas.

9. Develop actions needed to integrate the gender perspective in science and technology policies and programs and to promote gender equity and equality; and provide incentives encouraging greater participation by women in scientific-technological and engineering careers.

10. Facilitate interaction between the scientific and technological research communities, promoting the establishment and expansion of national research networks and synergy among educational institutions, research centers, governments, companies, and civil society.

11. Promote regional and international cooperation to support strengthening of science, technology, engineering, and innovation to encourage applied research and development, collaboration via networks and research communities, capacity-building, and the competitive development of companies.

12. Promote mechanisms for incorporating knowledge into national and other production chains consisting of companies from two or more countries as a strategy for developing regional competitiveness.

13. Promote the establishment and strengthening of advanced scientific and technological networks and other cooperation mechanisms with emphasis on supporting advances in countries with less scientific and technological development in the region.

14. Undertake action by member states to develop a hemispheric space for scientific and technological knowledge.

15. Promote, facilitate, and enhance the mobility of researchers, especially doctoral students, among member states, in order to promote regional integration and collaborative research.

II. In the context of science, technology, engineering, and innovation as tools for sustainable management of natural resources

1. Collaborate on the development and implementation of policies and programs aimed at sustainable management of natural resources.

2. Promote the development of biotechnology and biosafety as strategies for the economic, social, and environmental development of the countries, in keeping with their domestic legislation and international obligations.

3. Promote research and development of technologies that contribute to food security and nutritional quality for our peoples.

4. Promote regional and international cooperation for research, development, and innovation in biotechnology and renewable and non-renewable energy resources through alliances, in accordance with domestic laws, between government and the private sector, academia, research
centers, and civil society in general that will incorporate greater use of available international financing of science, technology, and innovation as well as the design of new financing instruments.

5. Promote better utilization and diversification of renewable energy sources, as well as more efficient use of non-renewable energy sources, using technologies and management tools that help to preserve the environment, with special emphasis on countries with less scientific and technological development, via cooperation and technology transfer.

III. In the context of science, technology, engineering, and innovation as tools for increasing productivity

1. Promote strengthening of the links between companies and universities and research institutes to prepare, attract, and retain qualified personnel, including engineers and innovators to collaborate in the development of new processes, products, and services.

2. Promote the development of skills in micro, small, and medium-sized enterprises (MSMEs) in order to foster and facilitate the production of necessary goods and services, which in turn generate new economic activities and decent employment.

3. Foster the creation of an entrepreneurial culture for the development of new and technology-based businesses and enterprises, through networks and business incubators and access to credit, and availability of venture capital for new businesses as a strategy for fostering human prosperity.

4. Support the expansion and strengthening of technological services (metrology, standardization, accreditation, calibration, inspection, analyses, assays and tests, quality certification, and others) that contribute to the competitiveness of enterprises with special emphasis on facilitating access by MSMEs to these services.

5. Improve the quality of education in applied science, technology, engineering, and mathematics, fostering certification and accreditation of engineering programs in the region and strengthening the links between the scientific-technological sector and the productive sector, including training for young people in entrepreneurial abilities and skills.

WE REAFFIRM our commitment to support and strengthen the capacities of the OAS to respond to mandates arising from the Summits of the Americas process in the context of science and technology, as well as those resulting from this and other meetings of Ministers and High Authorities in Science and Technology.

WE RECOGNIZE the work of the Inter-American Committee on Science and Technology (COMCyT) as the promoter and facilitator of policies and programs intended to link science, technology, engineering, and innovation as components for promoting the development of a science-and-technology culture in the Americas.
WE AGREE that it is of fundamental importance to link the results and conclusions of this Second Meeting of Ministers and High Authorities in Science and Technology with the Summits of the Americas process, particularly within the framework of the upcoming Fifth Summit of the Americas.
Science, technology, engineering, and innovation (STEI) have been recognized as indispensable for promotion of our peoples’ development. Efforts and activities of both the government and the private sector in these areas affect economic growth and the well-being of the population. In this context, the governments have identified several priorities reflected in the Declaration of Mexico in three main themes to promote human prosperity. This Plan of Action seeks to promote fulfillment of the general objectives outlined in the Declaration of Mexico, and thereby help the member states of the Organization of American States (OAS) to make genuine and tangible progress in their efforts to eradicate poverty, inequality, and exclusion in the Hemisphere. To that end the governments, through their Ministers and High Authorities on Science and Technology, pledge to develop and carry out multi-year action plans with well-defined goals that include guidelines, programs, and activities to promote the development of STEI in their countries. They also undertake to establish mechanisms for evaluation and monitoring of the degree of attainment of the established goals.

THEREFORE,

BASED ON THE DECLARATION OF MEXICO, WE, THE MINISTERS AND HIGH AUTHORITIES ON SCIENCE AND TECHNOLOGY, AGREE:

I. In the framework of science, technology, engineering, and innovation, and public policies for integral development:

1. To promote spaces for the integrated and interconnected coordination of policies in science, technology, engineering, and innovation (STEI) in areas of common interest for member states.

2. To promote initiatives and programs that foster the establishment of institutional and legal frameworks conducive to greater integration and cooperation between scientific and technological development and the innovation process, in order to create the requisite conditions for the member states to move steadily forward in the technology field.

3. To promote the generation of national science, technology, engineering, and innovation indicators to measure and evaluate each country’s scientific/technological performance and to serve as an indispensable tool for the development of effective policies in those areas. Efforts will be made to establish uniform methodologies for gathering scientific and technological data in the

1. Document distributed as CIDI/REMCYT-II/doc.6/08 rev. 1.
countries, in order to obtain precise, comparable indicators on science, technology, engineering, and innovation in the member states and in order to measure the effectiveness of scientific and technological output and its impact on society.

4. To develop and strengthen mechanisms to disseminate and popularize science and technology in order to contribute to the creation of a scientific and technological culture in the countries and achieve higher levels of public engagement.

5. To promote a significant increase in government and private-sector budget funding to finance scientific and technological research and development programs, as well as programs for innovation and competitiveness.

6. To develop and apply policies and mechanisms to strengthen the development of national institutions of excellence in STEI (e.g., universities, research centers, public and private corporations) that are equipped to respond swiftly to technological changes and the current needs of society.

7. To establish incentives and programs to promote the training of human resources in science, technology, engineering, and innovation.

8. To plan and carry out actions to improve the quality of math and science education at all levels, with special emphasis on engineering at both the undergraduate and graduate levels. For this purpose we shall seek cooperation and advisory services from the Inter-American Committee on Education (CIE).

9. To promote the continuous upgrading, expansion, and technological updating of the countries’ scientific and technological research infrastructure and the establishment of networks for cooperation comprising universities, research centers, and technological institutes.

10. To strengthen and expand throughout the Hemisphere the FEMCIDI “Program for Fostering the Use of Advanced Networks in Latin America for the Development of Science, Technology, and Innovation,” which is being implemented in the framework of the Latin American Cooperation of Advanced Networks (CLARA).

11. To strengthen intraregional, extraregional, and international cooperation in STEI to encourage applied research, networking, human resource training, and the development of competitive enterprises.

12. To entrust the OAS, in the framework of the hemispheric agenda for science, technology, engineering, and innovation, with promoting and coordinating cooperation activities involving public and private funding entities and international cooperation agencies.

13. To promote and strengthen doctoral and post-doctoral scholarship programs that contain a component for internships in other countries and take account of gender equity and equality.
14. To instruct the OAS to include in its scholarship program doctoral and post-doctoral internships in science and technology in the Hemisphere that take account of gender equity and equality. For this purpose we shall seek cooperation and advice from the CIE.

II. In the framework of science, technology, engineering, and innovation as tools for sustainable management of natural resources:

1. To cooperate with actions to improve science and engineering education in order to train highly qualified human resources and promote applied research and development aimed at the sustainable use of natural resources.

2. To develop and implement programs and actions that promote greater cooperation with the private sector in the use of technologies to improve food safety and the nutritional quality of food in the Hemisphere’s different climate zones.

3. To promote partnerships and agreements among the government, the private sector, the academic community, research centers, and civil society to encourage innovation through the exchange of experiences and information on technology and renewable energy. This shall be accomplished by using recognized and available services and technologies, as well as reciprocal internships, improvement in the quality of research, and dissemination of best practices.

4. To foster, in the framework of the OAS and in coordination with the Department of Sustainable Development, a hemispheric agenda for scientific and technological cooperation on energy, with emphasis on intensifying the use of renewable energy, encouraging the exchange of knowledge and experiences and broad cooperation between the member states.

5. To support the expansion of mechanisms for cooperation in research and development between the public sector, the academic community, civil society, and the private sector so that the region’s cumulative experience and the benefits of projects now in execution may be extended to all countries of the region.

III. In the framework of science, technology, engineering, and innovation as tools for increasing productivity:

1. To review and update university engineering curricula to train engineers and scientists who are highly qualified and oriented toward applied sciences. The curricula should also encourage entrepreneurship.

2. To implement programs to improve supply-chain management of goods and services and scientific/technological infrastructure in the countries, in order to enhance the competitiveness of corporations and improve their capacity to participate in global trade.

3. To support the development of national quality infrastructure (metrology, standardization, accreditation, and quality certification) necessary to offer technological services (calibration, inspection, analyses, and assays and tests) with recognized results.
4. To strengthen the Inter-American Metrology System (SIM), enhancing its capabilities and its role in supporting the development of the national measurement infrastructure and the quality of the measurement results of member states. This role extends to obtaining interregional and global acceptance of the national calibration and measurement capabilities.

5. To take the necessary steps to set up technology parks, business incubators, and programs for entrepreneurs, and other efforts to promote the establishment of competitive technology-based companies that generate highly skilled jobs.

6. To reinforce the Engineering for the Americas initiative by supporting the work of the OAS to seek and obtain resources to fund its action program and launch it.

IV. Mechanism for follow-up of the Meetings of Ministers and High Authorities on Science and Technology:

1. The governments, through their Ministers and High Authorities on Science and Technology, will continue to meet periodically to improve and develop new forms of cooperation and understanding among the countries of the Americas, strengthening the hemispheric framework of the institutions and transmitting those suggestions to the Summits of the Americas process. To this end, the OAS General Secretariat is directed to make a special effort to identify and make available the resources needed to hold Meetings of Ministers and High Authorities on Science and Technology at least once every four years, and meetings of COMCyT every year.

2. The governments, through their Ministers and High Authorities on Science and Technology, will have primary responsibility for implementing the mandates of the Declaration and Plan of Action of this Ministerial Meeting. We entrust COMCyT with conducting due follow-up on these commitments at its annual meetings.

3. The governments, through their Ministers and High Authorities on Science and Technology, will endeavor to broaden financial support for the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) and consider the advisability of reviewing the mechanisms, methodology, implementation, and evaluation of the impact of programs and projects in the sectoral account of science and technology, in order to facilitate obtaining/raising more funding from member states and external sources.

4. The governments, through their Ministers and High Authorities on Science and Technology, urge the OAS, through the Executive Secretariat for Integral Development and the Department of Science and Technology, to provide advisory services and assistance to the member states on a permanent basis and ensure adequate support for COMCyT’s activities. To do this, the capacity of the Department of Science and Technology as Technical Secretariat of COMCyT shall be appropriately strengthened.
AG/RES. 2472 (XXXIX-O/09)

REPORT OF THE FIRST MEETING OF MINISTERS AND HIGH AUTHORITIES OF SOCIAL DEVELOPMENT WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 206 (XIII-O/08) and AG/RES. 2383 (XXXVIII-O/08), “First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI”; and CIDI/RES. 165 (X-O/05) and AG/RES. 2081 (XXXV-O/05), “Poverty, Equity, and Social Inclusion: Follow-up to the Declaration of Margarita”; and

Resolution CIDI/RES. 221 (XIV-O/09), “Report of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI”;

TAKING INTO ACCOUNT that the Heads of State and Government gathered at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 4 and 5, 2005, entrusted the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI with considering, among other subjects, progress with respect to the commitments made in the Plan of Action of the Fourth Summit of the Americas that pertain to its area of competence; and

CONSIDERING:

That the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI was held in Reñaca, Chile, on July 9 and 10, 2008;

That the dialogue of the Ministers and High Authorities of Social Development focused on the theme “Social Protection and Democratic Governance in the Americas” and examined three thematic areas: the role of social policy institutions in strengthening democratic governance; inter-American cooperation as a tool for promoting effective social protection strategies; and a multisectoral approach to two main components of exclusion: hunger and unemployment;

That the ministerial meeting elected Colombia, Panama, and Trinidad and Tobago as Chair and Vice Chairs of the Inter-American Committee on Social Development, which was entrusted with implementation and follow-up of the agreements reached; and

That the Ministers and High Authorities adopted a Communiqué (CIDI/REMDES/doc.5/08 rev. 2), which is contained in the Final Report of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI (CIDI/REMDES/doc.9/08),
RESOLVES:

1. To congratulate the Government of Chile for successfully hosting the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI.

2. To endorse the Communiqué of the First Meeting of Ministers and High Authorities of Social Development within the Framework of the Inter-American Council for Integral Development of the Organization of American States (CIDI/REMDES/doc.5/08 rev. 2), which is an integral part of this resolution.

3. To instruct the Inter-American Committee on Social Development (CIDES) to follow up, in its 2008-2010 Work Plan, on the agreements of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI.

4. To instruct the General Secretariat to provide CIDES, through the Executive Secretariat for Integral Development, with the necessary assistance to implement its 2008-2010 Work Plan and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development.

5. To accept with gratitude the offer made by the Government of Colombia at the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI to host the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI, in 2010.

6. To request the Inter-American Council for Integral Development to report to the General Assembly at its fortieth regular session on the implementation of this resolution, as well as on the actions carried out to support its financing, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
COMMUNIQUÉ OF THE FIRST MEETING OF MINISTERS AND HIGH AUTHORITIES OF SOCIAL DEVELOPMENT WITHIN THE FRAMEWORK OF THE INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT OF THE ORGANIZATION OF AMERICAN STATES

“Social Protection and Democratic Governance in the Americas”

(Adopted at the fourth plenary session, held on July 10, 2008, and reviewed by the Style Committee on August 19, 2009)

THE MINISTERS AND HIGH AUTHORITIES OF SOCIAL DEVELOPMENT OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered together in the Valparaíso Region, Chile, on July 9 and 10, 2008, on the occasion of the First Meeting of Ministers and High Authorities of Social Development within the framework of the Inter-American Council for Integral Development (CIDI),

REAFFIRM our commitment to continue undertaking the actions needed to comply with the mandates of the Summits of the Americas and OAS General Assembly sessions with respect to social development, especially through ministerial-level dialogues and the use of existing inter-American mechanisms to share experiences on social protection and efforts to combat poverty and inequality.

RECOGNIZE the importance given in the preparatory process for the Fifth Summit of the Americas to social development-related topics and to the promotion of initiatives with effective impact on the quality of life of our peoples, and commit to supporting that process.

REAFFIRM ALSO that social protection is a key factor for democratic governance, as it fosters and facilitates the progressive inclusion of all citizens in our societies in well-being, progress, and social justice. Social protection implies facilitating access by our peoples, especially the most vulnerable communities, to food, health, education, housing, and employment, under equal conditions.

REITERATE that our actions will continue to take into consideration the Millennium Development Goals, which have been incorporated into most national social development plans.

RECOGNIZE that the development and institutional strengthening of the agencies responsible for social development in each country will help further the provision of services that contribute effectively and efficiently to a narrowing of poverty and inequality gaps.

RECOGNIZE ALSO that poverty and inequality are multidimensional phenomena calling for intersectoral and coordinated responses.

UNDERSCORE the value of inter-American cooperation as a form of partnership allowing us to share our knowledge, experience, and sound practices with regard to social development.

RECOGNIZE the progress that has been achieved in the negotiations of the Social Charter of the Americas and the commitment to continue giving them high priority.

RECOGNIZE ALSO that food security and eradication of malnutrition are a pressing national, regional, and global concern, and that the highest priority should therefore be attached to national poverty reduction and social protection strategies, allocating to such strategies the appropriate financial resources.

INSTRUCT the Inter-American Committee on Social Development (CIDES) to consider the following in its 2008-2010 Work Plan, with the support of the Executive Secretariat for Integral Development (SEDI):

1. Further developing the analysis of social policy institutions, in consultation with national ministerial authorities;

2. Making full use of SEDI’s installed capacity to foster the establishment of an Inter-American Social Protection Network, geared to promoting the exchange and transfer of experiences on innovative programs to combat poverty and inequality, so as to contribute to promoting comprehensive social development, cohesion, and inclusion;

3. Developing, within the framework of the Memorandum of Understanding between the OAS and the World Food Programme (WFP), in support of the implementation of resolution AG/RES. 2346 (XXXVII-O/07), “Support for Efforts to Eradicate Child Malnutrition in the Americas,” and as required, dissemination, training, and institution-building activities aimed at helping to eradicate hunger and child malnutrition in the Americas;

4. Formulating a proposal to the Inter-American Council for Integral Development (CIDI) that looks at the labor market, employment-generation policies, and decent work from a crosscutting and intersectoral perspective. Additionally, promoting the exchange of views on income-generation mechanisms for the poorest and most vulnerable, taking into account the persistently high levels of informal employment in the region and the need to facilitate access to social protection systems and to seek alternative forms of income for said groups. This may require the collaboration of several inter-American committees within the framework of said Council;

5. Contributing, upon request, to the drafting of the Social Charter of the Americas and its Plan of Action, as well as to the preparatory process for the Fifth Summit of the Americas; and

6. Preparing a report on the execution of the 2008-2010 Work Plan, to be presented at the next Meeting of Ministers and High Authorities of Social Development.

THANK the Government of Colombia for its generous offer to host the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI, to be held in 2010.
AG/RES. 2473 (XXXIX-O/09)

REPORT OF THE FOURTH INTER-AMERICAN MEETING OF
MINISTERS OF CULTURE AND HIGHEST APPROPRIATE AUTHORITIES
WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 184 (XI-O/06) and AG/RES. 2208 (XXXVI-O/06), “Third Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI”; CIDI/RES. 197 (XII-O/07) and AG/RES. 2309 (XXXVII-O/07), “Report of the Third Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities”; and CIDI/RES. 219 (XIV-O/09), “Report of the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI”; and

Resolution CEPCIDI/RES. 148 (CXLII-O/08), “Convocation of the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI”;

BEARING IN MIND:

That the Heads of State and Government at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 4 and 5, 2005, recognized the important link between development and culture and agreed that support for culture in its many dimensions contributes to, among other things, the preservation and protection of national heritage, the enhancement of the dignity and identity of our people, the creation of decent jobs, and the overcoming of poverty; and

That it is the responsibility of the Inter-American Council for Integral Development to stimulate regional dialogue and cooperation activities in favor of integral and sustainable development in the culture sector; and

CONSIDERING:

That the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI was held in Bridgetown, Barbados, on November 20 and 21, 2008;

That the dialogue among the Ministers and Highest Appropriate Authorities of Culture centered on creating effective public policies to develop and sustain a vibrant cultural sector; the roles of the public, private, and international sectors in creating partnerships and alliances in the economy of culture; and engaging youth participation in the economy of culture; and
That after a productive dialogue, the Ministers of Culture and Highest Appropriate Authorities adopted a Communiqué (CIDI/REMIC-IV/doc.5/08 rev. 1) and resolution CIDI/REMIC-IV/RES. 1 (IV-O/08) corr. 1, “Guidance to the Inter-American Committee on Culture concerning Priority Activities in 2009-2010,” which are contained in the Final Report of the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI (CIDI/REMIC-IV/doc.12/08 rev. 1),

RESOLVES:

1. To congratulate the Government of Barbados for the successful hosting of the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the Framework of CIDI; and to take note with satisfaction of the Communiqué, adopted at that meeting, which forms part of this resolution.

2. To entrust the Permanent Executive Committee of the Inter-American Council for Integral Development and the General Secretariat, through the Executive Secretariat for Integral Development, with the task of collaborating with the Inter-American Committee on Culture in implementing the priority activities 2009-2010 set forth in resolution CIDI/REMIC-IV/RES. 1 (IV-O/08) corr. 1, “Guidance to the Inter-American Committee on Culture concerning Priority Activities in 2009-2010.”

3. To stress the importance of continuing hemispheric dialogue among Ministers of Culture and Highest Appropriate Authorities within the framework of the Inter-American Council for Integral Development (CIDI).

4. To request CIDI to report to the General Assembly at its fortieth regular session on the implementation of this resolution, as well as on the activities undertaken to support its financing, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
COMMUNIQUÉ OF THE FOURTH INTER-AMERICAN MEETING OF MINISTERS OF CULTURE AND HIGHEST APPROPRIATE AUTHORITIES:
THE ECONOMY OF CULTURE IN THE AMERICAS:
A PATH TO SUSTAINABLE GROWTH AND SOCIAL INCLUSION

(Adopted at the ninth plenary session, held on November 21, 2008, and reviewed by the Style Committee on August 19, 2009)

WE, THE MINISTERS OF CULTURE AND HIGHEST APPROPRIATE AUTHORITIES OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered together in Bridgetown, Barbados on November 20 and 21, 2008, on the occasion of the Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities within the framework of the Inter-American Council for Integral Development (CIDI),

Reaffirm the central role of culture in the improvement of the quality of life of all of our peoples, the fight against poverty, and the overall development of the member states.

Culture has an impact on the daily life of our citizens and contributes to the development of our nations. Culture contributes to the quality of life, to the development of our economies, and to the strengthening of the identity and dignity of our peoples. It is a source of pride. It helps shape our values. It is reflected in the way we interact with our environment and in the way we educate our children. Cultural development policies are intrinsically linked to the formulation of policies related to every aspect of the economic and social development of our countries.

In this context, we acknowledge the critical importance of an intersectoral approach to the realization of our objectives and commit to working with agencies in other sectors, both governmental and in civil society. Initially, special emphasis will be placed on collaboration with institutions in the finance and education sectors.

We call our nations’ attention to the ever-increasing economic potential of the creative and cultural industries. Research indicates that international trade in the creative industries grew at an annual rate of 8.7 percent between 2000 and 2005. In addition, cultural industries are estimated to account for 7 percent of gross domestic product worldwide.

Developing countries do not yet benefit to the extent that they could from the development of this sector. In the fight against poverty, cultural and creative industries offer a path to sustainable economic growth, especially for the Small Island Developing States (SIDS) and Small Vulnerable

Economies (SVEs) of the Caribbean. With appropriate policy development and investment, these industries have the potential to provide sustainable sources of income and employment, greater economic diversification, and new export opportunities.

With the cooperation of our colleagues in ministries of finance and other financial institutions, we will intensify efforts to quantify the impact of culture on economic development and to sensitize the economic and financial sectors to how investment in capacity-building and institutional strengthening in the culture sector can have tangible benefits in terms of employment, income generation, and sustainable development in general.

The social contribution of culture must also be acknowledged. We call on our nations to reflect on the social value of investing in culture to enhance a sense of dignity and identity and strengthen communities. In this context, we will redouble our collaborative efforts to protect and preserve our cultural heritage, including efforts to sensitize all citizens to the value of our shared heritage. We will also encourage countries of the region to implement responsible sustainable heritage tourism policies.

Evidence suggests, particularly for young people, that culture and the artistic pursuits may, *inter alia*, instill discipline, increase levels of concentration and self-confidence, contribute to skills development and employability, increase capacity for conflict resolution, and assist in the control of substance abuse and other high-risk behaviors. Stimulating creativity in our citizens from a young age is a strategy that not only fosters personal growth and social development, but may also contribute to finding new and innovative approaches to scientific, industrial, technological, and social problems.

At the thirteenth regular meeting of the Inter-American Council for Integral Development in May 2008, the Authorities of the Inter-American Committee on Culture (CIC) began a dialogue with the Inter-American Committee on Education (CIE), which we fully intend to continue and to deepen by defining joint activities which can benefit our people and our young people in particular.

We support the view that the stimulation of innate creativity in our citizens from a young age, mainly through the integration of cultural and artistic studies and activities in culture and the arts in educational curricula, is an important strategy, which could lead not only to strengthening our sense of identity, the nurturing of civic values, and appreciation of our shared heritage, but also to finding new and innovative solutions to scientific, industrial, technological, and social problems.

We therefore encourage our colleagues in the education and training sector, or other appropriate authorities, to commit themselves with us to ensuring that educational and professional development programs are put in place at all levels, from early childhood to tertiary, and in areas of nonformal education. We will collaborate to encourage the development of creative expression, to reinforce and develop the innate creativity of our citizens, and to provide relevant training to strengthen their employability in sustainable cultural enterprises. In this context, attention should be given to learning and expanding skills in 21st century information and communication technologies to ensure wide dissemination, diffusion, and sharing of knowledge important to encourage innovation and creativity.
We aim to broaden and deepen the dialogue between the culture and education sectors, thus promoting greater understanding of the role of the arts and culture in forming and strengthening the identity of our children and youth.

We reaffirm our commitment to share experiences and develop cooperation in the following areas:

- The preservation and protection of cultural heritage;
- Culture and the creation of decent jobs and the overcoming of poverty;
- Culture and the enhancement of the dignity and identity of our peoples;
- Culture and the role of indigenous peoples; and
- Cultural information systems as a crosscutting priority.

We invite countries and institutions that are in a position to do so to work with us in the implementation of national, regional, and local policies and programs, which will emphasize the importance of these priority areas.

In the spirit of observing the OAS centennial celebration, we recommend to the General Assembly that it declare 2010 the Inter-American Year of Culture.

We commend the CIC for its efforts to date to assist us in the realization of our objectives as outlined in the priority areas set out above and in this regard, entrust to it, with support from the Department of Education and Culture of the Executive Secretariat for Integral Development, the responsibility for implementing our mandates through execution of the 2009-2010 CIC Work Plan. We call on the General Secretariat of the OAS to strengthen its efforts to support the member states, through the CIC, in these endeavors.

We invite all OAS member states and partners in international organizations, civil society, and the private sector to support the activities set forth in the 2009-2010 Work Plan.

We thank the Government of Barbados for its generosity in hosting, within the framework of CIDI, this Fourth Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities.
AG/RES. 2474 (XXXIX-O/09)

EXTENSION OF THE TERM OF THE STRATEGIC PLAN FOR PARTNERSHIP FOR INTEGRAL DEVELOPMENT 2006-2009

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,


CONSIDERING:

That Article 95 of the Charter of the Organization of American States (OAS) establishes that the Inter-American Council for Integral Development (CIDI) shall “[f]ormulate and recommend to the General Assembly a strategic plan which sets forth policies, programs, and courses of action in matters of cooperation for integral development, within the framework of the general policy and priorities defined by the General Assembly”;

That Article 29 of the CIDI Statutes further stipulates that the Strategic Plan “shall have a four-year planning target period, subject to adjustment when the General Assembly considers it appropriate”; and

That Articles 3(a) and 23(c) of the CIDI Statutes instruct CIDI to formulate and recommend the Strategic Plan to the General Assembly, and to examine and, if appropriate, adopt proposals for preparing and updating the Strategic Plan;

HAVING SEEN:

Resolution AG/RES. 2201 (XXXVI-O/06), “Strategic Plan for Partnership for Integral Development 2006-2009,” whereby the General Assembly resolved to adopt the Strategic Plan for Partnership for Integral Development 2006-2009, recommended by CIDI at its twelfth regular meeting;

Resolution CP/RES. 178 (XI-O/06), “Strategic Plan for Partnership for Integral Development 2006-2009”; and


TAKING INTO ACCOUNT:

That the term of the Strategic Plan for Partnership for Integral Development 2006-2009 will end on December 31, 2009; and
That a process of reflection and consultation is taking place within the Permanent Executive Committee of CIDI and the Inter-American Agency for Cooperation and Development on mechanisms for policy dialogue in the framework of CIDI and on the present structure of partnership for development, exploring diverse options with a view to strengthening it; and

TAKING INTO ACCOUNT ALSO:

That the Strategic Plan is essential to coordinating policies, programs, and means of action in the area of partnership for integral development, in the framework of the general policy and priorities defined by the General Assembly and of mandates from CIDI and from the sectoral meetings of ministers and high-level authorities in the economic, social, educational, cultural, labor, tourism, sustainable development, and scientific and technological fields; and

That a new Strategic Plan drawn up on the basis of recommendations to strengthen CIDI will help reinforce partnership for development within the OAS,

RESOLVES:

1. To extend the term of the Strategic Plan for Partnership for Integral Development 2006-2009 by one year, until December 31, 2010.

2. To authorize the Inter-American Council for Integral Development (CIDI) to approve before December 31, 2010, the next Strategic Plan for Partnership for Development \textit{ad referendum} of the fortieth regular session of the General Assembly.

3. To request CIDI to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2475 (XXXIX-O/09)

POVERTY, EQUITY, AND SOCIAL INCLUSION:
FOLLOW-UP TO THE DECLARATION OF MARGARITA

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:


TAKING INTO ACCOUNT that the High-Level Meeting on Poverty, Equity, and Social Inclusion, which took place on Isla Margarita, Bolivarian Republic of Venezuela, from October 8 to 10, 2003, adopted the Declaration of Margarita (RANPEIS/DEC. 1/03);

CONSIDERING:

That Article 2.g of the Charter of the Organization of American States (OAS) establishes that one of the essential purposes of the Organization is to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

That the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that “[w]e shall spare no effort to free our fellow citizens from the dehumanizing conditions of extreme poverty”;

That the Declaration of Nuevo León, adopted at the Special Summit of the Americas, recognizes that overcoming poverty, hunger, and social inequality are major challenges facing many countries of the Hemisphere in the 21st century;
That in the same Declaration the Heads of State and Government urged the OAS “to carefully consider the recommendations approved at the High-Level Meeting on Poverty, Equity, and Social Inclusion, held on Isla de Margarita, Venezuela, to strengthen the hemispheric social agenda”;

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government reaffirmed their “commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas”;

That the Inter-American Democratic Charter reaffirms, in the preambular section, that “the fight against poverty, and especially the elimination of extreme poverty, is essential to the promotion and consolidation of democracy and constitutes a common and shared responsibility of the American states”;

That, in resolution AG/RES. 1983 (XXXIV-O/04), “Poverty, Equity, and Social Inclusion,” the General Assembly endorsed the Declaration of Margarita and took note of the proposal for follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion (CEPCIDI/doc.594/03), as well as of the methodology for its implementation (CEPCIDI/doc.611/04 corr. 1);

That in the Declaration of Margarita, the high-level authorities of the OAS member states responsible for social development policies and programs expressed their commitment to ensuring that the Inter-American Council for Integral Development (CIDI), as the hemispheric policy forum for dialogue on combating poverty, contributes to the follow-up, evaluation, and supervision of the eight development goals established in the United Nations Millennium Declaration;

That the United Nations, through the United Nations Development Programme (UNDP) and the Economic Commission for Latin American and the Caribbean (ECLAC), as well as the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and other agencies of the inter-American system, have given ample consideration to the goals established in the United Nations Millennium Declaration;

That the current economic and financial crisis poses a great obstacle for the execution of social programs and a serious challenge to the achievement of the Millenium Development Goals (MDGs);

That, to a large extent, the follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion will take place in the context of the Inter-American Committee on Social Development; and that the Declaration of Margarita specifically proposes that the Permanent Council and CIDI consider the need to deepen the commitments undertaken in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other international instruments on social matters in relation to the advancement and observance of economic, social, and cultural rights, and explore the possibility of having an instrument and mechanisms to respond to this aim;
That resolution AG/RES. 1854 (XXXII-O/02), “Poverty, Equity, and Social Inclusion,” instructed the Permanent Council and CIDI, in light of the results of the Isla Margarita meeting, to define jointly new actions to strengthen existing mechanisms for cooperation to support the member states in combating poverty; and

That the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI was held in Reñaca, Chile, on July 9 and 10, 2008;

EXPRESSING ITS SATISFACTION with the joint meeting of the Permanent Council and the Permanent Executive Committee of CIDI, held on April 2, 2008, in Washington, D.C., to contribute “to following up on, evaluating, and supervising the Eight Development Goals established in the Millennium Declaration for the year 2015”; and taking note of the results of that meeting; and

CONSIDERING the offer of the Government of the Bolivarian Republic of Venezuela to host a workshop, in the context of the achievement of the MDGs, on experiences and measures implemented by the states of the Hemisphere to mitigate the impact of the economic and financial crisis on social programs,

RESOLVES:

1. To entrust the Permanent Council and the Inter-American Council for Integral Development (CIDI) with giving careful consideration to the recommendations adopted during the High-Level Meeting on Poverty, Equity, and Social Inclusion.

2. To entrust the Permanent Council and CIDI with considering, on the basis of the proposal made in said meeting, mechanisms and instruments that make it possible to deepen the commitments undertaken in the Charter of the Organization of American States (OAS), the Inter-American Democratic Charter, and other international instruments on social matters, in relation to the advancement and observance of economic, social, and cultural rights.

3. To invite the Secretariat of the United Nations to present a report on the General Assembly Thematic Debate on the Millennium Development Goals, held in April 2008, as well as on the Conference on the World Financial and Economic Crisis and Its Impact on Development, to be held from June 24 to 30, 2009, in order to contribute to the dialogue on and follow-up, evaluation, and supervision of those goals and to the pursuit of greater coordination of multilateral action.

4. To instruct the Executive Secretariat for Integral Development (SEDI) to prepare, in coordination with other pertinent areas of the OAS and with support from pertinent international organizations, such as the Economic Commission for Latin America and the Caribbean (ECLAC) and the United Nations Development Programme (UNDP), a compilation of information on experiences and on the measures implemented by the states of the Hemisphere to counteract the impact of the economic and financial crisis on social programs, in the context of the achievement of the development goals established in the United Nations Millennium Declaration.
5. To request that, in that compilation, account be taken of the results of the First Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI and of the reports of the member states on this subject, presented on the occasion of the joint meeting of the Permanent Council and the Permanent Executive Committee of CIDI, held on April 2, 2008.

6. To accept with gratitude the offer made by the Government of the Bolivarian Republic of Venezuela in document CEPCIDI/INF.75/09 to hold, during the first half of 2010, a workshop, in the context of the achievement of the Millennium Development Goals (MDGs), on experiences and on measures implemented by the states of the Hemisphere to mitigate the impact of the economic and financial crisis on social programs, in order to identify and develop possible areas of cooperation.

7. To entrust the Inter-American Committee on Social Development (CIDES), with the support of SEDI, with the preparation of the above-mentioned workshop, to provide inputs to the Second Meeting of Ministers and High Authorities of Social Development.

8. To request CIDES to present the results of the workshop to the Second Meeting of Ministers and High Authorities of Social Development, to be held in Colombia in 2010.

9. To request CIDI to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2476 (XXXIX-O/09)

SPECIALIZED CIDI MEETING OF HIGH-LEVEL COOPERATION AUTHORITIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:


TAKING INTO ACCOUNT:

That the Charter of the Organization of American States (OAS) establishes that the Inter-American Council for Integral Development (CIDI) shall hold at least one meeting each year at the ministerial or equivalent level and shall have the right to convene meetings at the same level for the specialized or sectoral topics it considers relevant, within its sphere of competence;

That the purpose of CIDI is to promote partnership for development among the American states with a view to achieving their integral development, and, in particular, contributing to the elimination of extreme poverty, the principal scourge that the Hemisphere faces;

That CIDI serves as a catalyst for the mobilization of human, technical, and financial resources and, within the OAS, coordinates implementation of the mandates that emerge from the Summits of the Americas process, in its area of competence, in accordance with the provisions of the Strategic Plan for Partnership for Integral Development 2006-2009;
That the inter-American ministerial meetings held in the different sectoral areas have been very successful and have given rise to productive substantive dialogue among their respective authorities; and

That the Special Technical Meeting of National Cooperation Authorities and Experts was held in Playa del Carmen, Mexico, on October 16 and 17, 2008, where a productive dialogue took place and experiences were shared on the possibility of implementing cooperation mechanisms and modalities that make the most efficient use of the capacities of the OAS as a multilateral organization and of the capacities of all the member states, through cooperation among states at different levels of development in projects of particular benefit to the relatively less developed countries;

TAKING INTO ACCOUNT ALSO that the important mandates from CIDI and from the sectoral meetings of ministers and high-level authorities in the economic, social, educational, cultural, labor, tourism, sustainable development, and scientific and technological fields make it necessary and fundamental for the member states at CIDI meetings to engage in substantive policy dialogue on the topic to be addressed and to achieve progress in the formulation of policies, the definition of priorities, and the development of specific actions aimed at promoting integral development; and

HAVING SEEN the note from the Permanent Mission of Colombia (CIDI/INF.77/09), in which it offers to host the Specialized CIDI Meeting of High-Level Cooperation Authorities, to be held in Bogotá, Colombia, on October 26 and 27, 2009,

RESOLVES:

1. To welcome the offer of the Government of Colombia to host the Specialized CIDI Meeting of High-Level Cooperation Authorities, to be held in Bogotá, Colombia, on October 26 and 27, 2009.

2. To urge member states to send their highest-level cooperation authorities to take part in the aforementioned meeting.

3. To hold a preparatory meeting at the headquarters of the Organization of American States to prepare for the Specialized CIDI Meeting of High-Level Cooperation Authorities.

4. To instruct the General Secretariat to lend support, through the Executive Secretariat for Integral Development, to preparations for and follow-up of the meeting and to keep the Permanent Executive Committee of the Inter-American Council for Integral Development abreast of developments in this regard.

5. To request the Inter-American Council for Integral Development to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2477 (XXXIX-O/09)

CONTINUING PARTICIPATION IN THE INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT BY MEMBER STATES THAT HAVE NOT RATIFIED THE PROTOCOL OF MANAGUA

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2 (XXII-E/96), “Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force,” and resolutions AG/RES. 1442 (XXVI-O/96), AG/RES. 1507 (XXVIII-O/98), AG/RES. 1726 (XXX-O/00), AG/RES. 1815 (XXXI-O/01), AG/RES. 1863 (XXXII-O/02), AG/RES. 1910 (XXXIII-O/03), AG/RES. 1978 (XXXIV-O/04), AG/RES. 2090 (XXXV-O/05), AG/RES. 2214 (XXXVI-O/06), AG/RES. 2313 (XXXVII-O/07), and AG/RES. 2385 (XXXVIII-O/08), as well as resolutions CIDI/RES. 24 (II-O/97), CIDI/RES. 42 (III-O/98), CIDI/RES. 83 (IV-O/99), CIDI/RES. 94 (V-O/00), CIDI/RES. 4 (I-E/01), CIDI/RES. 116 (VII-O/02), CIDI/RES. 138 (VIII-O/03), CIDI/RES. 141 (IX-O/04), CIDI/RES. 177 (X-O/05), CIDI/RES. 191 (XI-O/06), CIDI/RES. 200 (XII-O/07), CIDI/RES. 208 (XIII-O/08), and CIDI/RES. 216 (XIV-O/09), “Continuing Participation in the Inter-American Council for Integral Development by Member States That Have Not Ratified the Protocol of Managua”;

EMPHASIZING the amendments made to the Charter of the Organization of American States to incorporate the elimination of extreme poverty as a basic objective of integral development (Protocol of Washington) and to establish an Inter-American Council for Integral Development to promote cooperation among the American states for the purpose of achieving their integral development and, in particular, helping to eliminate extreme poverty (Protocol of Managua); and

CONSIDERING that as of the date of this resolution there are still member states that have not ratified the Protocol of Managua,

RESOLVES:

1. To urge the member states that have signed and not ratified the Protocol of Washington, which incorporates the elimination of extreme poverty as a basic objective of development, and the Protocol of Managua, which establishes the Inter-American Council for Integral Development (CIDI), to consider doing so as soon as possible.

2. To extend the period during which its resolution AG/RES. 2 (XXII-E/96), “Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force,” will remain in force until the fortieth regular session of the General Assembly, which will review the situation if at that time there are still member states that have not ratified the Protocol of Managua.
3. To request CIDI to report to the General Assembly at its fortieth regular session on
the implementation of this resolution.
AG/RES. 2478 (XXXIX-O/09)

SIXTH MEETING OF MINISTERS OF EDUCATION
WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 209 (XIII-O/08) and AG/RES. 2386 (XXXVIII-O/08), “Report of the Fifth Meeting of Ministers of Education within the Framework of CIDI”; and CIDI/RES. 222 (XIV-O/09), “Sixth Meeting of Ministers of Education within the Framework of CIDI”; and

Resolutions CEPCIDI/RES. 150 (CXLVI-O/08) and CEPCIDI/RES. 154 (CL-O/09), convening the Sixth Meeting of Ministers of Education within the Framework of CIDI;

CONSIDERING:

That, at the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 4 and 5, 2005, the Heads of State and Government recognized the importance of access to education as a core component of the fight against poverty and inequality in our countries and committed to improving both access to and the quality of basic education, recognizing that providing educational opportunities is an investment in the future of the peoples of the Americas; and

That, at the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, from April 17 to 19, 2009, the Heads of State and Government reaffirmed their commitment to achieving a gross secondary education enrollment rate of at least 75 percent by the year 2010 and called on the Ministers of Education, with the support of the Organization of American States, specialized international and regional institutions, and civil society organizations, to develop strategies to make quality secondary education accessible to all our young people by 2015, especially the most vulnerable groups and those with special education needs. These strategies should be based on the principles of equity, quality, relevance, and efficiency in education, taking into account the gender perspective and student diversity, and should also encourage innovation and creativity;¹ and

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1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
TAKing INTO ACCOUNT:

That it is incumbent on the Inter-American Council for Integral Development (CIDI), in the framework of the Strategic Plan for Partnership for Integral Development 2006-2009, to foster dialogue to promote the development of education as one of its priority areas;

That, as part of the follow-up process for the Fifth Meeting of Ministers of Education within the Framework of CIDI and in preparation for the sixth ministerial meeting, the Tenth Meeting of the Authorities and Executive Committee of the Inter-American Committee on Education was held in Washington, D.C., on February 26 and 27, 2009;

That at that meeting the delegation of Ecuador proposed “Better opportunities for the youth of the Americas: Rethinking secondary education” as the theme for the Sixth Meeting of Ministers of Education within the Framework of CIDI, and that the topic will be referred to all the member states for consideration; and

That the member states have undertaken, with support from the Executive Secretariat for Integral Development, significant work to follow up on the Fifth Meeting of Ministers of Education within the Framework of CIDI and are engaged in preparations for the sixth ministerial meeting,

RESOLVES:

1. To accept with gratitude the offer of the Government of Ecuador to host the Sixth Meeting of Ministers of Education within the Framework of CIDI, from August 12 to 14, 2009.

2. To call upon the member states to participate in the Sixth Meeting of Ministers of Education within the Framework of CIDI by sending their highest-level education authorities.

3. To request the Inter-American Committee on Education, with the help of the Executive Secretariat for Integral Development, to continue supporting the process of preparation and follow-up of meetings in the education area, and to provide regular updates on that process to the Permanent Executive Committee of the Inter-American Council for Integral Development.

4. To request the Inter-American Council for Integral Development to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2479 (XXXIX-O/09)


(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING that 2009 marks the 50th anniversary of the creation and installation of the Inter-American Commission on Human Rights, the 40th anniversary of the adoption of the American Convention on Human Rights (Pact of San José, Costa Rica), and the 30th anniversary of the installation of the Inter-American Court of Human Rights,

1. The Bolivarian Republic of Venezuela guarantees all persons the right to enjoy and exercise the inalienable, indivisible, and interdependent human rights, in accordance with the principle of progressivity, and without any discrimination. The respect, protection, and guarantee of these rights are a priority for the Venezuelan state. The Bolivarian Government of Venezuela accords the human rights of all individuals and communities pride of place, as human beings are our core concern. Accordingly, the Venezuelan state makes every effort on a day-to-day basis to ensure that human rights are absolutely respected within its borders, in accordance with its constitutional mandate and the popular will. The Government of the Bolivarian Republic of Venezuela is refraining from approving this resolution because it deems the inter-American human rights system, especially the Inter-American Commission on Human Rights (IACHR), to have abandoned its role as a human rights protection agency to become a political tool for local and international interests that, for ideological reasons, are set against progressive governments of the region. We also believe that the system, in particular the IACHR, has lost credibility to deal with the issue of human rights, after it recognized the de facto government that had been installed in Venezuela in the wake of the events of April 2002. The Government of the Bolivarian Republic of Venezuela believes that the inaccurate, malicious, and false nature of statements, recommendations, and decisions by the IACHR deal a severe blow to the democratic stability of states. The statements issued by the IACHR are not based on an objective and transparent methodology, as they make generic references to unidentified sources and are overly reliant on newspaper sources that do not always serve the interest of truth, if we consider the politicized and biased posture of some print media and radio and television stations against the legitimate government of Venezuela, in addition to certain Venezuelan and foreign NGOs that took part in the coup of April 2002 and in the business and oil shut-down of December 2003. Venezuela has sufficient grounds to state that the IACHR has abandoned its role as an impartial international body responsible for ensuring respect for human rights in the region to become a political tool of local and international interests intent on delegitimizing the Bolivarian socialist revolution led by President Hugo Chávez Frias. The Venezuelan state has lost any hope that the Commission can ever again exercise good judgment and demonstrate its commitment to human rights, and stop pursuing actions that undermine its role and objectives. In this context, it is worth recalling how the former United Nations Commission on Human Rights lost all credibility once it was established as a forum that served for airing political differences between states, forsaking individuals and communities that once placed their hope in that body. The Venezuelan state again calls on the IACHR to establish a balance between its pretensions and its real competence, in the interest of acting in a transparent and objective manner. For the foregoing reasons and in view of the violation of the rules of the system, both substantive and procedural; the threat to the credibility, effectiveness, and efficiency of the system; and the negligent conduct of the Commission, the Bolivarian Government of Venezuela abstains from and disapproves of the entire contents of this resolution.

2. The Government of the Republic of Nicaragua wishes to reaffirm the importance that our country attaches to the promotion and protection of human rights, as enshrined in our country’s Political Constitution. Nicaragua, however, cannot accept this particular resolution because it contains political elements that are not consistent with reality. If there is anything to recognize about the Inter-American Commission on Human Rights, it is that it continues to be a tool to pressure some states with political and ideological statements that apply a double standard, and in which political bias takes precedence over any real interest in protecting human rights in the Hemisphere.
UNDERSCORING that the Charter of the Organization of American States proclaimed the fundamental rights of the individual as one of the Organization’s principles, and declared that the principal function of the Inter-American Commission on Human Rights would be to promote the observance and protection of human rights in the Hemisphere and to serve as a consultative organ of the Organization in those matters, a function that is also assigned to the Commission by the 1969 American Convention on Human Rights;

UNDERSCORING ALSO that the American Convention on Human Rights (Pact of San José, Costa Rica) entrusted the Inter-American Court of Human Rights with exclusive jurisdictional functions regarding the promotion and protection of human rights in the Hemisphere;

BEARING IN MIND that the 1969 American Convention on Human Rights (Pact of San José, Costa Rica) and the 1948 American Declaration of the Rights and Duties of Man are key instruments for the protection of fundamental rights in the Hemisphere;

REAFFIRMING full respect for the fundamental rights of the individual in conditions characterized by freedom, dignity, and equal opportunity, without distinction as to race, sex, nationality, creed, or any other social condition, and that the historical mission of the Americas is to offer human beings a land of liberty and a favorable environment for the development of their personalities and the realization of their just aspirations;

TAKING INTO ACCOUNT that the genuine meaning of hemispheric solidarity can only be effective through respect for human rights and fundamental freedoms and the exercise of democracy, that the international protection of human rights should be the principal guide of evolving law in the Americas, and that the states of the Americas have pledged to keep strengthening an international system to protect human rights that is complementary to national systems;

RECALLING that the Ninth International Conference of American States, held in 1948 in Bogotá, Colombia, adopted the American Declaration of the Rights and Duties of Man, the Charter of the Organization of American States, and, along with other resolutions, resolution XXXI, “Inter-American Court to Protect the Rights of Man,” which established that the protection of these rights should be guaranteed internationally by a juridical organ acting as a competent court;

UNDERSCORING the historic importance of the 1959 Declaration of Santiago, Chile, adopted by the Fifth Meeting of Consultation of Ministers of Foreign Affairs, which reached a decision on the creation of an inter-American commission to promote respect for human rights in the Americas and entrusted it with the preparation of a legal instrument to ensure international protection and observance of those rights, as well as the creation of an inter-American court of human rights;

RECOGNIZING the historic importance of the contributions made by the Inter-American Council of Jurists—contributions that paved the way for the Inter-American Specialized Conference on Human Rights, held in San José, Costa Rica, in 1969, in which the American Convention on Human Rights (Pact of San José, Costa Rica) was adopted;

AWARE of the contributions of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights to the promotion and protection of human rights in the
Hemisphere and to the strengthening and enhancement of the inter-American system for the promotion and protection of human rights; and

RECOGNIZING that the work of the organs of the inter-American system charged with promoting and protecting human rights helps to consolidate the effectiveness of democratic institutions and the effective exercise of human rights in the Americas,

RESOLVES:

1. To commemorate officially in the second half of 2009 the 50th anniversary of the creation and installation of the Inter-American Commission on Human Rights; the 40th anniversary of the adoption of the American Convention on Human Rights (Pact of San José, Costa Rica); and the 30th anniversary of the installation of the Inter-American Court of Human Rights, in San José, Costa Rica.

2. To hold a special meeting of the Permanent Council during the second half of 2009 to commemorate the events referred to in the preceding paragraph.

3. To acknowledge the contributions of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to the promotion and protection of human rights in the Hemisphere and to the strengthening and enhancement of the inter-American system.

4. To reaffirm the importance of the American Convention on Human Rights (Pact of San José, Costa Rica) as a source of international obligations for states parties and one of the main international legal instruments within the inter-American system for the promotion and protection of human rights.

5. To urge all states parties to continue ensuring effective implementation of the American Convention on Human Rights (Pact of San José, Costa Rica) and to step up activities geared toward the promotion and respect thereof, strongly appealing to member states of the Organization that have not yet done so to consider becoming parties to the Convention and to consider recognizing the jurisdiction of the Inter-American Court of Human Rights, in accordance with Article 62 of the Convention.

6. To invite the states, the General Secretariat, the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, the Inter-American Institute of Human Rights, and the other relevant organs, agencies, and entities of the Organization of American States within their respective spheres of competence, as well as civil society organizations specializing in the subject, to carry out national and regional activities in joint commemoration of these events and to publicize the Convention, as well the other inter-American and international human rights instruments.

7. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the programs and activities held to commemorate these events.

8. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2480 (XXXIX-O/09)

PROMOTION AND STRENGTHENING OF DEMOCRACY:
FOLLOW-UP TO THE INTER-AMERICAN DEMOCRATIC CHARTER

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

REAFFIRMING the provisions and essential purposes and principles identified in the Charter of the Organization of American States (OAS);

AWARE that the Charter of the Organization of American States establishes in its preamble “that representative democracy is an indispensable condition for the stability, peace and development of the region” and that one of the essential purposes of the Organization is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

RECALLING that the Inter-American Democratic Charter states that “[t]he peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it” and that “[d]emocracy is essential for the social, political, and economic development of the peoples of the Americas”;

RECALLING ALSO that the Inter-American Democratic Charter reaffirms that the promotion and protection of human rights is a basic prerequisite for the existence of a democratic society and recognizes the importance of the continuous development and strengthening of the inter-American human rights system for the consolidation of democracy;

AWARE that Article 34 of the Charter of the Organization of American States establishes that “[t]he Member States agree that equality of opportunity, the elimination of extreme poverty, equitable distribution of wealth and income and the full participation of their peoples in decisions relating to their own development are, among others, basic objectives of integral development”;

RECOGNIZING that the Inter-American Democratic Charter establishes that “[e]ssential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government”;

RECALLING that the Inter-American Democratic Charter establishes that “[t]he promotion and observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and to the consolidation of democracy in the states of the Hemisphere”;

BEARING IN MIND that the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights express the values and principles of liberty, equality, and social justice, which are inherent to democracy;
RECALLING that the Inter-American Democratic Charter establishes that “[i]t is the right and responsibility of all citizens to participate in decisions relating to their own development. This is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy”;


HAVING SEEN the reports of the Permanent Council on the implementation of resolutions AG/RES. 2044 (XXXIV-O/04) (CP/doc.4024/05), AG/RES. 2045 (XXXIV-O/04) (CP/CISC-182/05), AG/RES. 2119 (XXXV-O/05), and the reports of the Secretary General on the implementation of resolutions AG/RES. 1993 (XXXIV-O/04) (CP/CISC-174/05) and AG/RES. 2327 (XXXVII-O/07), as well as the implementation of resolution AG/RES. 2422 (XXXVIII-O/08);

TAKING NOTE that the Declaration of Mar del Plata, “Creating Jobs to Fight Poverty and Strengthen Democratic Governance,” of the Fourth Summit of the Americas, reaffirmed the “commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas”;

RECALLING that in the Declaration of Mar del Plata, the Heads of State and Government reiterated their “commitment to the OAS Charter and the Inter-American Democratic Charter” and reaffirmed their “resolve to strengthen their full and effective implementation”;

RECALLING ALSO that in the Declaration of Commitment of Port of Spain, Securing Our Citizens’ Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability, of the Fifth Summit of the Americas, the Heads of State and Government reaffirmed their commitment to “uphold the principles of and fully implement the Inter-American Democratic Charter”;

CONSIDERING that the Declaration of Nuevo León of the Special Summit of the Americas reaffirmed the Hemisphere’s commitment to democracy and reiterated the commitment to the full application of the Inter-American Democratic Charter, which constitutes an element of regional identity, and, projected internationally, is a hemispheric contribution to the community of nations;

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1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
and also recognized that corruption and impunity weaken public and private institutions, erode social values, undermine the rule of law, and distort economies and the allocation of resources for development;

REAFFIRMING solidarity and inter-American cooperation as an effective means of promoting and strengthening democratic governance in the respective countries;

BEARING IN MIND the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)];

TAKING INTO ACCOUNT resolution AG/RES. 2195 (XXXVI-O/06), “Strengthening Political Parties and Other Political Organizations for Democratic Governance”;

CONSIDERING the report of the special meeting of the Permanent Council on the topic “Civil society and strengthening a democratic culture,” which that took place on March 14, 2008, as mandated by resolution AG/RES. 2327 (XXXVII-O/07);

RECALLING that the Declaration on Security in the Americas reaffirmed the commitment of states to full observance of the Inter-American Democratic Charter, to its values, and to its system for the protection of human rights, and recommended that action be taken to promote democratic culture in keeping with the provisions of the Inter-American Democratic Charter;

TAKING NOTE of the three forums on democratic stability organized by the General Secretariat, which took place in Santo Domingo, Dominican Republic (June 2006), Santiago, Chile (January 2007), and Lima, Peru (December 2007); and

TAKING NOTE ALSO of the report “Best Practices in OAS Electoral Observation, 2004-2007” (CP/CG-1739/08), presented by the General Secretariat to the General Committee on May 1, 2008, as mandated by resolution AG/RES. 2327 (XXXVII-O/07),

RESOLVES:

1. To continue promoting democratic cooperation in order to support member states, at their request, in their efforts to strengthen democratic institutions, values, practices, and governance, fight corruption, enhance the rule of law, bring about the full exercise of human rights, and reduce poverty, inequity, and social exclusion.

2. To reaffirm that the promotion and protection of human rights is a prerequisite for a democratic society, and that it is important to continue to develop and strengthen the inter-American human rights system.

3. To reaffirm, as applicable, the mandates contained in resolutions AG/RES. 2327 (XXXVII-O/07) and AG/RES. 2422 (XXXVIII-O/08), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,” and, in this context, to reiterate the request to the Secretary General to present a report to the Permanent Council on all cases in which action on his part is called for in the Charter of the Organization of American States (OAS) and the Inter-American Democratic Charter.
4. To recognize the importance of promoting the principles, values, and practices of a democratic culture; and to request the General Secretariat to continue supporting this objective through training programs to promote the principles, values, and practices of a democratic culture, on the basis of Articles 26 and 27 of the Inter-American Democratic Charter. In this context, to instruct the General Secretariat to continue supporting the Permanent Council and the member states in the execution of the Inter-American Program on Education for Democratic Values and Practices and its Plan of Action.

5. To reaffirm, as applicable, the mandates contained in resolutions AG/RES. 2154 (XXXV-O/05), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter,” and AG/RES. 2251 (XXXVI-O/06), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter on the Occasion of Its Fifth Anniversary.”

6. To instruct the General Secretariat to support programs designed to prevent and fight corruption, contributing to foster accountability, efficiency, and integrity in the exercise of public service, with a view to strengthening a culture of transparency and ensuring more efficient public management.

7. To highlight the substantive contribution made by the OAS to the strengthening and development of electoral processes and systems in the member states, through OAS electoral observation missions, electoral advice, and technical cooperation, upon the request of a member state and consistent with the Declaration of Principles for International Election Observation.

8. To request the General Secretariat to provide assistance to member states that so request in the implementation of recommendations contained in the reports of OAS electoral observation missions.

9. To encourage donors to pursue, through the General Secretariat, a coordinated donor approach to the support of OAS electoral observation missions in order to facilitate the early planning of missions.

10. To acknowledge the work carried out by the Inter-American Forum on Political Parties (FIAPP) and the General Secretariat; and to urge them to continue providing assistance to those member states and regional legislative bodies that so request and to convene a meeting of the FIAPP to explore measures to strengthen political parties, or to convene a meeting of the Permanent Council to address these issues.

11. To recommend to the General Secretariat that it support the modernization and strengthening of democratic institutions in the member states that so request, and promote cooperation and dialogue between these institutions as a means to build capacity and share experiences, including in the field of information and communications technology (ICTs) and e-government.

12. To encourage member states to design and implement educational programs that promote a culture of dialogue and communication, as well as civic education programs that include
concepts such as ethics, transparency, and public information, with a view to contributing to the strengthening of a democratic culture.

13. To request the General Secretariat and the member states to continue to promote a hemispheric discussion of issues related to democratic governance, through dialogue, forums, and seminars.

14. To recognize the important role of participation by civil society in the consolidation of representative democracy and that this participation constitutes one of the vital elements for the success of development policies; and, in that regard, to instruct the Permanent Council to convene a special meeting with civil society organizations, under the “Guidelines for Participation by Civil Society Organizations in OAS Activities,” adopted by the Permanent Council in resolution CP/RES. 759 (1217/99), to examine the contribution of these organizations to strengthening a democratic culture in the Hemisphere, pursuant to Article 26 of the Inter-American Democratic Charter, as well as the themes, outcomes, and recommendations of the meetings held at the OAS in March 2008 under the theme “Partnering with civil society.”

15. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2481 (XXXIX-O/09)

INTER-AMERICAN PROGRAM ON EDUCATION
FOR DEMOCRATIC VALUES AND PRACTICES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1869 (XXXII-O/02), AG/RES. 1907 (XXXII-O/02), AG/RES. 1957 (XXXIII-O/03), AG/RES. 1960 (XXXIII-O/03), AG/RES. 2044 (XXXIV-O/04), AG/RES. 2045 (XXXIV-O/04), AG/RES. 2119 (XXXV-O/05), AG/RES. 2164 (XXXVI-O/06), AG/RES. 2320 (XXXVII-O/07), AG/RES. 2423 (XXXVIII-O/08), CIDI/RME/RES. 10 (III-O/03), and CIDI/RME/RES. 12 (IV-O/05), and document CIDI/RME/doc.10/07;

TAKING INTO ACCOUNT:

That, in the Charter of the Organization of American States, the member states reaffirm that the education of peoples should be directed toward justice, freedom, and peace, and pledge to give primary importance within their development plans to the encouragement of education oriented toward the integral improvement of the individual, and as a foundation for democracy, social justice, and progress;

That the Inter-American Democratic Charter recognizes that education is key to strengthening democratic institutions, promoting the fulfillment of human potential, alleviating poverty, and fostering better understanding among peoples. To achieve these goals, it is essential that high-quality education be available for everyone, including girls and women, the inhabitants of rural areas, and members of minorities;

That in the Declaration against Violence, adopted at the Second Meeting of Ministers of Education, held in Punta del Este, Uruguay, on September 24, 2001, the ministers pledged to emphasize nonviolence and the culture of peace in national and subregional initiatives for training and education in values, and to foster the preparation of a hemispheric program for education in democratic values;

That, in the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas, adopted by the General Assembly at its thirty-third regular session, in June 2003, the ministers of foreign affairs of the member states declared that “[t]he consolidation of democracy in the region requires a culture based on profound democratic principles and values and on their daily observance. These values should be fostered through education for democracy”; and

That, in the Declaration of Mexico, adopted at the Third Meeting of Ministers of Education, held in Mexico City from August 11 to 13, 2003, the ministers recognized “the importance of instilling democratic awareness, culture, and values in the present and future generations, and of the
principles of the Inter-American Democratic Charter,” and urged that “efforts be made to incorporate those principles into our educational programs in accordance with the laws of each country”; RECALLING:

That the Inter-American Program on Education for Democratic Values and Practices was adopted at the Fourth Meeting of Ministers of Education within the Framework of CIDI, held in Scarborough, Trinidad and Tobago, from August 10 to 12, 2005, to promote a culture of democracy and non-violence through formal and nonformal education in the Hemisphere and that the implementation of the Program will be guided, as provided for therein, by an advisory group composed of education officials, academics, and civil society experts, as well as other appropriate interested parties;

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government expressed support for “the recommendations contained in the Declaration and Plan of Action of the Fourth Meeting of Ministers of Education,” and stated that they would strive “for quality public education at all levels and promote literacy to ensure a democratic citizenry, foster decent work, fight poverty, and achieve greater social inclusion”;

That in the Hemispheric Commitment to Early Childhood Education, adopted at the Fifth Meeting of Ministers of Education within the Framework of CIDI, held in Cartagena de Indias, Colombia, from November 14 to 16, 2007, the ministers made reference to quality education for all that would, among other things, foster the development of factors relating to peace, development, and human rights, education in democratic values and practices, and protection of the environment, and undertook to “redouble our efforts to continue forging a democratic culture in our Hemisphere by implementing the Inter-American Program on Education for Democratic Values and Practices, emphasizing that the values and practices that foster peaceful coexistence begin to be formed in early childhood”; and

That the Declaration of Medellín: Youth and Democratic Values, adopted at the fourth plenary session of the General Assembly, held in June 2008 in the city of Medellín, Colombia, emphasizes the importance of promoting opportunities for youth to participate in meaningful ways in political, economic, and cultural life; and that the ministers of foreign affairs of the member states declared their commitment to promote formal and nonformal education in democratic values and practices in order to develop knowledge and skills in youth to prepare them for life in a democratic society and for the full enjoyment of their human rights and fundamental freedoms, and requested that the General Secretariat, in collaboration with the member states, promote increased participation by youth in the activities established within the framework of the Inter-American Program on Education for Democratic Values and Practices; and

BEARING IN MIND:

The reports submitted by the Executive Secretariat for Integral Development to the Inter-American Council for Integral Development and to the Permanent Council on the design and execution of the Inter-American Program on Education for Democratic Values and Practices, in accordance with resolution AG/RES. 2423 (XXXVIII-O/08); and
That the substantive theme of this regular session of the General Assembly is “a culture of peace and non-violence” and that the Inter-American Program on Education in Democratic Values and Practices has as its principal objective to promote a peaceful and democratic culture within and outside of schools,

RESOLVES:

1. To underscore the importance of the Inter-American Program on Education for Democratic Values and Practices, which will help generate knowledge and contribute to exchange and collaboration to strengthen democratic culture and non-violence through formal and non-formal education, so as to promote active and genuine participation by young people in the decisions that affect them.

2. To acknowledge the progress made in implementing the Program, including: “The Inter-American Summit on Conflict Resolution Education: International Innovations and Challenges,” which took place in March 2007; four editions of the online bulletin, one of which focuses on education for conflict resolution and peace; the Young Scholars Program, which promotes increased participation by youth in the activities established within the framework of the Program; the publication of three editions of the Inter-American Journal of Education for Democracy; the publication in 2008 of the analytical report “National Policies on Education for Democratic Citizenship in the Americas”; the implementation of online courses for educators in the Caribbean and in Peru and the hemispheric course on evaluation of policies and programs in education for democratic citizenship; the launching of the Cooperation Fund for Technical Assistance Missions; and finally the launching of a project on education for migrant children and youth.

3. To instruct the General Secretariat to continue carrying out activities under the Program that can help it to achieve its purpose and to promote a culture of peace and non-violence in the Hemisphere, such as the Cooperation Fund for Technical Assistance Missions of the Program; the design and execution of the project “The Use of Arts and the Media to Promote Civic Democracy in Children and Youth,” to be organized in collaboration with the Inter-American Committee on Education (CIE) and the Inter-American Committee on Culture; the Young Scholars Program; the development of a virtual center for online courses that will allow professional development opportunities to be offered on an ongoing basis; and the design and application of an evaluation for the Inter-American Program and its initiatives.

4. To request the General Secretariat to continue, through the Executive Secretariat for Integral Development and the Secretariat for Political Affairs, supporting the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the member states in the design and implementation of the Inter-American Program on Education for Democratic Values and Practices, and to report thereon on a regular basis to CIDI and the Permanent Council.

5. To instruct the CIE to follow up on implementation of the Inter-American Program on Education for Democratic Values and Practices, in collaboration with the Secretariat for Political Affairs and other relevant bodies of the inter-American system.

6. To thank those member states that have contributed financial, logistical, and human resources for the Program’s activities.
7. To invite member states and permanent observers, as well as individuals and national or international organizations, whether public or private, that wish to do so to make voluntary contributions to support the development and implementation of the Program, taking into consideration the commitment of the Ministers of Education at their fifth meeting, which took place in Cartagena de Indias, Colombia, from November 14 to 16, 2007, to “redouble our efforts to continue forging a democratic culture in our Hemisphere by implementing the Inter-American Program on Education for Democratic Values and Practices, emphasizing that the values and practices that foster peaceful coexistence begin to be formed in early childhood.”

8. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2482 (XXXIX-O/09)

SUPPORT FOR THE ACTIVITIES OF THE INTER-AMERICAN DEFENSE BOARD

(Adopted at the fourth plenary session, held on June 4, 2009)

The General Assembly,

Having seen the Annual Report of the Chair of the Inter-American Defense Board to the General Assembly (CP/doc.4381/09);


Recalling also that the IADB is not operational in nature and that its Statutes establish that the purpose of the IADB is to provide the OAS and its member states with technical and educational advice and consultancy services on matters related to military and defense issues in the Hemisphere in order to contribute to the fulfillment of the OAS Charter;

Welcoming the continued commitments of human and other resources made by members of the IADB in filling the elected offices established in its Statutes;

Reiterating its recognition of the invaluable role performed by the IADB in fulfillment of the mandates contained in the General Assembly resolutions contributing to implementation of the Declaration on Security in the Americas, especially those activities related to confidence- and security-building measures (CSBM) and humanitarian demining;

Reiterating also the importance of the advanced academic courses offered by the Inter-American Defense College to military officers and civilian officials of OAS member states and to permanent observers;

Recognizing the efforts made by the IADB to promote civil society participation in its meetings and activities, in accordance with resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society in OAS Activities”;

1. The Government of Nicaragua does not support this draft resolution as it does not agree with the Inter-American Defense Board intervening in activities which, be they in the form of military assistance and/or of a different nature, involve infringing on the sovereignty, independence, and institutional and legal order of the country.
TAKING NOTE:

Of the defense cooperation promoted for the arrangements for the Fifth Summit of the Americas among the following member states: The Bahamas, Barbados, Belize, Brazil, Canada, Chile, Colombia, Guyana, Jamaica, Suriname, Trinidad and Tobago, and the United States; and

Of the report of the IADB on the implementation of resolution AG/RES. 2400 (XXXVIII-O/08), “Support for the Activities of the Inter-American Defense Board,” with respect to the special security concerns of small island states of the Caribbean (CP/CSH-1044/08 rev. 1);

ACKNOWLEDGING the advice offered within the IADB for the successful implementation in Trinidad and Tobago of the Emergency Management and Training Simulation System (SIGEN), developed by Chile, as a possible mechanism for strengthening natural and man-made disaster mitigation planning;

NOTING WITH SATISFACTION the activities of the IADB in its third year as an OAS entity, detailed in the Annual Report of the Chair of the Inter-American Defense Board to the General Assembly, especially those that have deepened its integration into the institutional processes of the Organization;

NOTING ALSO that, as provided in its Statutes, the IADB has undertaken activities related to technical aspects of military and defense issues to promote interaction and cooperation with other regional and global organizations of a similar nature;

BEARING IN MIND the Declaration of Banff, adopted at the Eighth Conference of Defense Ministers of the Americas, held in Banff, Canada, from September 2 to 6, 2008; and

NOTING resolution AG/RES. 2446 (XXXIX-O/09), “Support for the Conference of Defense Ministers of the Americas in Housing Its Institutional Memory,”

RESOLVES:

1. To urge those member states of the Organization of American States (OAS) that are not yet members of the Inter-American Defense Board (IADB) to become members, in accordance with Article 4.1 of its Statutes.

2. To encourage the IADB to continue to provide, in accordance with its Statutes, prompt technical and educational advice and consultancy services on matters related to military and defense issues to member states that so request.

3. To encourage the IADB to continue developing communication channels with the Committee on Hemispheric Security in order to make member states more aware of the work it does and the benefits and opportunities it affords, in accordance with the functions established in its Statutes.

4. To encourage member states to strengthen and support the IADB by providing military personnel and civilian officials to accomplish its purpose and functions.
5. To encourage all OAS member states to promote participation in the advanced academic courses and seminars offered by the Inter-American Defense College to military officers and civilian officials of OAS member states and to permanent observers;

6. To encourage the IADB to continue to provide technical assistance to OAS member states in the development and exchange of Defense White Papers, when appropriate, and in the annual reporting to the OAS on the application of confidence- and security- building measures (CSBMs).

7. To encourage the IADB to continue to provide, in coordination with the General Secretariat and the Committee on Hemispheric Security, consultancy services to smaller states, in accordance with its Statutes, in support of their efforts to address threats, concerns, and challenges.

8. To encourage the IADB to continue to foster and promote civil society participation in its meetings and activities, in accordance with its Statutes.

9. To request the IADB to promote, with other hemispheric organizations and forums of a similar nature, awareness of OAS declarations and resolutions concerning military and defense issues.

10. To invite the member states, permanent observers, and other donors to support, through voluntary contributions, the activities undertaken by the IADB in carrying out its purpose.

11. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2483 (XXXIX-O/09)

PROMOTION OF CORPORATE SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT its resolution AG/RES. 2336 (XXXVII-O/07), “Promotion of Corporate Social Responsibility in the Hemisphere”;

RECALLING its previous resolutions on the subject of promotion of corporate social responsibility in the Hemisphere, AG/RES. 2194 (XXXVI-O/06), AG/RES. 2123 (XXXV-O/05), AG/RES. 2013 (XXXIV-O/04), AG/RES. 1953 (XXXIII-O/03), and AG/RES. 1871 (XXXII-O/02);

BEARING IN MIND the commitment made by the Heads of State and Government in the Declaration of Mar del Plata, in which they recognized that “sustained economic growth, with equity and social inclusion, is an indispensable condition to create jobs, fight extreme poverty, and overcome inequality in the Hemisphere. To achieve these ends, it is necessary to improve transparency and the investment climate in our countries, build human capital, encourage increased incomes and improve their distribution, promote corporate social responsibility, and foster a spirit of entrepreneurship as well as strong business activity”;

TAKING INTO CONSIDERATION that the private sector, civil society organizations, indigenous groups, local communities, and academic institutions play a central part in efforts made by the member states to promote, disseminate, and encourage the principles and guidelines advancing corporate social responsibility;

RECOGNIZING that member states are responsible for good governance and the promotion and implementation of legislation that meets the needs of their citizens;

RECOGNIZING ALSO that while companies and civil society play an important part in and share responsibilities for promoting and respecting the observance of human rights within their spheres of influence, governments have the ultimate responsibility for upholding the rule of law and implementing their human rights obligations;

TAKING INTO CONSIDERATION that a number of multilateral forums, including the Group of Eight (G8), the Asia-Pacific Economic Cooperation (APEC), the Organisation for Economic Co-operation and Development (OECD), the Summit of the Americas, and the United Nations, are taking important steps to foster and promote responsible corporate practices;

RECOGNIZING the ongoing efforts of the Inter-American Development Bank and the World Bank to encourage and advance good corporate practices with stakeholders and governments; and
TAKING INTO CONSIDERATION the successful implementation by the Organization of American States through the Executive Secretariat for Integral Development of a program promoting corporate social responsibility in small and medium-sized enterprises in the Hemisphere,

RESOLVES:

1. To take note of the holding of the VI Inter-American Conference on Corporate Social Responsibility: “The Business of Inclusion,” held in Cartagena de Indias, Colombia, on December 4 and 5, 2008; and to take note of the outcomes of said conference, in which international experts on different aspects of corporate social responsibility, as well as private sector representatives, government officials, civil society organizations, and academics participated “and created an important platform for dialogue and the exchange of experiences to advance the promotion of corporate social responsibility policies,” including corporate initiatives that benefit companies and generate economic and social value by integrating low-income populations in their productive activities.

2. To urge member state governments to promote corporate social responsibility programs and initiatives, with special emphasis on their respective value chains; to become more knowledgeable about existing internationally recognized voluntary principles and guidelines, as well as private-sector initiatives in this area; and to support and join in the implementation of such principles and initiatives.

3. To further urge member states to promote the use of applicable corporate social responsibility initiatives, guidelines, tools, and best practices, including: the Organisation of Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the International Labour Organization (ILO), the United Nations Global Compact, the Voluntary Principles on Security and Human Rights, and the principles contained in the ILO resolution concerning the promotion of sustainable enterprises, and all those in fulfillment of the United Nations Millennium Development Goals.

4. To invite the member states active in natural resource development to promote, as appropriate, best corporate environmental stewardship practices, particularly in the natural resource extraction and manufacturing sectors; to promote the Voluntary Principles on Security and Human Rights; and to participate in the Extractive Industries Transparency Initiative (EITI), as appropriate.

5. To request the Secretary General to work through the Executive Secretariat for Integral Development (SEDI) to join the efforts of the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the International Labour Organization (ILO), the World Bank Institute (WBI), and other international organizations that contribute to information exchange and capacity-building on existing internationally recognized principles and guidelines to enable member states to be in a position to promote corporate social responsibility initiatives among their own private sector communities.
6. To further request the Secretary General and SEDI to organize a capacity-building seminar on corporate social responsibility initiatives to enable member state governments to promote awareness and information exchange on existing internationally recognized principles and guidelines. The seminar would seek to include some of the leading experts on corporate social responsibility.

7. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution.
AG/RES. 2484 (XXXIX-O/09)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORTS
OF THE ORGANS, AGENCIES, AND ENTITIES OF THE ORGANIZATION
(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4992/09 and add. 1) on the annual reports presented to the Permanent Council by the Inter-American Council for Integral Development (CIDI) (CP/doc.4394/09) and the Inter-American Institute for Cooperation on Agriculture (IICA) (CP/doc.4377/09), and those presented to the General Committee by the Pan American Health Organization (PAHO) (CP/doc.4368/09), the Inter-American Commission of Women (CIM) (CP/doc.4384/09), the Inter-American Telecommunication Commission (CITEL) (CP/doc.4382/09), the Inter-American Children’s Institute (IIN) (CP/doc.4370/09 and addenda), the Pan American Institute of Geography and History (PAIGH) (CP/doc.4388/09), and the Administrative Tribunal of the Organization of American States (TRIBAD) (CP/doc.4367/09);

CONSIDERING that the Permanent Council’s observations and recommendations recognize the endeavors of the organs, agencies, and entities in furtherance of the principles and objectives of the Organization of American States (OAS) and of the inter-American system; and

UNDERSCORING that these reports have been submitted in keeping with the provisions of Article 91.f of the OAS Charter,

RESOLVES:

1. To take note of the observations and recommendations of the Permanent Council on the annual reports and to transmit them to the organs, agencies, and entities of the Organization of American States.

2. To thank the organs, agencies, and entities that complied with the statutory deadline for the presentation of annual reports; and once again to urge all organs, agencies, and entities to include a section on quantifiable results obtained, in keeping with the provisions of resolution AG/RES. 1952 (XXXIII-O/03).

3. To urge all organs, agencies, and entities of the Organization to adopt their annual reports, in accordance with the procedures applicable for each report, at least 120 days prior to the General Assembly session.

4. To reiterate to all organs, agencies, and entities of the Organization that, in presenting their annual reports, they must take into account the provisions of its prior resolutions, in particular resolutions AG/RES. 1452 (XXVII-O/97), AG/RES. 1669 (XXIX-O/99), AG/RES. 1839 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), AG/RES. 1883 (XXXII-O/02), AG/RES. 1952
5. To underscore the important activities of the Pan American Health Organization (PAHO) aimed at improving the health and living standards of the peoples of the Americas and carried out in the framework of its Strategic Plan 2008-2012, which is based on the principles and action areas laid out in the Health Agenda for the Americas and aligned with the Eleventh General Programme of Work and the Medium-Term Strategic Plan of the World Health Organization.

6. To underscore the important activities carried out by the Inter-American Council for Integral Development (CIDI) and its subsidiary bodies, and to request that it continue promoting hemispheric dialogue and redouble its efforts to promote partnership for development among the member states to support their integral development and, in particular, contribute to the elimination of poverty in the Americas.

7. To recognize the Inter-American Institute for Cooperation on Agriculture (IICA) for its new vision in connection with food security in the Americas and its effort to establish food security as a hemispheric priority and, foremost, for its continuing contribution to the development of agriculture and rural communities and for providing innovative technical cooperation to the Americas.

8. To commend the Inter-American Commission of Women (CIM) for its service in promoting women’s rights in the Americas and to support the work it has been carrying out to ensure that the gender agenda is not only of interest to authorities on women’s issues, or their delegates, but that women’s integration is also consolidated at the regional and global levels, and to commend it as well for the progress made in the consideration of such topics as gender-based violence, trafficking in and smuggling of persons, HIV-AIDS, political participation of women, their economic independence and employment, gender and the environment, and strengthening of gender institutions. To recognize also the advances it has made through its Inter-American Program for the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), and as Technical Secretariat of the mechanism to follow up on implementation of the Convention of Belém do Pará (MESECVI).

9. To renew its recognition of the Inter-American Telecommunication Commission (CITEL) for its important activities in pursuit of its purposes and objectives and in fulfillment of its mandates, noteworthy among which are collaboration and coordination with regional and international telecommunication agencies and credit and development institutions, training of government officials and private sector executives, promotion of the achievement of common positions, and establishment of priorities in the region in the telecommunications area.

10. To recognize the achievements of the Inter-American Children’s Institute (IIN), in particular in the projects it has been carrying out in the promotion and protection of rights, in the legal area, and in the communications and information area; and to encourage it to pursue its efforts to achieve greater benefits for the children of our Hemisphere.

11. To commend the Pan American Institute of Geography and History (PAIGH) for the activities it has carried out, especially for its projects in spacial data infrastructure, land management, a new global history applied to the Americas, and natural disaster emergency response; and to urge it
to continue its efforts to design and reach agreement on the “2010-2020 Pan American Agenda” and the establishment of the “Pan American Laboratory for the Observation of Natural Disasters.”

12. To recognize the important activities carried out by the OAS Administrative Tribunal (TRIBAD), underscoring the initiative to maintain ongoing dialogue for cooperation and coordination with the other organs, agencies, and entities of the Organization, and especially the efficient manner in which it is performing its functions, which results in significant savings for the Organization.
AG/RES. 2485 (XXXIX-O/09)

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES
OF THE CARIBBEAN

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4992/09 add. 1);

RECALLING:


That the ministers of foreign affairs and heads of delegation recognized, as stated in the Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security (Bridgetown, Barbados, June 4, 2002), that the security threats, concerns, and other challenges in the hemispheric context are diverse in nature and multidimensional in scope, and that the traditional concept and approach must be expanded to encompass new and nontraditional threats, which include political, economic, social, health, and environmental aspects;

That, at the Special Conference on Security, held in Mexico City on October 27 and 28, 2003, the member states addressed, in paragraphs 2 and 4 of the Declaration on Security in the Americas, the multidimensional scope of security and the new threats, concerns, and other challenges and, in paragraph 8 of that Declaration, called for “renewed and ongoing attention to, and the development of appropriate instruments and strategies within the Inter-American system to address the special security concerns of small island states as reflected in the Declaration of Kingstown on the Security of Small Island States”; and

That, in the Declaration of Kingstown on the Security of Small Island States, the member states reaffirmed that the political, economic, social, health, and environmental integrity and stability of small island states are integral to the security of the Hemisphere;

REITERATING that the security of small island states has peculiar characteristics which render these states particularly vulnerable and susceptible to risks and threats of a multidimensional and transnational nature, involving political, economic, social, health, environmental, and geographic
MINDFUL of the potentially disastrous impact of acts of terrorism on the stability and security of all states in the Hemisphere, particularly the small and vulnerable island states;

ACKNOWLEDGING that effectively addressing the security threats, concerns and challenges of small island states requires simultaneous efforts to reduce both threats and vulnerabilities;

RECOGNIZING the asymmetry that exists between the institutional capacity of small island states and the volume and scope of transnational organized criminal activity in the region;

AWARE that the small island states remain deeply concerned about the possible threats posed to their economies and maritime environment should a ship transporting substances such as petroleum and potentially dangerous materials, radioactive material, and toxic waste, have an accident or be the target of a terrorist attack while transiting the Caribbean Sea and other sea-lanes of communication in the Hemisphere;

RECOGNIZING the international obligations of member states, particularly obligations of the states parties to the United Nations Convention on the Law of the Sea and relevant instruments of the International Maritime Organization;

UNDERSCORING the importance of sustained dialogue on the multidimensional aspects of security and their impact on the small island states of the Caribbean, in support of ongoing subregional efforts to enhance law enforcement, violence prevention, security cooperation, and disaster mitigation and preparedness;

NOTING WITH SATISFACTION:

The Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas, in which the Heads of State and Government recognized, inter alia, that it is important to address the threats, concerns, and challenges to security in the Hemisphere that are diverse, multidimensional in scope, and impact on the well-being of our citizens; that violence is preventable; and that climate change has adverse effects on all countries of the Hemisphere, in particular, on small island states and countries with low-lying coastal areas;1 and

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
The decisions adopted at the Ninth Regular Session of the Inter-American Committee against Terrorism (CICTE) to strengthen border controls and international cooperation in the fight against terrorism, as well as the decisions adopted at all previous regular sessions of CICTE that address the special security concerns of small island states;

BEARING IN MIND the decisions adopted at the Thirteenth Special Meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM), held in Trinidad and Tobago in April 2008, which identified the special security concerns of the region and have been formulated into the security cooperation agenda, instruments, and strategic priorities currently being pursued and implemented in that region;

RECALLING:

Its resolutions AG/RES. 2114 (XXXV-O/05), “Natural Disaster Reduction and Risk Management,” and AG/RES. 2184 (XXXVI-O/06), “Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations”; and

Its resolution AG/RES. 1 (XXXII-E/06), “Statutes of the Inter-American Defense Board,” which mandates the Inter-American Defense Board (IADB), in carrying out its purpose, to take into account the needs of the smaller states, whose level of vulnerability is greater in the face of traditional threats and of new threats, concerns, and other challenges;

WELCOMING:

The meeting of the Committee on Hemispheric Security, held on November 26, 2008, that addressed the follow-up of implementation of resolution AG/RES. 2397 (XXXVIII-O/08), “Special Security Concerns of the Small Island States of the Caribbean,” and included reports from the CARICOM Implementation Agency for Crime and Security (IMPACS), the Secretariat for Multidimensional Security, and the IADB;

The Second Meeting of National Authorities on Trafficking in Persons, held in Buenos Aires, Argentina, from March 25 to 27, 2009;

The Commitment to Public Security in the Americas (MISPA/doc.7/08 rev. 4), adopted at the First Meeting of Ministers Responsible for Public Security in the Americas, held in Mexico City, on October 7 and 8, 2008, and the importance of the undertakings therein to the security of small island states;

The convocation of the Second and the Third Meeting of Ministers Responsible for Public Security in the Americas, to be held in the Dominican Republic in 2009 and in Trinidad and Tobago in 2010, respectively, and the meeting on public security, to be held in Montevideo, Uruguay, on August 4 and 5, 2009; and

The actions taken to address the special security concerns of the small island states by the organs, agencies, and entities of the inter-American system and by the General Secretariat, through the Secretariat for Multidimensional Security and the Executive Secretariat for Integral Development; and
NOTING WITH INTEREST the intention of the IADB to address more effectively the special security concerns of the small island states,

RESOLVES:

1. To reemphasize the importance of strengthening and enhancing the hemispheric security agenda of the Organization of American States (OAS) by addressing the multidimensional nature of security as it relates to the security of the small island states of the Caribbean.

2. To renew its appeal to member states to continue collaborating with the small island states of the Caribbean in the further development of effective ways of addressing the security issues of the small island states, through capacity-building assistance, including on intelligence and information sharing, strategic and operational planning, and the procurement of equipment.

3. To instruct the Permanent Council to continue considering the issues which have an impact on the security of small island states, including global climate change, and, to this end, through its Committee on Hemispheric Security (CSH), to evaluate progress made in addressing the security concerns of those states and the development of strategies for the implementation of related General Assembly resolutions.

4. To request that, in support of the small island states’ efforts to address their special security concerns, the CSH coordinate and maintain the necessary liaison with the organs, agencies, entities, and mechanisms of the Organization and other institutions and mechanisms related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each.

5. To reiterate its request that the General Secretariat, through the Secretariat for Multidimensional Security and the relevant organs, agencies, and entities of the inter-American system and in collaboration, as appropriate, with civil society and private sector organizations and relevant multilateral institutions, within their areas of competence and programming, support the ongoing efforts made by the small island states to:

   a. Strengthen regional, subregional, and national crime management systems, taking into account those initiatives currently being implemented or pursued by the Caribbean Community (CARICOM);

   b. Enhance border security systems and capacities, including transportation security, at airports, seaports, and border crossing points, and assist border control authorities in the small island states in accessing critical information;

   c. Strengthen the capacity of small island states to fight illicit trafficking in drugs and the illicit manufacture of and trafficking in firearms;

   d. Continue the analysis of violence related to criminal gangs and problems that affect youth in the small island states;
e. Conduct awareness-building programs on trafficking in persons in the small island states;

f. Promote technical cooperation and institutional capacity-building, in order to strengthen natural and man-made disaster response and mitigation and crisis management capacity in the small island states, including the development of reconstruction capability, training in humanitarian assistance, search and rescue operations, and strengthening of critical infrastructure protection, as well as the security of tourism and recreational facilities and the use of simulation exercises;

g. Provide training and technical assistance regarding legislation on counterterrorism, terrorist financing, cybersecurity, and cybercrime;

h. Improve coordination among the organs, agencies, and entities of the OAS, and with regional and subregional organizations, including the CARICOM Implementation Agency for Crime and Security (IMPACS) and the Regional Security System (RSS), on matters related to the special security concerns of small island states, so as to ensure awareness and avoid duplication in their response to these concerns; and

i. Improve coordination and information-sharing among member states on immigration policies, including deportation.

6. To urge member states and the international community to adopt measures to strengthen international cooperation with a view to complying with security measures on the transportation of radioactive and hazardous materials.

7. To request the Permanent Council and the General Secretariat to report to the General Assembly at its fortieth and forty-first regular sessions on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2486 (XXXIX-O/09)

PREVENTION AND ERADICATION OF COMMERCIAL SEXUAL EXPLOITATION
AND SMUGGLING OF AND TRAFFICKING IN MINORS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT:


The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which arose from the III World Congress against Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, Brazil, from November 25 to 28, 2008;

CONSIDERING:

That, in the Charter of the Organization of American States (OAS), the member states reaffirm that the education of peoples should be directed toward justice, freedom, and peace, and promote the strengthening of the civic conscience of the American peoples, as one of the bases for the effective exercise of democracy and for the observance of the rights and duties of man;

The importance of all children having access to education, and the importance of programs that promote enrollment and the retention of the student population in the school system and prevent their dropping out, and of programs that support children who would otherwise be marginalized, discriminated against, and without access to school programs, including aboriginal and other minority children, children with disabilities, working children, and children affected by conflict and other humanitarian emergencies;

That resolution AG/RES. 2240 (XXXVI-O/06), “Combating the Commercial Sexual Exploitation and Smuggling of and Trafficking in Children in the Hemisphere,” specifically includes the Inter-American Children’s Institute (IIN) and other entities of the OAS in the request that work on this subject be coordinated with the Department of Public Security of the General Secretariat;

That the aforementioned resolution takes into account the conclusions and recommendations of the First Meeting of National Authorities on Trafficking in Persons, held on Isla Margarita, Bolivarian Republic of Venezuela, from March 14 to 17, 2006, which recall “the governments’
commitment to improve their capacity to identify, investigate, prosecute, and punish those responsible for trafficking in persons, especially in women and children, and to provide due assistance and protection to the victims’;

That resolution AG/RES. 2348 (XXXVII-O/07), “Hemispheric Cooperation Efforts to Combat Trafficking in Persons and Second Meeting of National Authorities on Trafficking in Persons,” states that “poverty, inequity, and social exclusion in the Hemisphere are factors that make people, especially women and children, more vulnerable to becoming victims of traffickers, who often belong to organized criminal groups operating at both domestic and transnational levels”; and

The conclusions and recommendations of the Second Meeting of National Authorities on Trafficking in Persons, cosponsored by the Governments of Argentina and Uruguay and held in Buenos Aires, Argentina, from March 25 to 27, 2009, and the agreement adopted that reflects the commitment of our governments to strengthen regional and international cooperation to combat this serious crime;

BEARING IN MIND that the IIN adopted the Strategic Plan 2005-2008 and the new Action Plan 2007-2011, which refocus the work of the Institute on meeting current challenges faced by society;

RECALLING the resolutions adopted by the Directing Council of the IIN on the prevention and eradication of child commercial sexual exploitation and the smuggling of and trafficking in minors, particularly resolution CD/RES. 10 (82-R/07), adopted at the 82nd Regular Meeting, held on July 26 and 27, 2007, in Cartagena de Indias, Colombia, which established the “Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking,” entrusted the Director General of the IIN with developing a joint work proposal within the framework of that initiative, and supported the creation of an observatory in this area;

RECOGNIZING:

The progress already made in the IIN in fulfillment of its mandates in the framework of implementation of the Action Plan 2007-2011, which has been reported on in the Institute’s annual reports to the General Assembly and to the Permanent Council; and

That for several years the OAS General Secretariat has been implementing programs to combat trafficking in persons and that it has staff devoted to this task; and

BEARING IN MIND that the IIN has implemented the first phase of the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking,

RESOLVES:

1. To take note of the progress made in implementing the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking, duly entrusted to the Director General of the Inter-American Children’s Institute (IIN) by
its Directing Council, including the systematization of information; and to urge the Institute to continue to implement that Program.

2. To entrust the Secretary General with coordinating the implementation of this program directly with the IIN, the Trafficking in Persons Section of the Secretariat for Multidimensional Security, and, where appropriate, the Executive Secretariat for Integral Development, and additionally with receiving support and advice from other competent organs and agencies of the Organization of American States.

3. To request the IIN to provide advice to member states that so request in their efforts to adopt or amend their domestic legislation, regulations, and procedures to combat commercial sexual exploitation and smuggling of and trafficking in minors, including legislation on travel authorizations and migration control.

4. To recommend the establishment of a Specific Fund of voluntary contributions to finance the Inter-American Observatory on Commercial Sexual Exploitation and Other Forms of Violence against Children and Adolescents.

5. To invite the member states, permanent observers, international financial institutions, regional and subregional organizations, and civil society organizations to contribute to financing this Program.


7. To request the IIN to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2487 (XXXIX-O/09)

SUPPORT FOR SOCIOECONOMIC DEVELOPMENT AND SUSTAINABLE POLITICAL STABILITY IN HAITI

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECOGNIZING that some of the essential purposes established in the Charter of the Organization of American States (OAS) are to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to promote, by cooperative action, the economic, social, and cultural development of the member states; and to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere; and reaffirming its strong attachment to the sovereignty, independence, well-being, and prosperity of the people of Haiti;

UNDERSCORING that, according to the Inter-American Democratic Charter, “democracy and social and economic development are interdependent and mutually reinforcing”;

EMPHASIZING the need to support the efforts of the Government of Haiti to stimulate economic growth, strengthen governance and Haitian institutional capacity, reduce poverty and social exclusion, and mitigate natural disasters;

RECALLING its resolutions, in particular resolution AG/RES. 2424 (XXXVIII-O/08), those of the Permanent Council, and the report presented by the Secretary General to the Permanent Council on developments in the situation in Haiti (CP/doc.4361/08);

UNDERSCORING the positive change in the level of political stability resulting from the efforts of the Government and people of Haiti at inclusiveness and dialogue, as well as progress regarding security, with support from the OAS, the United Nations, and other international organizations;

NOTING that progress in these areas has not yet had sufficient impact on the economic and social conditions of the majority of the population, and that this fact, combined with shortcomings in employment generation, the global economic crisis, and the disastrous effect of the hurricanes that struck Haiti in 2008, could have negative repercussions on the sustainability of advances in democracy;

CONSIDERING that, with the support of the OAS and other international partners, the Provisional Electoral Council organized the first round of partial elections to the Senate on April 19, 2009, which will fill all Senate seats and strengthen Parliament;

NOTING the efforts of the Haitian authorities to strengthen and streamline the judicial system, fight trafficking in narcotic drugs, and combat corruption;
MINDFUL that to reach sustainable economic and social development and political stability in Haiti, in addition to the firm will of the Haitian people, it is desirable that the international community continue to strengthen cooperation with this country;

NOTING the results of the third conference on the economic and social development of Haiti, held in Washington, D.C., on April 14, 2009, which sought a new paradigm of cooperation for stimulating growth and promoting equitable and inclusive development, and which reaffirmed the commitments of the Haitian Government to promote democratic governance and make aid more effective;

EMPHASIZING the objective of donor countries to take actions to make aid more effective;

CONSIDERING the Statement by the Chairman of the Fifth Summit of the Americas regarding the renewed commitment of the leaders of the region to support the development of Haiti;

CONSIDERING ALSO that the Republic of Haiti will soon reach the “completion point” under the Heavily Indebted Poor Countries (HIPC) Initiative, which will reduce Haiti’s debt; and

REAFFIRMING the steadfast commitment of the OAS to equitable and inclusive socioeconomic development as well as to sustainable political stability in Haiti,

RESOLVES:

1. To congratulate the Government of Haiti on progress made in strengthening security and law and order, as a result of the efforts of the Haitian National Police with the support of international partners, and on its ongoing policy of fostering inclusion and dialogue. This policy contributes to the promotion of a peaceful environment conducive to employment generation, sustained economic growth, and sustainable development in a context of social equity.

2. To welcome the holding on April 19, 2009, of the first round of elections for partial renewal of the Senate; and to encourage the holding of the second round as well as of indirect elections aimed at the establishment of a Permanent Electoral Council.

3. To commend the progress made in the area of institutional strengthening in Haiti, essential to the preservation of democratic gains and to the improvement of the socioeconomic conditions of the most vulnerable segments of the population.

4. To commend also the Government’s efforts to reach the “completion point,” in order to obtain a remission of Haiti’s debt under the Heavily Indebted Poor Countries Initiative (HIPC), which will provide relief in respect of Haiti’s financial obligations.

5. To support the conclusions of the third conference on the economic and social development of Haiti in the quest for a new paradigm of cooperation for growth and development.

6. To support also the implementation of the Economic and Social Stimulus Plan aimed at creating 150,000 new jobs in various sectors over a period of two years, in both urban and rural areas.
7. To urge international lending institutions and Haiti’s partners to continue to coordinate their initiatives with the Haitian Government on the basis of priorities it sets, in particular with a view to maximizing outcomes through coordinated channels and procedures for the delivery of aid.

8. To support the efforts of the Government of Haiti to achieve sustainable development in the areas of agriculture and food and nutritional security, especially through technical cooperation activities involving technology transfer and professional training and education, in light of the priorities set in the National Growth and Poverty Reduction Strategy Paper.

9. To follow up on the renewed commitment of the Heads of State and Government of the Americas to supporting Haiti’s development and on their request that the subject of development program financing be discussed at this regular session. To ask international financial institutions and donors and creditors to consider reinforcing financial flows for development programs in Haiti, and expediting the disbursement of the funds pledged during the above-mentioned conference on the economic and social development of Haiti.

10. To support the reconstruction and rehabilitation efforts of the Government of Haiti in the wake of the 2008 hurricanes, which cost the equivalent of almost 15 percent of gross national product (GNP). Likewise to support adjustment of the National Growth and Poverty Reduction Strategy to allow for a more apt response to natural disasters and to international efforts to raise funds to address this humanitarian situation. To support, finally, the Haitian authorities’ disaster mitigation initiatives, including risk management and vulnerability reduction, by improving and implementing building codes, town and country planning, and protection of the environment.

11. To support the resolve of the Government of Haiti to reform and reinforce—including through dialogue on amending the Constitution—state institutions, in particular, the justice system, the Haitian National Police, and the penitentiary system, so that Haiti will be in a better position to fight drug trafficking and trafficking in persons, combat corruption, increase government revenues, control the border area, ensure law and order, and provide basic services to the population, such as education and health care.

12. To recognize the contributions of the United Nations Stabilization Mission in Haiti (MINUSTAH), in which several member states participate, with a view to achieving ongoing improvements in security conditions, as part of the efforts to strengthen the political and institutional setting and improve socioeconomic conditions in Haiti.

13. To continue to support the Government of Haiti’s violence prevention and reduction efforts and its programs for teaching nonviolence, as essential ingredients for sustainable peace and reconciliation in Haiti, in order to ensure ongoing improvements in security conditions.

14. To underscore the importance of the Haiti Task Force as a mechanism for coordinating and promoting cooperation with Haiti within the General Secretariat, and of the Group of Friends of Haiti, which facilitates the sharing of information on developments in that country and encourages initiatives designed to advance its socioeconomic development; and to ensure that the efforts of the Task Force are achieved in a coordinated fashion with other interventions of the international community, thus taking into account the objectives for aid effectiveness.
15. To consider ways to reinforce the actions of the Group of Friends, including the establishment of a regular schedule of meetings and the maintenance of a regular information network among its members, and the establishment of contacts that strengthen the knowledge base of the Group of Friends.

16. To request that the General Secretariat, through the Task Force on Haiti and other support mechanisms:

   a. Continue its work in support of the Government of Haiti in relation to electoral processes and the establishment of the Permanent Electoral Council;

   b. Continue to support the Haitian authorities, especially the National Identification Office, as part of the process of modernization of civil registration and the issuance of national IDs; and work on transferring the required technical skills to that institution in order for that process to become permanent and sustainable;

   c. Strengthen its activities in the area of trade and tourism promotion;

   d. Assist the Haitian authorities with strengthening the process of inclusive and open dialogue on the need for, and scope of, constitutional reform and other major governance-related reforms;

   e. Continue to play a prominent role in raising funds for Haiti and in coordinating international cooperation with Haiti through established coordination mechanisms;

   f. Continue its technical cooperation with the Haitian Secretariat of State for the Integration of Persons with Disabilities;

   g. Prepare a study on the modalities for establishing a hemispheric development fund for Haiti; and

   h. Continue providing its cooperation to the Drug Observatory in Haiti, in the form of technical, financial, and scientific support for drug prevalence surveys and in the development of its drug information network, with a view to obtaining accurate and reliable information on the real situation in the country in this area.

17. To request the General Secretariat to present an annual report to the Permanent Council on political, economic, and social developments in Haiti and to report to the General Assembly on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

18. To request the Secretary General to forward this resolution to the Secretary-General of the United Nations.
AG/RES. 2488 (XXXIX-O/09)

STRENGTHENING COOPERATION AMONG CUSTOMS AND LAW ENFORCEMENT AUTHORITIES IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

MINDFUL of the need to strengthen security and controls at borders and ports of entry through the promotion and adoption, where necessary, of measures to prevent transnational crimes or the commission of acts of terrorism, all the while facilitating the legitimate flow of persons and goods;

RECALLING that the Tlatelolco Commitment, adopted in February 2008 in Mexico City at the Second Conference of States Party to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), called for cooperation and information-sharing among the member states, in particular among law-enforcement authorities and customs officials, to facilitate the adoption of best practices at national customs facilities and borders and ports of entry, for control in the Hemisphere of illicit trafficking in firearms, ammunition, explosives, and other related materials;

NOTING WITH SATISFACTION the outcomes of the seminar “Practical Approaches to Combating the Illicit Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials across Borders: Meeting of Law Enforcement Authorities and Customs Officials,” organized by the General Secretariat, through its Department of Public Security, in conjunction with the Government of Canada and the Government of the United States of America, and held in Vancouver, British Columbia, from March 16 to 18, 2009, with the aim of improving cooperation and the exchange of experiences among customs and law enforcement authorities on trafficking in firearms, ammunition, explosives, and other related materials; and

WELCOMING the ongoing border training programs of the Secretariat for Multidimensional Security for customs, immigration, and law enforcement authorities,

RESOLVES:

1. To continue to encourage bilateral, subregional, and regional cooperation among customs and law enforcement authorities in order to strengthen hemispheric security, all the while facilitating the legitimate flow of persons and goods.

2. To consider holding periodic meetings of customs and law enforcement authorities on security matters, drawing on the expertise and ongoing programs in this area of the Secretariat for Multidimensional Security, avoiding the duplication of activities being undertaken by other international organizations in this area.
3. To request the Secretariat for Multidimensional Security to establish and maintain, on the basis of information provided by the member states, an up-to-date Directory of National Points of Contact of technical-level customs and law enforcement personnel to promote the exchange of information and experiences and to facilitate communication among member states, consistent with domestic laws and procedures.

4. To invite the member states, permanent observers, and international, regional, and subregional organizations interested in the subject, to consider making voluntary contributions to support the implementation of this resolution.

5. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2489 (XXXIX-O/09)

SUPPORT FOR ENHANCED INTERREGIONAL COOPERATION
WITH THE AFRICAN UNION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING AG/RES. 2419 (XXXVIII-O/08), “Support for Enhanced Interregional Cooperation with the African Union”;

AWARE of the historical bonds and shared experiences which tie together the American and African continents, the fundamental contributions of persons of African descent and their communities in the Americas, and the importance of recognizing and preserving that heritage;

COMMITTED, through regional and interregional cooperation, to support states in their efforts to strengthen democratic institutions, values, practices, and governance, to fight corruption, to enhance the rule of law, to bring about the full exercise of human rights, and to reduce poverty, hunger, inequity, and social exclusion;


BEARING IN MIND that in February 2005, in recognition of the racial discrimination that persists against persons of African descent in the Americas, the Inter-American Commission on Human Rights established a Special Rapporteurship on the Rights of Persons of African Descent and on Racial Discrimination;

NOTING the progress achieved by the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance;

RECALLING the commitments of the inter-American and African systems to the regional promotion and protection of human rights, as reflected in instruments such as the African Charter on Human and Peoples’ Rights, the American Declaration of the Rights and Duties of Man, and the American Convention on Human Rights;

RECOGNIZING that democracy; transparent, responsible, accountable, and participatory governance responsive to the needs and aspirations of the people; and respect for human rights, fundamental freedoms, and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia, and related intolerance;
CONSIDERING that countries of Africa and the Americas, in the framework of bilateral and multilateral forums, have committed themselves to encourage regional and interregional initiatives to promote democracy, human rights, and the rule of law, and to exchange experiences with other regional organizations, including the African Union (AU), in matters of strengthening democracy at regional and interregional levels through the Organization of American States (OAS);

RECOGNIZING the value of collaborative sharing of experiences and best practices for the deepening and implementation of the Inter-American Democratic Charter and the African Charter on Democracy, Elections, and Governance, adopted on January 30, 2007;

RECALLING that both the Inter-American Democratic Charter, in Chapter VI, and the African Charter on Democracy, Elections, and Governance, in Chapter 5, affirm the importance of civil society organizations and civic education for the strengthening of democratic culture;

RECALLING ALSO that the Inter-American Democratic Charter, in Articles 11 and 12 of Chapter III (Democracy, Integral Development, and Combating Poverty), recognizes that democracy and social and economic development are interdependent, and that “[p]overty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy”;

CONSIDERING that in July 2007 the AU established a diplomatic representational mission in Washington, D.C., and that, since 2002, it has collaborated with the Western Hemisphere African Diaspora Network to engage with the Diaspora community and persons of African descent;

TAKING INTO ACCOUNT the report of the Secretary General to the General Committee of the Permanent Council (CP/CG-1757/09), which notes best practices and challenges for enhanced interregional cooperation and includes future collaborative actions for cooperation;

TAKING NOTE WITH SATISFACTION of the July 10 to 12, 2007, forum entitled “Democracy Bridge: Multilateral Regional Efforts for the Promotion and Defense of Democracy in Africa and America,” which included the participation of senior officials from the AU and the OAS;

RECALLING that the World Conference on Human Rights reaffirmed the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights. As stated in the Declaration on the Right to Development, the human person is the central subject of development. While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. States should cooperate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development. Lasting progress toward the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favorable economic environment at the international level;
REAFFIRMING that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social, and cultural systems and their full participation in all aspects of their lives and that, while democracies share common features, there is no single model of democracy;

AWARE that “[t]he effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States” and that one of the essential purposes of the OAS is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”; and

REAFFIRMING that the participatory nature of democracy in our countries in different aspects of public life contributes to the consolidation of democratic values and to freedom and solidarity in the Hemisphere,

RESOLVES:

1. To express support for cooperative efforts undertaken by the African Union (AU) and the Organization of American States (OAS), in particular the “Declaration of Intent” signed on July 10, 2007, between the General Secretariat of the Organization and the African Union Commission (AUC), which calls for future cooperation between the AUC and the OAS General Secretariat on areas of common interest to “include inter alia democracy promotion.”

2. To continue to enhance and improve cooperation between the OAS and the AU.

3. To urge member states, permanent observers, and other international organizations to strengthen their support for ongoing engagement between the two organizations, such as the sharing of best practices.

4. To endorse ongoing dialogue between the OAS General Secretariat and the AUC, the goal of which is the adoption of a memorandum of understanding to guide interorganizational cooperation in areas of mutual interest, to include inter alia democracy promotion, the promotion and protection of human rights, and cooperation for economic and social development and social inclusion, as well as the exchange of lessons learned and best practices in these areas.

5. To instruct the Permanent Council to convene a second special meeting on cooperation between the Americas and Africa, with the participation of the African diplomatic corps and representatives of the AUC, as well as OAS permanent representatives, for the second half of 2009.

6. To request the Permanent Council and the General Secretariat to carry out the activities mentioned in this resolution in accordance with the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
8. To request the Secretary General to forward this resolution to the Chairperson of the AUC, the Secretary General of the Caribbean Community (CARICOM), the Presidency Pro Tempore of MERCOSUR, the Secretary General of the Andean Community of Nations (CAN), the United Nations Secretary-General, and the Pro Tempore Secretariat of the Union of South American Nations (UNASUR).
AG/RES. 2490 (XXXIX-O/09)

EXECUTION OF THE HEMISPHERIC PLAN OF ACTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND STRENGTHENING OF HEMISPHERIC COOPERATION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,


RECALLING that in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City in October 2003, the member states condemned transnational organized crime, since it constitutes an assault on institutions in our countries and negatively affects our societies, and renewed the commitment to fighting it by strengthening the domestic legal framework, the rule of law, and multilateral cooperation, respectful of the sovereignty of each state;

REAFFIRMING the commitments emanating from the First Meeting of Ministers Responsible for Public Security in the Americas and the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas;

RECALLING at the Fifth Summit of the Americas the Heads of State and Government reaffirmed the importance of increasing hemispheric cooperation in the fight against transnational organized crime; and

TAKING NOTE of the rescheduling of the Second Meeting of the Technical Group on Transnational Organized Crime to the second half of 2009,

RESOLVES:

1. To promote full implementation of the Hemispheric Plan of Action against Transnational Organized Crime, the principal purpose of which is to further application by member

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1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
2. To exhort those member states that have not yet done so to consider acceding to or ratifying, as the case may be, and to implement as soon as possible the Palermo Convention and the protocols thereto, and to participate actively in the Conference of States Parties to the Palermo Convention, including by responding to the self-assessment questionnaires.


4. To encourage the member states to continue to play an active part in the fight against transnational organized crime in its diverse manifestations and to adopt the necessary measures for implementation of the Hemispheric Plan of Action against Transnational Organized Crime in their

2. The delegation of Colombia wishes to make the following declaration on operative paragraph 2 of the resolution “Hemispheric Plan of Action against Transnational Organized Crime and Strengthening of Hemispheric Cooperation.” Colombia has ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is fully committed to their application. However, Colombia has stated that it will not ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, or the Protocol against the Smuggling of Migrants by Land, Sea and Air. Colombia does not agree with the text of Article 4, paragraph 2, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, concerning its scope of application. Colombia would have preferred that the Protocol apply to all transfers of firearms, their parts and components, and ammunition, in order to make a real contribution to preventing and combating illicit trafficking therein, and in order that transfers between states, like all other transfers, be subject to the control mechanisms set out in the Protocol. The definition of “illicit trafficking” contained in Article 3, section (e), of the Protocol must be borne in mind: it states that, for a transfer to be licit, the authorization of all states parties involved in it is required. An escape clause, such as that appearing in Article 4, runs counter to that definition inasmuch as it implies that a state may transfer arms without the authorization or consent of one of the other states concerned. This would not only make such a transfer illicit but also open up the possibility for arms to be transferred to non-state actors. Colombia, a country that has been seriously affected by the illicit trafficking in arms, cannot accept that certain arms transfers, such as transfers to non-state actors—which in our view constitute a grave crime—and transfers between states be excluded from the Protocol’s control measures, and therefore, in accordance with the Vienna Convention on the Law of Treaties, took the sovereign decision not to ratify this Protocol. With reference to the Protocol against the Smuggling of Migrants by Land, Sea and Air, Colombia has stated that it will not ratify this instrument inasmuch as it considers that it contains provisions designed to legitimize the forced repatriation of migrants who have not necessarily been smuggled. That approach was promoted during the negotiation of the Protocol by the destination countries, none of which has ratified the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Colombia believes that the clause contained in Article 6, paragraph 4, could lead to the criminalization of migrants, whereas the purpose of the Protocol is to pursue criminal groups, not migrants. Pursuant to the above, and in compliance with the Vienna Convention on the Law of Treaties, Colombia took the sovereign decision not to ratify the Protocol.
respective countries, and to contribute to the OAS with financial or human resources, or in kind, in order to achieve the objectives established in the Plan of Action.

5. To urge member states to participate in the Second Meeting of the Technical Group on Transnational Organized Crime, to be held at OAS headquarters in Washington, D.C., in September 2009.

6. To request the General Secretariat to take full advantage of offers by member states to assist other member states, upon their request, in training, technical assistance, and capacity-building to prevent, investigate, and eradicate acts of transnational organized crime at the bilateral, multilateral, subregional, and regional levels which may be identified during the meetings of the OAS Technical Group on Transnational Organized Crime and other meetings.

7. To instruct the Permanent Council to review, through the Committee on Hemispheric Security, the agenda and schedule for the Second Meeting of the Technical Group on Transnational Organized Crime, with assistance from the Secretariat for Multidimensional Security.

8. To request the General Secretariat to continue its efforts in training, technical assistance, and capacity-building to prevent, investigate, and eradicate acts of transnational organized crime, at the bilateral, multilateral, subregional, and regional levels, in coordination with the United Nations Office on Drugs and Crime and other relevant international institutions.

9. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2491 (XXXIX-O/09)

HEMISPHERIC COOPERATION IN PLANNING FOR AND RESPONDING TO COMMUNICABLE DISEASES, INCLUDING INFLUENZA A (H1N1)

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING that the Charter of the Organization of American States embodies, inter alia, the principles of solidarity and cooperation in relations among its member states;

RECOGNIZING WITH CONCERN that the influenza A (H1N1) virus epidemic poses a global challenge, with repercussions in the health, economic, commercial, and social spheres and on the enjoyment of human rights;

TAKING INTO ACCOUNT that various countries of the region have been affected by the influenza A (H1N1) virus epidemic;

CONVINCED that international collaboration in a spirit of solidarity and coordination is the most effective means of dealing with communicable diseases, including influenza A (H1N1);

REAFFIRMING that states have the obligation to protect all human rights and fundamental freedoms of all persons, and that everyone has the right to preservation of his or her health to the extent permitted by public and community resources;

CONVINCED of the need to redouble preventive efforts to combat the spread of the epidemic in the region and the world, by following, as and when needed and without discrimination, the recommendations of the World Health Organization (WHO), the Pan American Health Organization (PAHO), and other pertinent international organizations, such as the International Civil Aviation Organization and the World Tourism Organization;

RECOGNIZING the efforts made by affected states to mitigate the epidemic and prevent its spread, as well as the support received from the WHO and PAHO; and

DETERMINED to strengthen cooperation and hemispheric solidarity in this regard,

RESOLVES:

1. To urge the member states to adopt the necessary measures at all levels to comply with the provisions laid down by the World Health Organization (WHO) and the Pan American Health Organization (PAHO), contained in the International Health Regulations and other norms agreed to regarding actions to plan for and respond to a pandemic influenza, in order to prevent the spread of the influenza A (H1N1) virus.
2. To urge the states to ensure that any measures taken are based on available scientific evidence and are aimed at avoiding the spread of the virus, and that they are implemented with strict respect for human rights and fundamental freedoms.

3. To express its solidarity with the states affected by the influenza A (H1N1) virus epidemic and its condolences for the loss of lives from this disease.

4. To express its appreciation to the Government of Mexico for the responsible, transparent, and timely manner in which it transmitted, from the early stages, information to the international community about the outbreak of this epidemic. This made it possible to have valuable information for decision-making by specialized organizations and by states in which cases of this type of influenza were reported.

5. To strengthen channels for cooperation, coordination, and information at the hemispheric level, in order to improve early warning systems for the surveillance and control of communicable diseases, including influenza A (H1N1).

6. To urge the states to redouble their efforts to make their populations more aware of the preventive and hygiene measures they should take, and to provide information on the risks of communicable diseases, including influenza A (H1N1), in a transparent and timely fashion.

7. To urge the states to promote research and technological development to prevent and mitigate cases of communicable diseases, including influenza A (H1N1).

8. To support the work of the WHO and PAHO in this regard and to encourage them to pursue efforts to ensure that the international community has an influenza A (H1N1) vaccine as soon as possible.

9. To request the WHO and PAHO to continue studying the evolution of the epidemic and the risk of an influenza A (H1N1) virus pandemic and to keep the international community informed thereof.

10. To invite PAHO to present periodic reports to the Permanent Council; and to invite the Permanent Council, in turn, to report to the General Assembly of the Organization at its fortieth regular session, in 2010, on the evolution of the influenza A (H1N1) epidemic and on measures taken by the member states.
AG/RES. 2492 (XXXIX-O/09)

EXISTING MECHANISMS FOR DISASTER PREVENTION AND RESPONSE
AND HUMANITARIAN ASSISTANCE AMONG THE MEMBER STATES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING resolution AG/RES. 2372 (XXXVIII-O/08), “Coordination of Volunteers in
the Hemisphere in Response to Natural Disasters and the Fight against Hunger and Poverty – White
Helmets Initiative”;

TAKING INTO ACCOUNT resolution AG/RES. 2314 (XXXVII-O/07), “Natural Disaster
Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations”;

TAKING NOTE of the report of the First Meeting of the Inter-American Committee on
Natural Disaster Reduction (CP/CSH-926/07), the report on the Inter-American Emergency Aid Fund
(CP/doc.4290/08 corr. 2), the report of the Permanent Council (CP/INF.5758/08) and of the
Committee on Hemispheric Security (CP/CSH-1039/08), and the conclusions and recommendations
of the Disaster Assistance and Management Workshop, held on February 10, 2009, at the
headquarters of the Organization of American States;

ACKNOWLEDGING the concern of the member states regarding the scale and
consequences of natural and man-made disasters, which demonstrate the need to prevent their impact
and, when necessary, to provide a rapid and coordinated humanitarian response;

REAFFIRMING the contents of resolution AG/RES. 2373 (XXXVIII-O/08), “Simón Bolívar
Humanitarian Task Force,” regarding “the urgent need to increase and coordinate humanitarian and
technical assistance to ensure a rapid, timely, and effective response to natural and man-made
disasters and other emergencies”;

BEARING IN MIND the Bali Roadmap, adopted at the United Nations Climate Change
Conference, held in Bali in 2007;

REAFFIRMING the guidelines provided in the Hyogo Framework for Action 2005-2015,
noteworthy among them: the identification of poverty as the main source of vulnerability, the need
for a comprehensive approach to risk, the importance of regional approaches, and community
involvement in risk-reduction processes as a factor essential to their success;

AWARE of the need to include the problem of comprehensive risk management on the
public agenda of the member states and to promote regional linkage for emergency and disaster
response;

RECOGNIZING the need to consider a gender perspective in devising disaster prevention
and reduction strategies;
RECOGNIZING ALSO the advisability of incorporating the experiences of indigenous peoples as support for the development of new and effective tools in the fight against hunger and poverty and in disaster risk reduction;

CONVINCED of the importance of incorporating diverse forms of participation by citizens, the community, and civil society at all levels of disaster planning, prevention, and response;

BEARING IN MIND that the 1991 Inter-American Convention to Facilitate Disaster Assistance has been ratified by only three member states;

UNDERSCORING the efforts made by member states that resulted in the implementation of national experiences of regional scope and multilateral participation, among them Argentina’s White Helmets Initiative, the Emergency Management and Training Simulation System (SIGEN), Chile’s Agency for International Cooperation, Brazil’s “Zero Hunger” Program, the Bolivarian Republic of Venezuela’s “Simón Bolívar” Humanitarian Task Force, the Office of U.S. Foreign Disaster Assistance and Risk Reduction of the Agency for International Development of the United States (USAID), Mexico’s National Civil Protection System, and Panama’s disaster monitoring, surveillance, and information programs;

TAKING NOTE of subregional coordination initiatives and mechanisms for natural disaster prevention and response, such as the Caribbean Disaster Emergency Response Agency (CDERA), the Coordination Center for the Prevention of Natural Disasters in Central America (CEPREDENAC), and the Andean Committee for Disaster Prevention and Relief (CAPRADE), among others;

RECALLING the MERCOSUR Meeting on Civil Defense and International Humanitarian Assistance; the Meeting of the Defense Council of the Union of South American Nations (UNASUR); the First Regional Meeting on Enhancing International Humanitarian Partnerships, held in Mexico City on September 10 and 11, 2008; and the Declaration of the Latin American and Caribbean Summit on Integration and Development, signed in Salvador de Bahia, Brazil, on December 17, 2008, which outlines the principles agreed to by the member states of Latin America and the Caribbean on natural disaster reduction and mitigation;

BEARING IN MIND the outcomes, guidelines, and agreements arising from international meetings on the subject of natural disasters and risk management: the World Conference on Natural Disaster Reduction, held in Kobe, Hyogo, Japan, in 1994; the 30th International Conference of the Red Cross and Red Crescent, held in Geneva, Switzerland, in 2007; and the First Meeting of the Regional Platform for Disaster Risk Reduction in the Americas, held in Panama City, Panama, in 2009, among others;

REAFFIRMING the importance of international cooperation aimed at strengthening ongoing national and regional efforts, as well as the importance of organizations dedicated to both natural disaster risk reduction and recovery processes; and recognizing the important role of national efforts in the area of disaster risk reduction and response; and

TAKING INTO ACCOUNT the outcomes of the debate on the advisability of updating existing legislative and coordination mechanisms and of adapting them to the new realities and complexities of disasters, the guidelines of the Hyogo Framework for Action 2005-2015, and the
principles of the United Nations International Strategy for Disaster Reduction, in accordance with the provisions of resolution AG/RES. 2372 (XXXVIII-O/08),

RESolves:

1. To instruct the Permanent Council and the Inter-American Council for Integral Development to convene a meeting to begin the process of joint assessment of existing legislative and coordination mechanisms in the natural disaster and humanitarian assistance areas, which takes into account coordination efforts that can be made by the Organization and considers the advisability of updating said mechanisms, presenting a proposal for action by the third quarter of 2010.

2. To request that both councils, in implementing this mandate, consider forming a joint working group composed of member state representatives, who may be assisted by experts from the countries, the General Secretariat, and relevant inter-American, international, regional, and subregional bodies and institutions.

3. To urge the member states, regional organizations, the Inter-American Committee on Natural Disaster Reduction, and the Inter-American Network for Disaster Mitigation to foster coordination, cooperation, and synergy in actions to facilitate transparent management of supplies and expedite humanitarian assistance.

4. To renew, as appropriate, its mandates to the Permanent Council and the General Secretariat, contained in resolution AG/RES. 2314 (XXXVII-O/07), “Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations,” as well as the recommendations to the member states contained in that resolution.

5. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2493 (XXXIX-O/09)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4992/09 add. 1) on the Annual Report of the Inter-American Drug Abuse Control Commission to the General Assembly (CP/doc.4395/09 corr. 1);


MINDFUL of the need for strengthening efforts against the cultivation of illicit crops, illicit drug trafficking, and related crimes, such as money laundering, the illegal distribution via the Internet of internationally controlled licit substances, and the illicit diversion of pharmaceutical products and chemical precursors;

MINDFUL ALSO of the need to make greater headway with reduction in the demand for illicit drugs and the abuse of pharmaceutical products with psychoactive properties;

RECOGNIZING that drug abuse is a public health problem that affects society as a whole and that the member states attach great importance to early prevention of drug abuse in the family, school, workplace, and community, including programs that strengthen values and life skills in children and youth;

MINDFUL that the treatment and rehabilitation of drug abusers as well as their reintegration into society should be essential elements of national health care systems;

MINDFUL ALSO of the need for increased international cooperation and technical assistance to member states, to enhance their capacity to deal with the world drug problem and its related crimes;

DEEPLY CONCERNED over the existence, in some countries, of armed groups related to drug trafficking, giving rise to conditions that can destabilize the institutional order and undermine democratic governance of those states;

RECOGNIZING the links that may exist between illicit drug trafficking and other modalities of transnational organized crime;
CONSIDERING that, with the adoption of the 34 national reports on implementation of the recommendations of the Fourth Evaluation Round 2005-2006, the Multilateral Evaluation Mechanism (MEM) concluded the last phase of this evaluation round;

NOTING WITH SATISFACTION that the Inter-American Drug Abuse Control Commission has strengthened its cooperation and exchange of information with all pertinent subregional, inter-American, and international bodies; and

RECOGNIZING the significance of the 1998 United Nations General Assembly Special Session (UNGASS) goals and targets, and the important contribution that the MEM process made to the hemispheric evaluation of these goals and objectives 10 years after this Special Session,

RESOLVES:

1. To thank the Inter-American Drug Abuse Control Commission (CICAD) for the presentation of its 2008 annual report (CP/doc.4395/09 corr. 1) to the General Assembly and to congratulate it on the progress made in all aspects of the control of narcotic drugs and psychotropic substances.

2. To reaffirm its commitment to the Multilateral Evaluation Mechanism (MEM) as an objective instrument for measuring the progress made by member states in addressing the worldwide drug problem, identifying vulnerabilities and areas for improvement, and strengthening hemispheric solidarity and cooperation.

3. To instruct the CICAD Executive Secretariat to continue to provide technical assistance, training, and support to member states in the areas of drug demand reduction, supply reduction, drug-related research and information systems, alternative, integral, and sustainable development, institution-building, money-laundering control, and education, with a view to strengthening member states’ capacities in these fields, and in particular to:

   a. Partner with universities in the Hemisphere to introduce drug-related educational content into undergraduate and graduate curricula in appropriate disciplines;

   b. Continue to promote the adoption of court-supervised treatment for drug-dependent petty offenders, in accordance with the legislation of each country;

   c. Develop and carry out capacity-building programs for health-related professionals in priority areas of demand reduction and other fields;

   d. Continue to provide technical assistance and training to member states to strengthen their capacity to combat illicit drugs and their cultivation, production, manufacture, distribution, and trafficking, as well as the chemicals used to produce them, with particular emphasis on those member states with special needs;
e. Help member states to respond to new challenges they face with respect to routes and methods used to transport illicit drugs, as well as new trends and threats such as synthetic drugs, diversion of pharmaceuticals, and the illicit sale of drugs over the Internet;

f. Continue to provide technical assistance to member states regarding alternatives to illicit crops, paying particular attention to those states that are most vulnerable to this threat;

g. Continue to provide member states with technical assistance and support to confront the issue of money laundering, with a particular focus on improving coordination among the various agencies involved in the process;

h. Support member states in their efforts to improve their capacity to carry out scientific research, and data gathering and analysis, with particular emphasis on building drug-information systems and enhancing national drug observatories;

i. Continue to provide technical assistance, generating knowledge and good practice models in institution-building; and develop capacity-building programs and articulate horizontal cooperation strategies to increase the capacity of the member states, their institutions, civil society, and communities to respond to the drug phenomenon; and

j. Provide technical assistance and training to member states to strengthen all aspects of their national and municipal drug control systems, and in particular to national drug commissions.
CONSUMER PROTECTION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING:

That Article 39 of the Charter of the Organization of American States establishes that the member states should make efforts to obtain adequate and dependable supplies for consumers; and

That at the Special Summit of the Americas, held in Nuevo León, Mexico, in 2004, the Heads of State and Government agreed to promote consumer protection;

CONSIDERING ALSO the importance of the harmonization of knowledge and the exchange and dissemination of best practices in the area of consumer protection carried out by the competent organs and agencies, for better integration of public policies related to this area; and

MINDFUL that consumer protection is an important issue requiring increasing cooperation among the member states,

RESOLVES:

1. To request the General Secretariat to support, through the Secretariat for Legal Affairs, reinforcement of existing cooperation mechanisms and other kinds of joint activities among governmental consumer protection agencies.

2. To request the General Secretariat to disseminate and boost efforts to provide legal protection and raise awareness of consumers’ rights by coordinating its activities with those of national consumer protection agencies and other organizations.

3. To request the General Secretariat to present periodic reports to the Permanent Council on activities to be carried out; and to instruct it to follow up on this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2495 (XXXIX-O/09)

CELEBRATING FIFTY YEARS OF SCHOLARSHIP AWARDS:
REAFFIRMING SUPPORT FOR THE OAS SCHOLARSHIP PROGRAM
AND INSTITUTIONAL COOPERATION IN HIGHER EDUCATION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

REAFFIRMING that Article 49.c of the Charter of the Organization of American States (OAS), adopted in 1948, establishes that “[h]igher education shall be available to all, provided that, in order to maintain its high level, the corresponding regulatory or academic standards are met,” and that, in 1957, the Report of the Inter-American Committee of Presidential Representatives to the Heads of State of the American Republics recommended the establishment of the “Scholarship Program of the Organization of American States”;  

RECALLING that the establishment of the Scholarship Program by the OAS Council in 1958 promoted cooperation among the states of the Americas in exchanging knowledge and experience to further develop the Hemisphere’s human and physical resources, strengthening ties among people in the Americas by awarding scholarships and affording other opportunities to students. This decision has led to the regular provision over 50 years of invaluable and prestigious scholarships as well as related services;

CONSIDERING that, in line with these decisions and subsequent resolutions and mandates of the political bodies of the OAS, Executive Order 08-01 Rev. 2, “Structure of the General Secretariat,” reaffirms that the OAS Scholarship Program remains an essential function of the Department of Human Development of the Executive Secretariat for Integral Development. At the same time it promotes the formation of “strategic alliances for the awarding of scholarships and the expansion and diversification of scholarship services in the member states”; the planning and promotion of “new approaches concerning scholarships and human resource development”; and the “development of technical capabilities in the member states by way of scholarship and training programs, academic exchange, and other means of increasing access to higher education and professional training,” through the use of innovative information and communication technologies;

TAKING INTO ACCOUNT the Manual of Procedures for the Scholarship and Training Programs of the Organization of American States, on which consensus was reached within the OAS; and

TAKING INTO CONSIDERATION that the Latin American and Caribbean Area for Higher Education (ENLACES) was established in 2008 to ensure Latin American and Caribbean cooperation and academic integration, and that at the conclusion of the ENLACES conference convened in the Office of the Secretary of State for Higher Education, Science, and Technology of the Dominican Republic on March 9 and 10, 2009, that hemispheric organization adopted the

1. A description of ENLACES may be found in the first section of the Declaration of Santo Domingo.
Declaration of Santo Domingo, which calls upon “the Organization of American States (OAS) and International Financial Organizations to reinforce programs and action related to Higher Education, Science and Technology in Latin America and the Caribbean,”

RESOLVES:

1. To reaffirm the contribution of the scholarship programs of the Organization of American States (OAS) to the training of leaders, academics, researchers, and professionals in the Hemisphere working in the public and private sectors.

2. To hold a special joint meeting of the Permanent Executive Committee of the Inter-American Council for Integral Development and the Permanent Council in the first quarter of 2010 to commemorate the 50th anniversary of the OAS scholarship program.

3. To continue to support the OAS scholarship program through the Department of Human Development.

4. To reaffirm its support for the OAS scholarship program in the area of higher education.

5. To request the Secretary General to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

6. To request the Secretary General to distribute this resolution to the pertinent regional and international organizations.
AG/RES. 2496 (XXXIX-O/09)

FOLLOW-UP TO THE DECLARATION OF RECIFE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to the implementation of resolution AG/RES. 2393 (XXXVIII-O/08), “Support for and Follow-up to the Summits of the Americas Process” (AG/doc.4992/09 add. 1);

BEARING IN MIND resolution AG/RES. 2394 (XXXVIII-O/08), “Follow-up to the Declaration of Recife”;


RECALLING ALSO that the ministerial meetings on decentralization and the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD) were established to provide support for and institutional follow-up to the commitments undertaken by the Heads of State and Government at the Summits of the Americas in Santiago, Chile (1998) and Quebec City (2001), and those undertaken in the Declaration of Nuevo León (2004) and in the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina (2005);

RECALLING FURTHER that paragraph 79 of the Declaration of Commitment of Port of Spain recognizes the role of governance at the local level as a tool for strengthening democracy and sustainable development. It also affirms the importance of enhancing decentralization, local government, and citizen participation and reiterates the commitment to supporting the work of the RIAD and the continued engagement in initiatives that promote good governance principles and practices at the local level.¹

¹. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
CONSIDERING that the Department of State Modernization and Good Governance of the Secretariat for Political Affairs of the General Secretariat serves as the technical secretariat of the RIAD; and

REAFFIRMING ONCE AGAIN the recognition by the Summits of the Americas of the potential of regional and municipal governments to address and help strengthen democratic governance in the Americas,

RESOLVES:

1. To note the progress made in the activities of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD) and in the General Secretariat’s planning in preparation for the next ministerial meeting of the RIAD.

2. To recognize the efforts made by Costa Rica in the organization of the subregional meeting of the RIAD for Central America and the Dominican Republic in January 2009 in its capacity as subregional Vice Chair of the RIAD; and to note with satisfaction the agreements reached among the governments, including to join efforts to prevent the current economic crisis from negatively affecting decentralization processes, recognizing the opportunities offered at the local level of government to maximize efficiency and effectiveness in the management of public resources.

3. To acknowledge the leadership of Jamaica, as subregional Vice Chair of the RIAD for the Caribbean, in the creation and consolidation of the Caribbean Forum of Local Government Ministers, and of their Regional Policy and Cooperation Framework on Local Governance and Democracy in the Caribbean, with the support of various agencies including the Canadian International Development Agency (CIDA), the Commonwealth Secretariat, and the General Secretariat, through the Department of State Modernization and Good Governance.

4. To recognize the work of the Department of State Modernization and Good Governance, as technical secretariat of the RIAD, and to request its continued support for activities that promote the strengthening of institutional capacity of member state governments, through training courses, studies, and technical assistance.

5. To urge the RIAD to continue efforts toward consolidating the work undertaken by its steering committee, composed of Brazil, Chile, Costa Rica, Jamaica, and Mexico, with the support of the technical secretariat and the Department of State Modernization and Good Governance. In this connection, to consider convening technical meetings for the exchange of experiences and expertise on decentralization processes in the search for solutions to challenges of mutual interest.

6. To renew the mandate to the Permanent Council to convene the next ministerial meeting of the RIAD, within the resources allocated in the program-budget of the Organization and other resources.

7. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2497 (XXXIX-O/09)

MULTILATERAL EVALUATION MECHANISM
OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the 34 national reports on implementation of the recommendations of the Fourth Evaluation Round 2005-2006 of the Multilateral Evaluation Mechanism (MEM), adopted by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-fifth regular session; and

REAFFIRMING its commitment to the MEM as the hemisphere’s instrument for objectively measuring the progress made by member states in combating the illicit drug problem, identifying vulnerabilities and areas for improvement, and strengthening hemispheric solidarity and cooperation,

RESOLVES:

1. To note with satisfaction the adoption by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-fifth regular session of the 34 national reports on implementation of the recommendations of the Fourth Evaluation Round 2005-2006.

2. To recognize the work of the Inter-Governmental Working Group (IWG) in reviewing and updating the questionnaire of indicators and all other elements of the Multilateral Evaluation Mechanism (MEM) process, and to note with satisfaction the approval by CICAD, at its forty-fifth regular session, of the IWG proposal to enhance the mechanism for the Fifth Evaluation Round 2007-2009.

3. To recognize the work of the National Coordinating Entities and to encourage all countries to continue to provide high-quality and reliable data for the MEM evaluation process within the established time frames.

4. To thank all national agencies providing information to the MEM process throughout the evaluation cycle, and to highlight to all national institutions the benefits the MEM offers to all member states, including improved national coordination on drug control issues and increased multilateral cooperation in all aspects of the drug problem.

5. To recognize the evaluation work undertaken by the Governmental Expert Group (GEG) of the MEM through drafting of the national and hemispheric reports.

6. To urge all countries to designate their national experts and alternate experts to the GEG for the Fifth Evaluation Round, to enable full participation by the 34 GEG experts during the forthcoming three-year MEM evaluation round.
7. To encourage member states to act upon all pending recommendations from the Fourth Evaluation Round assigned through the MEM reports and to consider these recommendations in the formulation of national anti-drug policies and programs.

8. To encourage full and regular participation by all member states, especially those from the Caribbean region, in all aspects of the MEM process.

9. To thank member states for hosting the MEM regional workshops as well as for providing financial and non-financial contributions to the MEM process, and to encourage all countries to support the evaluation process in this regard.

10. To note with satisfaction:

    a. That the MEM reports were considered by the United Nations Commission on Narcotic Drugs as supplemental data for the evaluation of the 1998 UNGASS goals and targets; and

    b. The preparation of a hemispheric report of coordinated actions related to the 1998 UNGASS goals and targets taken by the member states on the basis of the information available through the MEM.

11. To instruct the Executive Secretariat of CICAD to:

    a. Work proactively with the member states to strengthen their participation in all aspects of the MEM process;

    b. Continue to increase awareness of the MEM process and to provide technical assistance, training, and support to the member states, particularly the more vulnerable small island member states, during the Fifth Evaluation Round of the MEM; and

    c. Continue to disseminate the MEM evaluation reports and the Hemisphere’s achievements and experiences, promoting stronger cooperation between the MEM and the United Nations monitoring system.
AG/RES. 2498 (XXXIX-O/09)

DRAFT AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1022 (XIX-O/89), AG/RES. 1479 (XXVII-O/97), AG/RES. 1549 (XXVIII-O/98), AG/RES. 1610 (XXIX-O/99), AG/RES. 1708 (XXX-O/00), AG/RES. 1780 (XXXI-O/01), AG/RES. 1851 (XXXII-O/02), AG/RES. 1919 (XXXIII-O/03), AG/RES. 2029 (XXXIV-O/04), AG/RES. 2073 (XXXV-O/05), AG/RES. 2234 (XXXVI-O/06), AG/RES. 2294 (XXXVII-O/07), and AG/RES. 2368 (XXXVIII-O/08);

CONSIDERING the report of the Chair of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples on the activities carried out in 2008-2009 (GT/DADIN/doc.371/09), as well as the report of the Chair of the special meeting held in December 2008 (GT/DADIN/doc.362/09 rev. 1);

TAKING INTO ACCOUNT the amendments made by the Permanent Council, through resolution CP/RES. 951 (1691/09), “Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples,” to its resolution CP/RES. 873 (1459/04), to allow the inclusion of a representative from the Caribbean on the Selection Board of the Specific Fund; and

RECOGNIZING the important contributions of the Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples,

RESOLVES:

1. To reaffirm the will and the commitment of the member states toward the process of preparing the Draft American Declaration on the Rights of Indigenous Peoples.

2. To renew the mandate of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples to continue holding its Meetings of Negotiations in the Quest for Points of Consensus, so as to complete the drafting of the Declaration, on the basis of the “Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples,” hereinafter “Record of the Current Status” (GT/DADIN/doc.334/08 rev. 3), and taking into consideration the “Compendium of Proposals of Negotiations in the Quest for Points of Consensus Held by the Working Group,” issued by the Eleventh Meeting of Negotiations in the Quest for Points of Consensus (GT/DADIN/doc.255/06 add. 2 rev. 3 corr. 1), and other pertinent documents of the Working Group.

3. To request the Permanent Council to instruct the Working Group to:
   a. Hold, between August 2009 and March 2010, up to two Meetings of Negotiations in the Quest for Points of Consensus for negotiation of the document “Record of the Current Status”; and
   b. Take the appropriate measures to ensure effective participation by representatives of indigenous peoples.

4. To invite the member states to conduct consultations or dialogues on the Draft American Declaration on the Rights of Indigenous Peoples with their respective indigenous peoples.

5. To request the Selection Board of the Specific Fund to continue to work according to the principles of transparency established in resolution CP/RES. 951 (1691/09), “Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples.”

6. To thank the member states, permanent observers, and institutions for their valuable contributions to the Specific Fund, which will make it possible to hold the meetings suggested for the period covered by this resolution; and to invite all states and institutions to continue to support the purposes of the Fund through their contributions.

7. To request the General Secretariat and the organs, agencies, and entities of the Organization to continue to lend their valuable support to the process of drafting the American Declaration on the Rights of Indigenous Peoples; and to thank them for their ongoing contribution to that process.

8. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2499 (XXXIX-O/09)

NEW CHALLENGES FOR THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION: PROCESS TO REVIEW AND UPDATE THE ANTI-DRUG STRATEGY IN THE HEMISPHERE AND ITS PLAN OF ACTION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

REITERATING the importance of having up-to-date strategies and mechanisms that facilitate hemispheric cooperation to address all aspects of the world drug problem;

RECALLING:

That the Inter-American Drug Abuse Control Commission (CICAD) adopted the Anti-Drug Strategy in the Hemisphere in 1996, and that in 1998 it developed a Plan of Action for its implementation; and

That the United Nations General Assembly convened its Twentieth Special Session on the World Drug Problem in 1998 (UNGASS), at which a Political Declaration and an Action Plan were adopted;

TAKING INTO ACCOUNT:

That in 2009 the 52nd session of the United Nations Commission on Narcotic Drugs (CND) held a high-level segment in order to examine the progress of the commitments, goals, and targets outlined in UNGASS, and adopted a new Political Declaration and Plan of Action on international cooperation for an integral and balanced strategy to counter the world drug problem, which updates the commitments and measures that the member states should undertake; and

That, as part of the preparatory process for the high-level segment of the CND, CICAD entrusted the Governmental Expert Group of the Multilateral Evaluation Mechanism with drafting a document on the progress of the member states of the Organization of American States on UNGASS objectives and goals 1998-2008 that reflected the realities of the Hemisphere, and entrusted the Chair of the Commission with presenting it to the CND;

CONSIDERING that at the forty-fifth regular session of CICAD the Chair opened a dialogue, with the participation of the Secretary General, on the new challenges facing CICAD, during which it was proposed that the hemispheric instruments governing collective efforts to combat the drug problem, especially the Anti-Drug Strategy in the Hemisphere and its Plan of Action, needed to be reviewed;

CONSIDERING ALSO that the member states agreed by consensus on the proposal to begin the review process, for which they adopted a methodology, including a timeline for work, and elected Brazil as coordinator; and
NOTING WITH SATISFACTION the offer by Brazil, in accordance with this resolution, to organize and host the meeting of a working group to review and consider options for updating and strengthening the Anti-Drug Strategy in the Hemisphere and its Plan of Action,

RESOLVES:

1. To invite all member states to contribute to and participate in the process of review and updating of the Anti-Drug Strategy in the Hemisphere and its Plan of Action, through the Inter-American Drug Abuse Control Commission (CICAD).

2. To accept with gratitude the offer of the Government of Brazil to host the meeting of the Working Group to Review and Consider Options for Updating and Strengthening the Anti-Drug Strategy in the Hemisphere and its Plan of Action, and to coordinate the review and updating process until the results are presented to CICAD at its forty-sixth regular session, to be held in November 2009.

3. To instruct the General Secretariat to provide, through the Secretariat for Multidimensional Security and its pertinent subsidiary departments, in particular the Executive Secretariat of CICAD, technical and administrative support to the process of reviewing and updating the Anti-Drug Strategy in the Hemisphere and its Plan of Action.

4. To request that the Permanent Council, with the support of the General Secretariat, report to the General Assembly at its fortieth regular session on the implementation of this resolution.
AG/RES. 2500 (XXXIX-O/09)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Observations and Recommendations of Member States on the Annual Report of the Inter-American Court of Human Rights (CP/CAJP-2743/09);

EMPHASIZING that 2009 marks the 40th anniversary of the adoption of the American Convention on Human Rights and the 30th anniversary of the establishment of the Inter-American Court of Human Rights;

CONSIDERING:

That in the Declaration of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government stated that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions,” and supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes … the Inter-American Court of Human Rights”;

That in the Declaration and Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, the Heads of State and Government recognized the promotion and protection of human rights, based on the principles of universality, indivisibility, and interdependence, as essential to the functioning of democratic societies. Likewise, they undertook to “continue supporting and strengthening the functioning of the bodies of the Inter-American System of Human Rights, promoting within the political bodies of the OAS, in the framework of the ongoing reflection process, concrete actions to achieve, among other objectives, greater adhesion to the legal instruments, an effective observance of the decisions by the Inter-American Court of Human Rights and due consideration of the recommendations of the Inter-American Commission of Human Rights, and the improvement of access of the victims to the mechanisms of the system, and the adequate financing of the bodies of the System, including the fostering of voluntary contributions”;1

That in the Declaration of Commitment of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, the Heads of State and Government expressed their “commitment to protect and promote human rights in our Hemisphere, and to the strengthening of the inter-American

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1. Reservation by Nicaragua: The Government of Nicaragua wishes to place on record its commitment to the promotion and protection of human rights, as enshrined in the Political Constitution of our country. At the same time, it considers it necessary for the Inter-American Commission on Human Rights not to apply a double standard in its analysis of the situation of human rights in the region. The elements of transparency, veracity of sources of information, and the impartiality and universality thereof would contribute to greater objectivity in the work of the Commission; therefore, its recommendations should not be used as an instrument to pressure some states.
human rights system, with due respect for its autonomy and independence.” They also recognized that “all human rights are universal, indivisible and interdependent and interrelated,” and that “the universal promotion and protection of human rights, including civil, political, economic, social and cultural rights, as well as respect for international law, including international humanitarian law, international human rights law and international refugee law, are essential to the functioning of democratic societies.” They further recognized the principles contained in the Vienna Declaration and Programme of Action, which reaffirms, among other things, the importance of ensuring the universality and objectivity of the consideration of human rights issues;\(^2\)

That Article 54.f of the Charter of the Organization of American States establishes that one of the powers of the General Assembly is to consider the observations and recommendations presented by the Permanent Council with regard to the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That Article 65 of the American Convention on Human Rights establishes that “to each regular session of the General Assembly of the Organization of American States the Court shall submit, for the Assembly’s consideration, a report on its work during the previous year. It shall specify, in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations”;

NOTING WITH SATISFACTION the considerable output of the Inter-American Court of Human Rights in the performance of its adjudicatory functions in 2008, 2007, 2006, 2005, and 2004, a period in which it significantly reduced the time it needed to adjudicate the cases before it;

EMPHASIZING the importance of the fact that the Inter-American Court of Human Rights held public hearings in different countries during special sessions held in response to invitations from the governments of various countries of the region, which has strengthened relations between the Court and national institutions and civil society;

EXPRESSING APPRECIATION to Argentina, Bolivia, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Paraguay, and Uruguay for their invitations to hold special sessions, and to the Governments of Spain and Norway for their assistance in that regard;

RECOGNIZING the important and constructive practice begun by the Inter-American Court of Human Rights to hold private hearings on the monitoring of compliance with its judgments, and the outcomes thereof;

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2. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
EMPHASIZING the importance of the training activities carried out by the Inter-American Court of Human Rights and the Inter-American Institute of Human Rights for executive branch officials, judges, public defenders, and other justice operators, as a means of bringing about a better understanding of the inter-American system for the promotion and protection of human rights;

EXPRESSING APPRECIATION for the valuable, detailed report “Monetary Reparations and the Status of Compliance Therewith,” presented to the states by the Inter-American Court of Human Rights, which describes and highlights the Court’s work in this area;

RECOGNIZING the transparent and participatory process undertaken by the Inter-American Court of Human Rights to amend its Rules of Procedure, which represents a tangible outcome of the spirit of dialogue and joint reflection among the various stakeholders of the system;

EMPHASIZING the amendments to its Rules of Procedure now adopted by the Inter-American Court of Human Rights, which strengthen the inter-American system for the promotion and protection of human rights;

AWARE of the financial resources needed for the Inter-American Court of Human Rights to operate effectively; and

EXPRESSING APPRECIATION for the document “Financial Needs (Short, Medium, and Long Range)” (CP/CAJP-2695/09), presented by the Executive Secretariat of the Court,

RESOLVES:

1. To adopt the Observations and Recommendations of Member States on the Annual Report of the Inter-American Court of Human Rights (CP/CAJP-2743/09) and to forward them to that organ.

2. To reaffirm the essential value of the work of the Inter-American Court of Human Rights in enhancing the protection and defense of human rights in the Hemisphere and the rule of law.

3. To reiterate that the judgments of the Inter-American Court of Human Rights are final and may not be appealed, and that the states parties to the American Convention on Human Rights undertake to comply with the Court’s decisions in all cases to which they are party.

4. To reiterate the need for the states parties to provide, in a timely fashion, the information requested by the Court in order to enable it to fully meet its obligation to report to the General Assembly on compliance with its judgments.

5. To reaffirm the importance of:

   a. The advisory and adjudicatory functions of the Inter-American Court of Human Rights for the development of inter-American jurisprudence and international human rights law;
b. The jurisprudence of the Inter-American Court of Human Rights for the effective exercise of and respect for human rights in the Hemisphere, and consequently the importance of the dissemination of its decisions by the member states;

c. The special sessions of the Inter-American Court of Human Rights held away from its headquarters, given their importance in disseminating information on and raising awareness of the inter-American human rights system and especially of the work of the Inter-American Court;

d. The hearings held to monitor compliance with judgments as one of the most effective mechanisms to promote compliance with them; and

e. The training activities conducted by the Inter-American Court for judges and others involved in the administration of justice, aimed at promoting effective application of international human rights law at the national level.

6. To instruct the Permanent Council to:

a. Continue its consideration of the issue of “Access of victims to the Inter-American Court of Human Rights (jus standi) and its application in practice,” including its financial and budgetary implications, taking into account the need to maintain procedural equity and to redefine the role of the Inter-American Commission on Human Rights (IACHR) in proceedings before the Court;

b. Continue to examine the possibility that the Inter-American Court of Human Rights may come to operate on a permanent basis, including the financial and budgetary implications thereof;

c. Continue to consider means of encouraging compliance by member states with the judgments of the Court; and

d. Continue examining, as a matter of priority, means to effectively increase financial allocations to the Inter-American Court of Human Rights in the program-budget of the Organization; and seek concrete solutions in that regard, taking into account the outcomes of the joint meeting of the Committee on Juridical and Political Affairs (CAJP) with the Committee on Administrative and Budgetary Affairs (CAAP) of February 5, 2009.

7. To urge the Secretary General to submit, as a matter of priority, specific proposals aimed at securing adequate funding for the Inter-American Court of Human Rights in the regular program-budget, taking into account the document “Financial Needs (Short, Medium, and Long Range)” (CP/CAJP-2695/09), presented by the Executive Secretariat of the Court.
8. To thank the member states (Brazil, Chile, Colombia, Costa Rica, and Mexico) and permanent observers (Norway and Spain), as well as the Office of the United Nations High Commissioner for Refugees, for their voluntary contributions to the Inter-American Court of Human Rights.

9. To thank the people and the Government of the Dominican Republic for offering to host the thirty-eighth special session of the Court, held from March 30 to April 3, 2009, and for their support in making that session a success.

10. To thank the people and the Governments of Uruguay and Mexico for offering to host the thirty-fifth and thirty-seventh special sessions of the Court, held in those countries from August 11 to 15 and December 1 to 5, 2008, respectively, and for their support in making those sessions a success.

11. To reiterate to the Permanent Council that it should adopt the rules of procedure of the Legal Assistance Fund of the Inter-American Human Rights System, after consulting the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, taking into account the observations made by civil society.

12. To urge the member states to contribute to the Legal Assistance Fund of the Inter-American Human Rights System; and to urge the permanent observers and other donors to make voluntary contributions to the Court. Also to urge the member states, permanent observers, and other donors to make contributions to the bank account of the Inter-American Court for the Legal Assistance Fund of the Inter-American Human Rights System, to facilitate access to the Court by individuals who do not now have the necessary means to bring their cases before the system.

13. To encourage member states to continue to invite the Inter-American Court of Human Rights to hold special sessions away from its headquarters.

14. To urge the Inter-American Court of Human Rights to continue to hold specialized seminars on the inter-American system for the promotion and protection of human rights, for government officials, especially those involved in the administration of justice.

15. To support the initiative of the Inter-American Court of Human Rights to hold a seminar on current and future challenges to the inter-American system for the promotion and protection of human rights.

16. To invite the Inter-American Court of Human Rights to continue to participate, with its judges, in the dialogue with member states in the reflection process on strengthening the inter-American human rights system, within the context of the CAJP.

17. To invite the Inter-American Court to bear in mind the proposals and comments made by member states in the framework of the dialogue between the member states and the members of the IACHR and the Court, held on March 20, 2009, on the functioning of the inter-American human rights system, as well as the contributions by civil society, as set out in the report of that meeting (CP/CAJP-2769/09), and to adopt the measures it deems appropriate in the framework of its autonomy and independence.
18. To thank the Court for its willingness to dialogue with member states as part of the joint reflection process in the event of possible reforms to its Rules of Procedure.

19. To urge member states to consider the signature and ratification of, ratification of, or accession to, as the case may be, the American Convention on Human Rights and other instruments of the system, including acceptance of the binding jurisdiction of the Inter-American Court of Human Rights.

20. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM AND ALL FORMS OF DISCRIMINATION AND INTOLERANCE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4992/09 and addenda);

REAFFIRMING the content of resolution AG/RES. 2367 (XXXVIII-O/08), “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance,” as well as all prior resolutions on the subject: AG/RES. 1712 (XXX-O/00) and AG/RES. 1774 (XXXI-O/01), “Preparation of a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”; AG/RES. 1905 (XXXII-O/02), AG/RES. 1930 (XXXIII-O/03), AG/RES. 2038 (XXXIV-O/04), and AG/RES. 2126 (XXXV-O/05), “Prevention of Racism and All Forms of Discrimination and Intolerance and Consideration of the Preparation of a Draft Inter-American Convention”; AG/RES. 2168 (XXXVI-O/06), “Combating Racism and All Forms of Discrimination and Intolerance and Consideration of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”; and AG/RES. 2276 (XXXVII-O/07), “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”; and


RESOLVES:

1. To take note of the progress achieved by the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance and of the meeting held on November 20, 2008, to receive contributions and input for the negotiation process, the final report of which can be found in document CAJP/GT/RDI-104/08 corr. 1.

2. To instruct the Working Group to continue negotiations on that draft Convention, taking into account the progress set forth in document CAJP/GT/RDI-57/07 rev. 11, “Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance,” and in keeping with the work plan and working procedure to be adopted by the Group as it begins its activities.

3. To request the Working Group to continue promoting contributions from member states; organs, agencies, and entities of the Organization of American States (OAS); the United Nations; and regional organizations; to urge those bodies to continue sending their written
contributions to the Working Group for consideration; and, pursuant to the Guidelines for Participation by Civil Society Organizations in OAS Activities, contained in Permanent Council resolution CP/RES. 759 (1217/99), dated December 15, 1999, to request the Working Group to also continue to receive contributions from groups in vulnerable situations and from interested civil society organizations.

4. To renew the mandates to the Justice Studies Center of the Americas and the Inter-American Commission on Human Rights (IACHR), as set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06).

5. To request the General Secretariat to continue to provide support to the Working Group’s activities, through the Executive Secretariat of the IACHR and the Department of International Law of the Secretariat for Legal Affairs.

6. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
THE HUMAN RIGHTS OF ALL MIGRANT WORKERS AND OF THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular as it pertains to this matter (AG/doc.4992/09 add. 1);

TAKING INTO ACCOUNT resolutions AG/RES. 1717 (XXX-O/00), AG/RES. 1775 (XXXI-O/01), AG/RES. 1898 (XXXII-O/02), AG/RES. 1928 (XXXIII-O/03), AG/RES. 2027 (XXXIV-O/04), AG/RES. 2130 (XXXV-O/05), AG/RES. 2224 (XXXVI-O/06), and AG/RES. 2289 (XXXVII-O/07);

REAFFIRMING that the American Declaration of the Rights and Duties of Man declares that all persons are equal before the law and have the rights and duties enshrined in the Declaration without distinction as to race, sex, language, creed, or any other factor;

EMPHASIZING that the American Convention on Human Rights recognizes that the essential rights of man are not derived from one’s being a national of a certain state, but are based upon attributes of the human personality;

REAFFIRMING that the principles and standards enshrined in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights take on special relevance with regard to the protection of the human rights of migrant workers and their families;

RECALLING that the Universal Declaration of Human Rights states that everyone has the right to freedom of movement and residence within the borders of each state, and to leave any country, including his own, and return to his country;

TAKING INTO ACCOUNT:

That, at the Summits of the Americas, the Heads of State and Government have consistently indicated the importance of guaranteeing the protection of the human rights of migrant workers and their families, and have shown an intent to take a comprehensive approach to the migration phenomenon and to bring about closer cooperation among the countries of the Hemisphere to ensure the protection of migrants;


The judgment of the International Court of Justice of March 31, 2004, in the Case concerning Avena and Other Mexican Nationals; as well as its decision of January 19, 2009, reaffirming the obligations contained in the Avena judgment; and

The special meetings of the Committee on Juridical and Political Affairs of the Permanent Council, held on January 14, 2008, and on February 12, 2009, on implementation of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families and of the proposals for new optional activities by the states, as well as the presentations by the organs, agencies, and entities of the Organization of American States;

UNDERSCORING the close nexus among migration, development, and human rights, and recognizing respect for the human rights and fundamental freedoms of all migrants as pillars of development and as essential to the effective exercise of these rights and freedoms and to taking advantage of the positive aspects of international migration, as was recognized in the High-level Dialogue on International Migration and Development and the Global Forum on Migration and Development, and in forums for regional consultation of the Americas;

EMPHASIZING:

The important contribution of remittances from migrants to the economy of their country of origin and to enhancing the quality of life; and

The entry into force on July 1, 2003, of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the installation and launch of the work of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the entry into force, on January 28, 2004, of the Protocol against the Smuggling of Migrants by Land, Sea and Air; and, on December 25, 2003, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, both supplementing the United Nations Convention against Transnational Organized Crime (Palermo Convention);

EXPRESSING ITS SATISFACTION with the adoption of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families,” through resolution AG/RES. 2141 (XXXV-O/05); as well as the presentation by the Secretary General, on February 13, 2007, of the Work Plan of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families (CP/CAJP-2456/07);

WELCOMING the work done by the Special Committee on Migration Issues in fulfillment of its mandate;
CONSIDERING:

The global character of the migration phenomenon, the importance of international, regional, and bilateral cooperation and dialogue in this connection, as appropriate, and the need to protect the human rights of migrants, especially in view of the increased migration flows in the globalized economy and in a context characterized by new security concerns; and

That virtually every country in the Hemisphere is a country of origin, transit, or destination for migrants and has the authority to regulate the migration of persons entering its territory in accordance with applicable international law, including international human rights law, international humanitarian law, and international refugee law;

RECOGNIZING:

The programs for migrants adopted by some countries that enable them to be integrated into their host countries, facilitate family reunification, and promote an environment of harmony, tolerance, and respect;

The contributions of migrants to both countries of origin and of transit and destination, and their gradual integration into their host societies, as well as the efforts made by some transit and destination countries to meet the needs of migrants, in order to ensure them dignified and humane treatment with adequate protections, and to address the needs of the host or local community; and

The importance of a broad and balanced approach to international migration, bearing in mind that migration enriches the economic, political, social, and cultural fabric of states and the historical and cultural ties that exist among some regions;

CONCERNED about the extremely vulnerable situation in which many migrant workers and their families in the Hemisphere find themselves, and the persistent obstacles that prevent them from fully enjoying their human rights;

BEARING IN MIND that migration policies and initiatives, including those concerning orderly migration management, should promote comprehensive approaches that take into account the causes and consequences of the phenomenon, as well as full respect for the human rights and fundamental freedoms of migrants;

BEARING IN MIND ALSO that migrants are often the victims of crime, mistreatment, discrimination, racism, and xenophobia, and that unaccompanied women migrants or women heads of household, as well as migrant children, are especially vulnerable to gender-based violence and other forms of sexual and labor exploitation, which calls for wide-ranging cooperation between countries of origin, transit, and destination to counter these situations, as well as the potential vulnerability of migrants’ families in the countries of origin;

RECOGNIZING the growing percentage of women in international migration, driven in large part by socioeconomic factors, and that this feminization of migration requires greater attention to gender-related matters in all policies and activities related to international migration, taking into account that women are more exposed to abuse and exploitation;
RECOGNIZING ALSO the importance of promoting actions to protect the human rights and fundamental freedoms of children and adolescents in the context of international migration;

NOTING the regional initiatives, activities, and programs of the Regional Conference on Migration (Puebla Process) in North America, the Central American countries, and the Dominican Republic; the ministerial dialogue among Mesoamerican countries, the Dominican Republic, Ecuador, and Colombia; the First Meeting of the Andean Forum on Migration; as well as the VIII South American Conference on Migration, held in Montevideo, Uruguay, and the Specialized Forum on Migration of MERCOSUR; and

BEARING IN MIND that all migrants and their defenders have a duty and an obligation to obey all laws of the countries of origin, transit, and destination,

RESOLVES:

1. To urge states to promote and protect effectively the human rights and fundamental freedoms of all migrant workers and their families, especially of women and children, regardless of their immigration status, in accordance with international human rights law.

2. To express its concern about the legislation and measures adopted by some states that could restrict the human rights and fundamental freedoms of migrants; and to reaffirm that, in exercising their sovereign right to enact and enforce measures regarding migration and their border security, the states must fulfill the obligations incumbent upon them under international law, including international human rights norms, to ensure full respect for the human rights of migrants.

3. To vigorously condemn all manifestations or acts of racism, racial discrimination, xenophobia, and related forms of intolerance against migrants, among them those related to access to employment, professional training, housing, education, health care services, social services, and public services; and to urge states to enforce and strengthen legislation and policies in force to address these situations, especially in order to prevent the impunity of those who commit acts of racism or xenophobia.

4. To reiterate categorically that no state should consider an individual’s migration status as a crime in itself or, for that reason, adopt criminal sanctions or those of equivalent effect.

5. To request all states, in accordance with national legislation and applicable international legal instruments to which they are party, to enforce labor law effectively and to address violations of such law in connection with migrant workers’ labor relations and working conditions, inter alia, those related to their remuneration, workplace health and safety, and right to freedom of association.

6. To encourage all states to facilitate the safe and expeditious transfer without restrictions of remittances of migrants to their countries of origin or to any other country, in accordance with applicable legislation, bearing in mind that the funds belong to the migrants themselves, and to consider, as appropriate, measures to resolve other difficulties that may impede such transfers.
7. To reaffirm that the American Declaration of the Rights and Duties of Man ensures that every person may resort to the courts to ensure respect for his legal rights. There should likewise be available to him a simple, brief procedure whereby the courts will protect him from acts of authority that, to his prejudice, violate any fundamental constitutional rights.

8. To welcome the immigration programs adopted by some countries that allow migrants to integrate fully into the host countries, facilitate family reunification, and promote an environment of harmony, tolerance, and respect; and to encourage the states to consider the possibility of adopting these types of programs.

9. To request all states, international organizations, and other interested parties to take into account in their policies and initiatives on migration issues the global nature of the migration phenomenon and to give due consideration to international, regional, and bilateral cooperation in this area by organizing dialogues on migration with the participation of the countries of origin, transit, and destination and of civil society, including migrants, in order to give exhaustive consideration to, among other things, the causes and consequences of migration and the problem of undocumented or irregular migrants, giving priority to protection of the human rights of migrants. These dialogues should include an exchange of positive experiences and best practices in regularizing the status of migrants in the host countries.

10. To reaffirm emphatically the duty of the states parties to the 1963 Vienna Convention on Consular Relations to fulfill their obligations under the Convention, including the obligation of the States Parties to inform foreign nationals detained within their territory of their right to communicate with their consular officers; and in that regard, to call to the attention of the states Advisory Opinion OC-16/99, issued by the Inter-American Court of Human Rights, and the ruling of the International Court of Justice of March 31, 2004, in the Case concerning Avena and Other Mexican Nationals, regarding the obligation of the states to comply with Article 36 of the Vienna Convention.

11. To call to the attention of the states Advisory Opinion OC-18/03, issued by the Inter-American Court of Human Rights, which maintains that “the migratory status of a person cannot constitute a justification to deprive him of the enjoyment and exercise of human rights, including those of a labor-related nature.”

12. To encourage the member states to consider the adoption of programs for the integration of migrants into their societies, with a view to promoting an environment of harmony, tolerance, and respect.

13. To encourage constructive dialogue and cooperation among member states in order to refine their migration policies and practices, aiming to establish adequate protection for all migrants, including migrant workers and their families, and to promote migration procedures in accordance with the domestic legislation of each state and applicable international law.

14. To urge the member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the instruments of the inter-American human rights system, and to take the necessary measures to guarantee the human rights of all migrants, including migrant workers and their families.
15. To urge the member states to consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

16. To instruct the Permanent Council to continue supporting the work of the Inter-American Commission on Human Rights (IACHR) in this area and to take into account the efforts made by other international organizations in support of migrant workers and their families, in order to contribute to improving their situation in the Hemisphere and, in particular and where applicable, the efforts of the Special Rapporteurship on the Human Rights of Migrants of the United Nations Commission on Human Rights and those of the International Organization for Migration.

17. To instruct the Secretary General and the pertinent organs, agencies, and entities of the Organization of American States (OAS) to continue to follow up on the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, and on the Work Plan presented by the Secretary General on February 13, 2007 (CP/CAJP-2456/07); and to request that, in their annual reports to the General Assembly at its fortieth regular session, they include actions taken to implement the activities described in the Program.

18. To encourage the states to take into consideration the optional activities suggested in the Inter-American Program, when formulating, executing, and evaluating their migration policies.

19. To encourage the member states to collaborate in the exchange of information and experiences within the framework of the Regional Conference on Migration, the South American Conference on Migration, the MERCOSUR Specialized Forum on Migration, the Andean Forum on Migration, and the Special Committee on Migration Issues (CEAM) to better coordinate and align positions on migration issues.

20. As established in the Inter-American Program, to convene a meeting of the Committee on Juridical and Political Affairs (CAJP) for the first half of 2010, with participation by government experts, representatives of the organs, agencies, and entities of the inter-American system, and representatives of other international organizations and of civil society, for the purpose of exchanging best practices and activities carried out in the past year in support of the Program, as well as new proposals that could be incorporated into the Program.

21. To instruct the Secretary General to update the Work Plan of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families (CP/CAJP-2456/07) to ensure that the distribution of activities is consistent with the new structure of the Organization, and to present the updated Program to the CAJP.

22. To request the organs, agencies, and entities of the Organization to report to the CAJP, in the first quarter of 2010, on the implementation of the activities assigned by the Inter-American Program, by means of a comparative table indicating assigned tasks, progress made, and deadlines for completing pending tasks.
23. To urge the member states, permanent observers, and regional, international and civil society organizations to make voluntary contributions to the Fund for the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families.

24. To urge the General Secretariat to disseminate, through the Secretariat for Legal Affairs, the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families.

25. To request the General Secretariat to take account of the crosscutting nature and priority of the human rights of migrants in coordinating the efforts of all relevant OAS organs, agencies, and entities; and to request the states to ensure that those efforts are complementary to those being made by the CEAM.

26. To entrust the IACHR with:

   a. Considering the advisability of participating in partnerships implemented by Executive Secretariat for Integral Development in this area;

   b. Providing its Rapporteurship on Migrant Workers and Their Families with the necessary and sufficient means to perform its functions in accordance with the resources allocated in the program-budget of the Organization and other resources; and

   c. Submitting to the Permanent Council reports on the situation of the rights of migrant workers and of their families prior to the fortieth regular session of the General Assembly.

27. To invite member states, permanent observers, organs, agencies, and entities of the inter-American system, and other funding sources to contribute to the Voluntary Fund of the Rapporteurship on Migrant Workers and Their Families of the IACHR.

28. To urge the member states to consider the possibility of inviting the Rapporteur on Migrant Workers and Their Families to visit their countries to enable that Rapporteur to fulfill his or her mandate effectively.

29. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2503 (XXXIX-O/09)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular as it pertains to the implementation of resolution AG/RES. 2405 (XXXVIII-O/08), “Inter-American Program for the Development of International Law” (AG/doc.4992/09 add. 1);

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), and AG/RES. 2405 (XXXVIII-O/08);

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; and

TAKING NOTE:

Of the Report on the Inter-American Program for the Development of International Law (Activities of the Department of International Law of the Secretariat for Legal Affairs in 2008) (CP/CAJP-2706/09);

Of the XXXV Course on International Law, held in Rio de Janeiro, Brazil, from August 4 to 29, 2008, and of the Workshops on International Law, held in Campo Grande, Mato Grosso do Sul, Brazil, from November 17 to 20, 2008; and

Of the training courses for staff of the permanent missions of the member states and of the General Secretariat, organized by the Department of International Law and held at OAS headquarters (the Third Course on International Humanitarian Law and the Course on International Refugee Law),

RESOLVES:

1. To reaffirm the importance of, and its support for, the Inter-American Program for the Development of International Law and to request the Department of International Law to continue carrying out the activities listed in the Program.
2. To urge the General Secretariat to continue, through the Department of International Law, conducting the Course on International Law in Rio de Janeiro and the Workshops on International Law, as well as other activities designed to increase awareness of international law, with special emphasis on the inter-American system, and to continue disseminating legal information on the system and the status of signatures and ratifications of inter-American treaties deposited with the General Secretariat, through publications, electronic media, and the Internet, in all the official languages of the Organization of American States.

3. To urge the General Secretariat to continue holding workshops, through the Department of International Law and in the framework of the Committee on Juridical and Political Affairs, on topics of interest in the field of international law and the study and development of inter-American law, directed at the staff of the permanent missions of the member states, General Secretariat personnel, academic sectors, and the general public.

4. To request the General Secretariat to continue, through the Department of International Law, doing its utmost to disseminate information on the legal norms of the inter-American system in diplomatic academies, other training centers for civil servants, and other law schools in the Hemisphere, in the context of the mandates of the Inter-American Program for the Development of International Law.

5. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2504 (XXXIX-O/09)

HUMAN RIGHTS, SEXUAL ORIENTATION, AND GENDER IDENTITY

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

BEARING IN MIND resolution AG/RES. 2435 (XXXVIII-O/08), entitled “Human Rights, Sexual Orientation, and Gender Identity”;

REAFFIRMING:

That the Universal Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in that Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status; and

That the American Declaration of the Rights and Duties of Man establishes that every human being has the right to life, liberty, and the security of the person;

CONSIDERING that the Charter of the Organization of American States proclaims that the historic mission of America is to offer to man a land of liberty and a favorable environment for the development of his personality and the realization of his just aspirations;

REAFFIRMING the principles of universality, indivisibility, and interdependence of human rights;

TAKING NOTE of the Declaration on Sexual Orientation and Gender Identity, presented to the United Nations General Assembly on December 18, 2008; and

NOTING WITH CONCERN acts of violence and related human rights violations committed against individuals because of their sexual orientation and gender identity,

RESOLVES:

1. To condemn acts of violence and related human rights violations committed against individuals because of their sexual orientation and gender identity.

2. To urge states to ensure that acts of violence and human rights violations committed against individuals because of their sexual orientation and gender identity are investigated and that their perpetrators are brought to justice.

3. To urge states to ensure adequate protection for human rights defenders who work on the issue of acts of violence and human rights violations committed against individuals because of their sexual orientation and gender identity.
4. To request the Inter-American Commission on Human Rights and the other organs, agencies, and entities of the inter-American system to continue to pay sufficient attention to this issue.

5. To reiterate its request to the Committee on Juridical and Political Affairs to include on its agenda, before the fortieth regular session of the General Assembly, the topic of “Human rights, sexual orientation, and gender identity.”

6. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2505 (XXXIX-O/09)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), AG/RES. 1929 (XXXIII-O/03), AG/RES. 2039 (XXXIV-O/04), AG/RES. 2072 (XXXV-O/05), AG/RES. 2176 (XXXVI-O/06), AG/RES. 2279 (XXXVII-O/07), and AG/RES. 2364 (XXXVIII-O/08);

RECALLING ALSO the recommendation of the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.102, Doc. 6 rev., April 16, 1999, Chapter VII, 21.3.B), as well as its resolution No. 1/03, on the prosecution of international crimes, and the document “Framework for OAS Action on the International Criminal Court” (AG/INF.248/00);

CONVINCED that the Rome Statute and the International Criminal Court are effective instruments for consolidating international criminal law, and that the work of the International Criminal Court to guarantee international justice can help consolidate lasting peace;

NOTING WITH CONCERN the continuation in some parts of the world of persistent violations of international humanitarian law and international human rights law; and reaffirming that all states have the primary duty to investigate, prosecute, and punish those violations so as to prevent their recurrence and avoid the impunity of the perpetrators of those crimes;

BEARING IN MIND the responsibility in the first instance of national jurisdictions to investigate and prosecute the perpetrators of the most serious international crimes and the complementary nature of the jurisdiction of the International Criminal Court in respect of the crimes within its sphere of competence;

1. Reservation by the Government of Nicaragua: Nicaragua is aware that international humanitarian law and international human rights law continue to be violated in many parts of the world. For that reason, the Government of Nicaragua has adopted a special chapter under section XXII of the Nicaraguan Criminal Code, whereby it punishes all crimes against international law and crimes against humanity. However, it cannot support this resolution because the conditions are not yet favorable for its joining the International Criminal Court.

2. Reservation by the United States: The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide, and crimes against humanity. That said, the new administration is in the process of reviewing its policies regarding the International Criminal Court, and accordingly the United States is not in a position to join consensus on the resolution.
CONVINCED of the importance of preserving the effectiveness and legal integrity of the Rome Statute, including the jurisdiction of the International Criminal Court; and recognizing the essential role of the Vienna Convention on the Law of Treaties and the firm resolve of the states parties to preserve them;

MINDFUL of the importance of full and effective cooperation from the states, from the United Nations, including the Security Council, and from other international and regional organizations, and of support from civil society, to the effective functioning of the International Criminal Court;

NOTING in this respect that Article 87.6 of the Rome Statute recognizes the role that intergovernmental organizations can play in providing cooperation to the Court and that the Assembly of States Parties to the Rome Statute, at its seventh session, through resolution ICC-ASP/7/Res.3, “Strengthening the International Criminal Court and the Assembly of States Parties,” renewed its invitation to other relevant organizations to consider concluding such agreements with the Court;

WELCOMING that 108 states have now ratified or acceded to the Rome Statute, among them 24 members of the Organization of American States, with Suriname being the most recent to do so;

NOTING WITH SATISFACTION that, during the recent elections for the Bureau of the Assembly of States Parties, Mexico (Vice-President), Brazil, Trinidad and Tobago, and the Bolivarian Republic of Venezuela were elected members for the 2009-2011 term;

NOTING that 13 member states of the Organization have ratified or acceded to the Agreement on Privileges and Immunities of the International Criminal Court, the most recent of which was Colombia, in April 2009;

NOTING ALSO the outcome of the seventh session of the Assembly of States Parties to the Rome Statute, held from November 14 to 22, 2008, especially resolution ICC-ASP/7/Res.3;

RECOGNIZING the important work of the Coalition for the International Criminal Court with member states in promoting the Rome Statute;

EXPRESSING ITS SATISFACTION with the progress made by the International Criminal Court in developing into a fully operational judicial body, as well as with the beginning of its first trial, on January 26, 2009;

CONVINCED of the importance of full implementation of United Nations Security Council resolution 1593 (2005), of March 31, 2005, to achieve peace and to guarantee that the arrest warrants issued are executed and that, if it is ascertained that international crimes have been committed, those crimes are not treated with impunity; and of the need to step up, to such ends, assistance and international cooperation with the International Criminal Court and with the Office of the Prosecutor in efforts to combat impunity;
EXPRESSING ITS SATISFACTION with the holding, at the Organization’s headquarters, on December 8, 2008, of the Working Meeting on the International Criminal Court, within the framework of the Committee on Juridical and Political Affairs and with support from the Office of International Law, in which representatives of the International Criminal Court, government officials, representatives of international organizations, and civil society organizations participated; and taking note of the results of that meeting, contained in the Rapporteur’s report (CP/CAJP-2700/09); and

TAKING NOTE of the Annual Report of the Permanent Council to the General Assembly (AG/doc.4992/09 and addenda),

RESOLVES:

1. To renew its appeal to those member states of the Organization of American States (OAS) that have not already done so to consider ratifying or acceding to, as the case may be, the Rome Statute of the International Criminal Court.

2. To urge OAS member states that are parties or signatories to the Rome Statute to promote and respect its intent and its purpose, in order to preserve its effectiveness and integrity and bring about its universal adoption; and to urge them to cooperate in promoting universal accession thereto.

3. To remind OAS member states that are parties to the Rome Statute that it is important to continue to adopt measures with a view to achieving its full and effective implementation, including measures to adjust their national legislation, in particular regarding the definition of crimes within the jurisdiction of the International Criminal Court, as well as international cooperation and judicial assistance.

4. To urge the OAS member states to cooperate fully with the International Criminal Court, so as to avoid the impunity of the perpetrators of crimes over which it has jurisdiction.

5. To urge the OAS member states to promote and defend the work of the International Criminal Court as the fundamental instance for combating impunity and guaranteeing justice for victims of the crimes within its jurisdiction, as essential components of any effort to achieve peace.

6. To note that to date the Court has issued 12 arrest warrants in all the situations it is investigating, only four of which have been executed, and, in this regard, to appeal to the OAS member states and competent international and regional organizations to cooperate fully with the Court, within their respective spheres of competence, in the execution of these warrants.

7. To urge the OAS member states to consider ratifying or acceding to, as the case may be, the Agreement on Privileges and Immunities of the International Criminal Court and, in the case of those states that are already party to that Agreement, to adopt the necessary measures for its full and effective implementation at the national level.

8. To draw attention to the importance of cooperation by states that are not party to the Rome Statute.
9. To encourage the OAS member states to contribute to the Trust Fund to benefit victims of crimes within the jurisdiction of the International Criminal Court, and the families of such victims, as well as to the fund for the participation of least developed countries, both at the Assembly of States Parties to the Rome Statute and at the Review Conference to be held in 2010.

10. To invite the OAS member states to participate actively in the work of the Assembly of States Parties, as states parties or observers, where appropriate, with the purpose, among others, of furthering discussions and adopting concrete decisions on the subjects that will be considered before and during the Review Conference, in particular the definition of the crime of aggression, and thus ensuring the integrity of the Rome Statute and the strengthening of the International Criminal Court.

11. To request the Inter-American Juridical Committee to promote, using as a basis the OAS Guide on cooperation with the International Criminal Court and insofar as it is able, the adoption of national legislation in the area in states that do not yet have it, and, with collaboration from the General Secretariat and the Secretariat for Legal Affairs, to continue providing support for and promoting in OAS member states the training of administrative and judicial officials and academics for that purpose, and to report to the states parties on progress thereon at its next working meeting on the International Criminal Court and to the General Assembly at its fortieth regular session.

12. To request also the Inter-American Juridical Committee to prepare model legislation on implementation of the Rome Statute, in particular regarding the definition of crimes within the jurisdiction of the International Criminal Court, and to present a report, prior to the fortieth regular session of the General Assembly, on progress made.

13. To request the General Secretariat to continue its efforts to conclude a cooperation agreement with the International Criminal Court and to keep the OAS member states informed of progress in negotiations with the International Criminal Court or any of its organs in that regard.

14. To request the Permanent Council to hold a working meeting prior to the Review Conference of the Rome Statute, with support from the Department of International Law, which should include a high-level dialogue among the permanent representatives of all OAS member states, to discuss, among other matters, topics of interest to the region to be considered in negotiations before and during the Review Conference, in particular substantive amendments to the Statute, such as the definition of the crime of aggression. The International Criminal Court, international organizations and institutions, and civil society will be invited to cooperate and participate in this working meeting.

15. To request the Permanent Council to include the topic of the implementation of the Rome Statute and of the Agreement on Privileges and Immunities on the agenda of the Committee on Juridical and Political Affairs.

16. To request the Secretary General to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2506 (XXXIX-O/09)

PROTOCOL OF SAN SALVADOR:
COMPOSITION AND FUNCTIONING OF THE WORKING GROUP TO EXAMINE
THE PERIODIC REPORTS OF THE STATES PARTIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4992/09 and addenda) and resolutions AG/RES. 2074 (XXXV-O/05), AG/RES. 2178 (XXXVI-O/06), AG/RES. 2262 (XXXVII-O/07), and AG/RES. 2430 (XXXVIII-O/08);

CONSIDERING the provisions of the American Convention on Human Rights, Chapter III of which refers to economic, social, and cultural rights;


RECALLING that both the American Convention and the Protocol of San Salvador recognize that the essential rights of an individual are not derived from one’s being a national of a certain state, but are based upon attributes of the human person;

RECALLING ALSO that, in Article 19 of the Protocol of San Salvador, the states parties undertake to submit, pursuant to the provisions of that article and the corresponding rules to be formulated for that purpose by the General Assembly, periodic reports on the progressive measures they have taken to ensure due respect for the rights set forth in said Protocol;

TAKING INTO ACCOUNT that resolution AG/RES. 2074 (XXXV-O/05) adopted the “Standards for the Preparation of Periodic Reports pursuant to Article 19 of the Protocol of San Salvador”; that resolution AG/RES. 2178 (XXXVI-O/06) instructed the Permanent Council to make proposals as soon as possible, through the Committee on Juridical and Political Affairs, on the composition and functioning of the working group established to examine the national reports in accordance with the Standards; and that resolution AG/RES. 2262 (XXXVII-O/07) approved the composition and functioning of the Working Group to examine the national reports;

TAKING NOTE of the preliminary document entitled “Guidelines for Preparation of Progress Indicators in the Area of Economic, Social and Cultural Rights” (CP/doc.4250/07), presented to the Permanent Council by the Inter-American Commission on Human Rights in November 2007, in accordance with the mandate issued in resolution AG/RES. 2262 (XXXVII-O/07);
RECOGNIZING that the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in November 2005, urged the member states to consider signing and ratifying, or acceding to, as the case may be, the Protocol of San Salvador, and to collaborate in the development of progress indicators in the area of economic, social, and cultural rights; and

TAKING INTO ACCOUNT that the Working Group has been constituted in part and will be complete when the Permanent Council elects a government expert and an alternate, and the Secretary General appoints an alternate independent expert,

RESOLVES:

1. To urge the states parties to the Protocol of San Salvador to nominate, as soon as possible, candidates to serve as government expert and alternate, as well as a candidate to serve as alternate independent expert, so that the Working Group to examine the national reports will be complete.

2. To initiate the activities of the Working Group, once it has been fully constituted, beginning with consideration and approval of its Rules of Procedure.

3. To delegate once again to the Permanent Council the election of the government expert and his or her alternate, who will complete the above-mentioned Working Group; and to authorize the Secretary General to appoint the independent expert and his or her alternate on that same occasion.

4. To renew its request to the Permanent Council to consider and possibly approve, in the second half of 2009, progress indicators on the basis of the document “Guidelines for Preparation of Progress Indicators in the Area of Economic, Social and Cultural Rights” (CP/doc.4250/07), presented to the Permanent Council by the Inter-American Commission on Human Rights in November 2007.

5. To reiterate that the time periods established in resolution AG/RES. 2074 (XXXV-O/05) for submission of the national progress reports to be presented by the states parties to the Protocol of San Salvador will not begin to run until the progress indicators have been approved.

6. To instruct that regulations be developed to govern the specific fund of voluntary contributions established by resolution AG/RES. 2430 (XXXVIII-O/08), in order to enable it to function effectively; and to request the Permanent Council to consider and adopt the Rules of Procedure for it proposed by the General Secretariat.

7. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador.”

8. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2507 (XXXIX-O/09)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1270 (XXIV-O/94), AG/RES. 1335 (XXV-O/95), 1408 (XXVI-O/96), AG/RES. 1503 (XXVII-O/97), AG/RES. 1565 (XXVIII-O/98), AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1904 (XXXII-O/02), AG/RES. 1944 (XXXIII-O/03), AG/RES. 2052 (XXXIV-O/04), AG/RES. 2127 (XXXV-O/05), AG/RES. 2226 (XXXVI-O/06), AG/RES. 2231 (XXXVI-O/06), AG/RES. 2293 (XXXVII-O/07), and AG/RES. 2433 (XXXVIII-O/08);

RECALLING ALSO that, under the Charter of the Organization of American States (OAS) and pursuant to all applicable provisions of international humanitarian law and international human rights law within their respective spheres of application, human rights and fundamental freedoms must always be respected, including in situations of armed conflict;

DEEPLY CONCERNED that in various parts of the world violations of international humanitarian law persist, causing suffering to victims of armed conflict, particularly the civilian population;

ACKNOWLEDGING the adoption of United Nations General Assembly resolution 63/240, “Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms,” which established an open-ended working group to facilitate consideration of this topic by all Member States in order to be able to conclude a legally binding treaty on trade in conventional weapons;

RECALLING that it is the obligation of all member states, in all circumstances, as states parties to the four Geneva Conventions of 1949, to respect and ensure respect for international humanitarian law, and that the rules and principles set forth in those instruments are binding on all parties to an armed conflict;

CONSIDERING that international humanitarian law contains provisions that reflect customary international law which states must observe;

EMPHASIZING that in cases of serious violations of international humanitarian law constituting crimes under international law, states have the fundamental duty to investigate and, if there is sufficient evidence, the duty to submit to prosecution the person allegedly responsible for such violations and, if said person is found guilty, the duty to punish him or her, including, when applicable, through the imposition of penal sanctions, in order to prevent impunity and future violations;
UNDERSCORING the need to strengthen the rules and principles of international humanitarian law by means of their universal acceptance, their broader dissemination, and the adoption of national measures for their effective application;

EMPHASIZING WITH SATISFACTION the universal adoption of the four Geneva Conventions of 1949, on the protection of victims of war, to which 194 states are now party, including all member states of the Organization;

RECALLING that 33 and 32 OAS member states are parties, respectively, to Additional Protocols I and II thereto, of 1977;

WELCOMING the 60th anniversary of the adoption of the four 1949 Geneva Conventions, and recalling the 150th anniversary of the Battle of Solferino, an event that heightened the awareness of the international community that efforts should be made to prevent the humanitarian consequences of conflicts from affecting those who do not take part or no longer take part in them;

URGING member states to become parties to the Additional Protocol to the Geneva Conventions of 1949, on the adoption of an additional distinctive emblem (Additional Protocol III), taking into consideration that nine member states in the region have already done so;

RECALLING that 11 member states have issued the declaration envisioned in Article 90 of Additional Protocol I, of 1977, on recognition of the competence of the International Humanitarian Fact-Finding Commission;

TAKING NOTE of the Report of the Secretary-General of the United Nations (A/63/118 and A/63/118 add. 1) and of resolution 63/125 of the United Nations General Assembly, both of them on the status of the Additional Protocols to the Geneva Conventions of 1949 relating to the protection of victims of armed conflicts;

AWARE of the Hemisphere’s rich cultural heritage, which contains cultural assets recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as world heritage, and which would benefit from the systems for the promotion and protection of international humanitarian law;

NOTING that 10 states have ratified or acceded to, as the case may be, the International Convention for the Protection of All Persons from Enforced Disappearance, adopted on December 20, 2006, by the United Nations General Assembly, six of which are states of the Hemisphere, and that 20 ratifications are needed for the Convention to enter into force;

RECALLING the 10th anniversary of the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), on December 3 and 4, 1997;

RECOGNIZING the important advisory work of the national committees or commissions on international humanitarian law as part of the efforts of states in the area of promotion of and respect for that law, and that 18 member states of the Organization have such bodies;
RECALLING the Regional Conference for Latin America and the Caribbean on Cluster Munitions, held in Quito, Ecuador, on November 6 and 7, 2008;

RECOGNIZING the adoption of the Convention on Cluster Munitions on May 30, 2008, in Dublin, Ireland, and its signing by 94 states, 15 of which are member states, with Mexico becoming the first state to ratify it, at the signing ceremony held in Oslo, Norway, on December 3 and 4, 2008;

RECOGNIZING ALSO the efforts made by the Group of Governmental Experts of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, to develop an instrument that fully addresses the consequences of cluster munitions;

NOTING WITH CONCERN the new situations that arise in the context of armed conflicts, such as the use of military and private security companies, and noting that there are initiatives in which some countries of the region participate, aimed at dealing with international legal obligations and best practices of states related to the operations of such companies; and

EMPHASIZING the special role of the International Committee of the Red Cross (ICRC) as a neutral, impartial, and independent institution working to protect and assist the victims of armed conflicts and other situations of armed violence, as well as to promote respect for the rules and principles of international humanitarian law,

RESOLVES:

1. To urge member states and the parties engaged in armed conflict to honor and fulfill their obligations under international humanitarian law, including those pertaining to safeguarding the life, well-being, and dignity of protected persons and property, and the proper treatment of prisoners of war.

2. To urge those member states that have not yet done so to consider becoming parties to the following treaties, among others:


   b. The 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity;

   c. The 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention);

   d. The 1977 Protocols I and II Additional to the Geneva Conventions of 1949, as well as Additional Protocol III, of 2005, including the declaration contained in Article 90 of Additional Protocol I;


g. The 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention);

h. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention);

i. The 1998 Rome Statute of the International Criminal Court; and

j. The International Convention for the Protection of All Persons from Enforced Disappearance.

3. To invite the member states to disseminate as widely as possible the rules and principles of international humanitarian law, in particular by incorporating them into military doctrine and manuals, so that armed forces will have the means and mechanisms necessary for their effective application, and by making use of the pertinent media so that such law may be familiar to the civilian population.

4. To urge the member states to adjust their criminal law in order to meet their legal obligations under the 1949 Geneva Conventions and, in the case of the states parties thereto, the 1977 Additional Protocol I thereto and the Rome Statute of the International Criminal Court, with respect to the definition of war crimes, universal jurisdiction for these grave breaches, and the responsibility of superiors for the acts of their subordinates, among other pertinent provisions.

5. Also to urge the member states that have not yet done so to adopt, in accordance with their internal law and pursuant to international law, legislative or other measures necessary to establish non-applicability of statutory limitations to the most serious violations of international humanitarian law constituting crimes under international law.

6. To invite the member states that are parties to the Rome Statute to cooperate fully with the International Criminal Court and to define under their domestic criminal law the crimes that are within its jurisdiction.

7. To call upon the member states to enact laws to regulate the use of and respect for—and to prevent and, when applicable, punish the misuse of—the Red Cross, Red Crescent, and, where applicable, Red Crystal emblems, as well as their denominations, as established in relevant treaties.
8. To urge member states, in keeping with their obligations under international law, to adopt effective measures to prevent the disappearance of persons in cases of armed conflict or other situations of armed violence, to determine the fate of those who have disappeared, and to attend to the needs of their family members.

9. To encourage member states to ensure the adoption of the necessary measures and mechanisms to protect cultural property from the effects of armed conflict, in accordance with the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two protocols and other international obligations, and in particular to give consideration to the adoption of preventive measures related to the preparation of inventories, the planning of emergency measures, the appointment of competent authorities, and the enactment of laws to ensure respect for such property.

10. To remind those member states that are parties to the 1997 Ottawa Convention of their obligation to prevent and suppress any activity prohibited therein when it is carried out by persons or in territory under their jurisdiction or control, and of the importance of addressing the needs of victims of antipersonnel mines and, where appropriate, victims of explosive remnants of war, considering, as part of those needs, medical care, rehabilitation, and economic and social reintegration of the victims.

11. To urge member states and non-member states to participate at the highest possible level, as parties or observers, in the Second Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), to be held from November 30 to December 4, 2009, in Cartagena, Colombia.

12. To urge member states to adopt legislative and other measures, including criminal legislation, to strengthen national institutions and coordination among national institutions, and regional and subregional cooperation, for implementation of the 1925 Geneva Protocol, the 1972 Biological Weapons Convention, and the 1993 Chemical Weapons Convention, *inter alia* by adopting or developing codes of conduct and of professional ethics for the scientific and industrial community, with the aim of preventing misuse in the context of advances in bioscience and biotechnology research, and considering national, regional, and international measures to improve biosafety and biosecurity, including laboratory safety and the security of pathogens and toxins.

13. To remind member states that are parties to the various international instruments that prohibit or restrict, for humanitarian reasons, the use of certain arms, of their obligations under those instruments, including the prevention and suppression of any prohibited action as well as, as appropriate, the provision of proper care to victims.

14. To invite member states to step up their efforts to strengthen safeguards for civilians against the use and indiscriminate effects of arms and munitions in general, especially through the adoption of laws aimed at strengthening control over the illicit manufacturing of and trafficking in firearms and other related materials.
15. To call upon member states to adopt all necessary measures to comply with their respective international obligations regarding the recruitment and use of children in armed forces or armed groups and to prevent their participation in hostilities, in accordance with rules and principles of international humanitarian law, international human rights law, and international refugee law.

16. To invite member states that have not yet done so to consider signing the Convention on Cluster Munitions; and to invite member states that have done so to ratify it as soon as possible, with a view to its prompt entry into force; also to invite member states to continue participating in the Group of Governmental Experts of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, in order to develop an instrument that fully addresses the consequences of cluster munitions.\(^3\)

17. To encourage member states to establish procedures for determining, when studying, developing, acquiring, or adopting a new weapon or new means or methods of warfare, whether using, manufacturing, stockpiling, exporting, or transferring them would be contrary to international humanitarian law, and, in that event, to prohibit their use by the armed forces and their manufacture for such purposes.

18. To encourage interested member states to participate in the meetings of the open-ended working group established by United Nations General Assembly resolution 63/240, so as to be able to conclude a legally binding treaty on the import, export, and transfer of conventional arms.

19. To invite member states to continue to support the work of national committees or commissions responsible for the implementation and dissemination of international humanitarian law; and to urge any state without such a body to consider establishing one, as a means of preventing conflicts and strengthening international humanitarian law.

20. To express its satisfaction with the cooperation between the Organization of American States (OAS) and the International Committee of the Red Cross (ICRC) in promoting respect for international humanitarian law and the principles that govern that law; and to urge the General Secretariat to continue to strengthen such cooperation.

21. To request the Inter-American Juridical Committee (CJI) to continue preparing and to propose model laws to support the efforts made by member states to fulfill obligations under international humanitarian law treaties, on the basis of priority topics determined in consultation with the member states and the ICRC; to that end, member states are urged to forward to the CJI, by the end of November 2009, a list of such priority topics, to enable the Committee to carry out that mandate in due course and report to the General Assembly at its fortieth regular session on the progress made.

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3. The delegation of Brazil supports all initiatives aimed at strengthening existing international humanitarian law provisions governing the use of weapons and the difference between military and civilian purposes. With respect to cluster munitions, Brazil prefers to debate the issue within the scope of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
22. To request the General Secretariat to continue organizing, within the framework of the Committee on Juridical and Political Affairs (CAJP), through the Department of International Law and in coordination with the ICRC, courses and seminars for staff of the permanent missions to the OAS and for General Secretariat staff and the general public, in order to promote knowledge of and respect for international humanitarian law and related regional instruments, including measures for their effective implementation.

23. To instruct the Permanent Council to hold, with support from the Department of International Law and in cooperation with the ICRC, a special meeting with a high-level dialogue in which the permanent representative of each member state may participate, on topics of current interest in international humanitarian law, prior to the fortieth regular session of the General Assembly.

24. To invite member states to continue, within the high-level dialogue of the special meeting and in pertinent forums, the discussion of topics of interest to the region, urging the CAJP to present the agenda for the special meeting to the member states sufficiently in advance.

25. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2508 (XXXIX-O/09)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,


REITERATING the principles established in the Charter of the Organization of American States and in the Inter-American Democratic Charter, especially those referred to in its Chapter III, “Democracy, Integral Development, and Combating Poverty”;

RECALLING the pertinent rules of international human rights, humanitarian, and refugee law; and recognizing that the protection of internally displaced persons has been reinforced by the definition and consolidation of specific protection standards, in particular the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons;

RECALLING ALSO that, according to those guiding principles, internally displaced persons are “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border”;

EMPHASIZING that the states have the primary responsibility to respect, promote, and protect the human rights of all persons within their jurisdiction, including internally displaced persons, and to provide them with adequate protection and assistance, as well as to address, as appropriate, the causes of the internal displacement problem and to do so, when required, in cooperation with the international community;

RECOGNIZING that several countries in the Hemisphere are using the Guiding Principles on Internal Displacement and including them in the development of national policies and strategies;

TAKING INTO ACCOUNT that internal displacement affects a large number of persons, and that the needs of internally displaced persons, particularly with regard to protection and assistance, must be addressed immediately and comprehensively;
EMPHASIZING the importance of implementing effective policies for preventing and avoiding forced internal displacement and for protecting and assisting displaced persons during displacement and during return or resettlement and reintegration, including through the implementation of applicable international law;

UNDERSCORING that to promote enhanced protection for internally displaced persons, comprehensive strategies and lasting solutions are needed which include, among other aspects, a free and informed decision by internally displaced persons as to whether to return to their place of origin, to integrate locally in the place to which they were displaced, or to resettle elsewhere in the country; and

NOTING WITH APPRECIATION the High-Level Conference “Ten Years of Guiding Principles on Internal Displacement – Achievements and Future Challenges,” held in Oslo, Norway, on October 16 and 17, 2008, at which the document “Protecting Internally Displaced Persons: A Manual for Law and Policymakers” was presented, to provide practical guidance to national authorities in their development and enactment of domestic legislation and policies on international displacement in their countries and, as appropriate, in bringing domestic laws into line with the Guiding Principles,

RESOLVES:

1. To urge member states to include, as appropriate, in their sectoral plans, policies, and programs, the special needs of internally displaced persons, in particular the preparation of programs on prevention of the diverse causes and consequences of that displacement, including programs to foster development and fight poverty and to reduce the risk of natural disasters, in which the needs of receiving communities could be taken into account.

2. To urge member states to consider using the Guiding Principles on Internal Displacement, prepared by the Special Representative of the United Nations Secretary-General on Internally Displaced Persons, which reflect certain aspects of international human rights law and international humanitarian law, as a basis for their plans, policies, and programs in support of such persons, and, in accordance with international law, in support of, inter alia, indigenous communities and communities of African descent, and the specific needs of children, women, the elderly, farm workers, and persons with disabilities, as appropriate, to consider incorporating said principles into their national laws in order to promote their implementation and transparency in policies for the protection of internally displaced persons.

3. In order to avoid the internal displacement of persons, to encourage member states to address the factors that cause it and to establish preventive policies, such as early warning, bearing in mind that dialogue with all the actors involved is essential to the achievement of lasting solutions.

4. To call upon member states to comply with their obligations under applicable international humanitarian law, international human rights law, and refugee law in dealing with internally displaced persons, including in the possible prevention of internal displacement.
5. To urge member states, in keeping with their responsibility to internally displaced persons, based on comprehensive strategies and from a human rights perspective, to commit to providing them with protection and assistance during displacement, through competent national institutions; and to invite member states to commit to seeking lasting solutions, including the safe, voluntary, and dignified return of internally displaced persons and their resettlement and reintegration, whether in their place of origin or in the receiving community.

6. To call upon states, in the care they provide to internally displaced persons, to protect their human rights through a comprehensive approach to disaster relief and reconstruction, consistent with international human rights law and domestic law, taking into account the Guiding Principles on Internal Displacement.

7. To urge states to work together by fostering the exchange of best practices for the effective protection of the human rights of internally displaced persons as well as in the development and implementation of public policy to prevent displacement, including displacement caused by natural disasters, through measures to reduce disaster risk.


9. To encourage the states and competent authorities to seek new and appropriate ways of providing protection and assistance to displaced persons, in keeping with the different needs of residents of urban or rural areas or persons living in camps.

10. To appeal to the appropriate agencies of the United Nations and the inter-American system, and to other humanitarian organizations and the international community, to provide support and/or assistance, as requested by states, in addressing the various factors that cause internal displacement and in assisting persons affected by internal displacement at all stages, where account should be taken of the Guiding Principles on strengthening of the coordination of humanitarian emergency assistance.

11. To instruct the Permanent Council to follow up on this resolution as it sees fit.
AG/RES. 2509 (XXXIX-O/09)

RIGHT TO THE TRUTH

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2175 (XXXVI-O/06), AG/RES. 2267 (XXXVII-O/07), and AG/RES. 2406 (XXXVIII-O/08), “Right to the Truth”;

CONSIDERING the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights (Pact of San José, Costa Rica), the Inter-American Convention to Prevent and Punish Torture, and the Inter-American Convention on Forced Disappearance of Persons;

CONSIDERING IN PARTICULAR Articles 25, 8, 13, and 1.1 of the American Convention on Human Rights, related, respectively, to the right to judicial protection, the right to a fair trial and judicial guarantees, the right to freedom of expression, and the obligation of states to respect and guarantee human rights;

CONSIDERING ALSO the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1949 Geneva Conventions and the 1977 Additional Protocols thereto, the 2006 International Convention for the Protection of All Persons from Enforced Disappearance, and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action;

NOTING the universality, interdependence, indivisibility, and interrelatedness of civil, political, economic, social, and cultural rights;

TAKING NOTE of Articles 32 and 33 of Additional Protocol I, adopted on June 8, 1977, to the Geneva Conventions of August 12, 1949, and relating to the protection of victims of international armed conflicts, which recognize the right of families, as soon as circumstances permit, to know the fate of persons who have disappeared in armed conflicts;

EMPHASIZING that adequate steps to identify victims should also be taken in situations not amounting to armed conflict, especially in cases of severe or systematic violations of human rights;

RECALLING Resolution 2005/66 of the United Nations Commission on Human Rights, on the right to the truth, as well as decision 2/105 and resolution 9/11, both of the United Nations Human Rights Council;

RECALLING ALSO resolution AG/RES. 445 (IX-O/79), on the promotion of human rights, and resolutions AG/RES. 510 (X-O/80), AG/RES. 618 (XII-O/82), AG/RES. 666 (XIII-O/83), and AG/RES. 742 (XIV-O/84), on forced disappearance;
TAKING INTO ACCOUNT resolution AG/RES. 2134 (XXXV-O/05) on persons who have disappeared and resolutions AG/RES. 2231 (XXXVI-O/06), AG/RES. 2295 (XXXVII-O/07), and AG/RES. 2416 (XXXVIII-O/08), on persons who have disappeared and assistance to members of their families;

TAKING INTO ACCOUNT ALSO the International Convention for the Protection of All Persons from Enforced Disappearance, adopted in 2006 by the United Nations General Assembly through resolution 61/177, which, in its Preamble and in Article 24.2, recognizes the right to the truth in that it states that each victim has the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation, and the fate of the disappeared person, and establishes that it is the obligation of each state party to take appropriate measures in this regard;

NOTING that the General Assembly has received the reports of the Inter-American Commission on Human Rights (IACHR) on the human rights situation in certain countries of the region, which refer to the right to the truth and recognize that the disappearance of persons causes suffering and hardship, especially to family members and any other person having a legitimate interest, who are uncertain about their fate and unable to provide them with legal, moral, and material assistance;

NOTING ALSO that the IACHR and the Inter-American Court of Human Rights have recognized the right to the truth in their respective recommendations and judgments in various individual cases of human rights violations;

TAKING NOTE of the oral progress report presented by the IACHR in April 2008 on the preparation of the report requested in resolution AG/RES. 2267 (XXXVII-O/07);

MINDFUL that the right to the truth may be characterized differently in some legal systems as the right to know or to be informed or as freedom of information;

RECALLING the reports of the Office of the United Nations High Commissioner for Human Rights on right to the truth (E/CN.4/2006/91, A/HRC/5/7) and their conclusions regarding the right to the truth in cases of gross human rights violations and serious violations of international humanitarian law;

RECALLING ALSO the conclusions of the regional seminar “Memory, Truth, and Justice: Our Recent Past,” held in the context of the Meeting of Competent High Authorities on Human Rights and Foreign Ministries of MERCOSUR and Associated States, in November 2005, which recognize the collective dimension of the right to the truth;

EMPHASIZING that the regional community should make a commitment to recognize the right of victims of gross violations of human rights and serious violations of international humanitarian law, and of their families and society as a whole, to know the truth regarding such violations to the fullest extent practicable, in particular the identity of the perpetrators, the causes and facts of such violations, and the circumstances under which they occurred;
EMPHASIZING ALSO that it is important for states to provide effective mechanisms for society as a whole and, in particular, for members of the victims’ families to learn the truth regarding gross violations of human rights and serious violations of international humanitarian law; and

CONVINCED that states, within the framework of their own internal legal systems, should preserve records and other evidence concerning gross violations of human rights and serious violations of international humanitarian law, in order to facilitate knowledge of such violations, investigate allegations, and provide victims with access to an effective remedy in accordance with international law, in order to prevent these violations from occurring again in the future, among other reasons,

RESOLVES:

1. To recognize the importance of respecting and ensuring the right to the truth so as to contribute to ending impunity and to promoting and protecting human rights.

2. To welcome the establishment in several states of specific judicial mechanisms, as well as other non-judicial or ad hoc mechanisms, such as truth and reconciliation commissions, that complement the justice system, to contribute to the investigation of violations of human rights and of international humanitarian law; and to express appreciation for the preparation and publication of the reports and decisions of these bodies.

3. To encourage the states concerned to disseminate and implement the recommendations of national non-judicial or ad hoc mechanisms, such as truth and reconciliation commissions, to monitor the implementation of said recommendations at the domestic level, and to report on compliance with the decisions of judicial mechanisms.

4. To encourage other states to consider the possibility of establishing specific judicial mechanisms and, where appropriate, truth commissions or other similar bodies to complement the justice system in order to contribute to the investigation and punishment of gross violations of human rights and serious violations of international humanitarian law.

5. To encourage states and the Inter-American Commission on Human Rights (IACHR), within its sphere of competence, to provide the states that so request with necessary and appropriate assistance concerning the right to the truth, through, *inter alia*, technical cooperation and information exchange on national administrative, legislative, and judicial measures applied, as well as experiences and best practices geared toward the protection, promotion, and implementation of this right.

6. To urge those states that have not already done so to consider signing and ratifying the International Convention for the Protection of All Persons from Forced Disappearance.

7. Once again to request the IACHR to continue working on the preparation of a report, for presentation to the Permanent Council in the second half of 2009, on the evolution of the right to the truth in the Hemisphere, which report shall include national mechanisms and experiences in this regard. This will be done with a view to the Permanent Council’s holding, in the first half of 2010, a
special meeting on the right to the truth to discuss the IACHR report and exchange national experiences.

8. To encourage all states to take appropriate measures to establish mechanisms or institutions for reporting information on human rights violations and ensuring that citizens have appropriate access to said information, in order to further the exercise of the right to the truth, prevent future human rights violations, and establish accountability in this area.

9. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2510 (XXXIX-O/09)

STUDY OF THE RIGHTS AND THE CARE OF PERSONS
UNDER ANY FORM OF DETENTION OR IMPRISONMENT

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1816 (XXXI-O/01), AG/RES. 1897 (XXXII-O/02), AG/RES. 1927 (XXXIII-O/03), AG/RES. 2037 (XXXIV-O/04), AG/RES. 2125 (XXXV-O/05), AG/RES. 2233 (XXXVI-O/06), AG/RES. 2283 (XXXVII-O/07), and AG/RES. 2403 (XXXVIII-O/08);

TAKING INTO ACCOUNT:

That in the inter-American system the member states of the Organization of American States undertake to respect and protect the human rights of persons who have been deprived of liberty, including all applicable rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are party;

That consultations with the member states on this subject have continued within the Committee on Juridical and Political Affairs and that a number of them have replied to the questionnaire prepared for that purpose (CP/CAJP-1853/01 rev. 1);

The conclusions and recommendations of the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI), including those on a possible inter-American declaration on the rights, duties, and care of persons under any form of detention or imprisonment and those on the feasibility of preparing a hemispheric manual on penitentiary rights, taking as a basis the United Nations Standard Minimum Rules for the Treatment of Prisoners (REMJA-VI/doc.21/06 rev. 1, paragraphs 4.d and b); and

The conclusions and recommendations of the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VII/doc.7/08 rev. 1), held in Washington, D.C., on April 30, 2008;

TAKING NOTE of the “Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas,” adopted by the Inter-American Commission on Human Rights at its 131st regular session through resolution 01/08; and

UNDERSCORING the need to take concrete measures to prevent overcrowding and violence in detention centers in the Americas in order to ensure the exercise of the human rights of persons deprived of liberty,
RESOLVES:

1. To urge member states to comply, under all circumstances, with all applicable international obligations to respect the human rights of persons under any form of detention or imprisonment, including the rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are party.

2. To instruct the Permanent Council to continue studying the question of the rights and the care of persons under any form of detention or imprisonment, in cooperation with the competent organs and entities of the inter-American system and taking into account the conclusions and recommendations of the Seventh Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VII) (REMJA-VII/doc.7/08 rev. 1), including the reports of the meetings of officials responsible for penitentiary and prison policies.

3. To request the Inter-American Commission on Human Rights (IACHR), through the Rapporteurship on the Rights of Persons Deprived of Liberty in the Americas, to continue reporting on the situation of persons under any form of detention or imprisonment in the Hemisphere and, using as a basis its work on the subject, to continue making reference to the problems and best practices it observes.

4. To congratulate and acknowledge those member states that have invited the Rapporteur on the Rights of Persons Deprived of Liberty in the Americas of the IACHR to visit their countries, including their detention centers; and to encourage all member states to facilitate such visits.

5. To recognize also the important work of the International Committee of the Red Cross, within its sphere of competence, to help persons deprived of liberty in detention centers and prisons to receive humane treatment.

6. To call upon member states to consider allocating more funds to the IACHR to enable it to support the effective fulfillment of the mandate assigned to its Rapporteurship on the Rights of Persons Deprived of Liberty in the Americas.

7. To reiterate to the Permanent Council that, on the basis of the results of the discussions and studies conducted, including the inputs of the IACHR, such as the document entitled “Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas,” the work of the Special Rapporteur on the Rights of Persons Deprived of Liberty in the Americas of the IACHR, and the results of the Second Meeting of the Working Group on Penitentiary and Prison Policies, held pursuant to the REMJA-VII decision, it should consider the possibility of drafting an inter-American declaration on the rights, duties, and care of persons under any form of detention or imprisonment, with a view to strengthening existing international standards on these topics, and also consider the feasibility of preparing a hemispheric manual on penitentiary rights, taking as a basis the United Nations Standard Minimum Rules for the Treatment of Prisoners and keep the member states abreast of developments in this regard.
8. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2511 (XXXIX-O/09)

PROTECTION OF ASYLUM SEEKERS AND REFUGEES IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

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

WELCOMING that 28 member states of the Organization of American States 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; that Nicaragua adopted the Refugee Protection Law in July 2008; and that Chile and Mexico are in the process of adopting domestic legislation on refugees;

UNDERSCORING the importance of the Cooperation Agreement signed on November 12, 2007, by the General Secretariat and the Office of the United Nations High Commissioner for Refugees (UNHCR) to promote international refugee law in the Hemisphere;

RECOGNIZING the commitment assumed by the 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;

RECOGNIZING ALSO 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, faithful to their generous tradition of asylum even under difficult socioeconomic conditions, to continue extending protection to asylum seekers and refugees;

UNDERSCORING the importance of implementation of the Mexico Plan of Action to Strengthen the International Protection of Refugees in Latin America, adopted by 20 Latin American states on November 16, 2004, in Mexico City, in the context of the commemoration of the 20th anniversary of the 1984 Cartagena Declaration on Refugees, in order to meet protection needs and to make progress in the search for durable solutions for refugees in the region, and the various activities carried out by the governments concerned and the UNHCR, with the support of the international community, to ensure its effective implementation;
WELCOMING the initiatives taken in accordance with that Plan of Action by Argentina, Brazil, and Chile to establish and implement the Regional Solidarity Resettlement Program, and the incorporation of Uruguay and Paraguay into said program as emerging resettlement countries;

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;

RECOGNIZING the responsibility of states to provide international protection to refugees on the basis of the principles of international solidarity and responsibility-sharing; and

HIGHLIGHTING the importance of the First Course on International Refugee Law for the permanent missions of the member states, the General Secretariat, and other interested parties, held on February 19, 2009, by the Permanent Council through the Committee on Juridical and Political Affairs, with support from the Department of International Law of the General Secretariat and from the UNHCR,

RESOLVES:

1. To reaffirm its support for, and emphasize the relevance and fundamental importance of, the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, as the principal universal instruments for the protection of refugees; and to urge the member states that are parties thereto to continue to implement fully and effectively their obligations in that regard.

2. To urge those states parties 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 stateless persons, and to promote the adoption of procedures and institutional mechanisms for their effective application, in accordance with those instruments.

3. To urge member states to study the possible link between trafficking in persons and the international protection of refugees; and to encourage them to provide victims of trafficking in persons and others who cannot return to their countries of origin, in accordance with domestic legislation, some form of subsidiary protection, or international refugee protection for those who meet the requirements for refugee status under the United Nations Convention Relating to the Status of Refugees of 1951 and its Protocol of 1967.

4. To support the Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America and to continue implementing it fully and effectively, with assistance from the international community and from the Office of the United Nations High Commissioner for Refugees (UNHCR).

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.
6. 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 to 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.

7. To recognize the efforts and the progress that the 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.

8. 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.

9. 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, an annual course on international refugee law for staff of the permanent missions of member states, General Secretariat personnel, and other interested parties.

10. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2512 (XXXIX-O/09)

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1840 (XXXII-O/02), AG/RES. 1906 (XXXII-O/02), AG/RES. 1931 (XXXIII-O/03), AG/RES. 2035 (XXXIV-O/04), AG/RES. 2143 (XXXV-O/05), AG/RES. 2238 (XXXVI-O/06), AG/RES. 2271 (XXXVII-O/07), and AG/RES. 2415 (XXXVIII-O/08), and the Report on Terrorism and Human Rights, prepared by the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.116 – Doc.5 rev. 1);

REAFFIRMING the principles and purposes of the Charter of the Organization of American States (OAS) and the Charter of the United Nations;

EMPHASIZING that all persons are born free and are entitled to the human rights and fundamental freedoms recognized in the Universal Declaration of Human Rights, without distinction of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or other status, and that this applies in all circumstances, in accordance with international law;

REAFFIRMING the fundamental importance, including in the response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law;

REAFFIRMING ALSO that counterterrorism measures should be implemented in full consideration of the human rights of all, including persons belonging to national or ethnic, religious, and linguistic minorities, and must not be discriminatory on grounds such as race, color, sex, language, religion, or social origin;

REITERATING that all persons are equal before the law and have the rights and duties established in the American Declaration of the Rights and Duties of Man, without distinction as to race, sex, language, creed, or any other factor;

REAFFIRMING that states are under the obligation to protect all human rights and fundamental freedoms of all persons;

RECOGNIZING that respect for all human rights, respect for democracy, and respect for the rule of law are interrelated and mutually reinforcing;

RECOGNIZING ALSO that the adoption of measures to ensure respect for human rights for all and the rule of law is one of the pillars of the Plan of Action of the United Nations Global Counter-Terrorism Strategy, adopted by consensus in 2006;
REAFFIRMING that acts, methods, and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms, and democracy, threatening the territorial integrity and security of states and destabilizing legitimately constituted governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism;

REAFFIRMING ALSO its unequivocal condemnation of all acts, methods, and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable; and renewing its commitment to strengthen international cooperation to prevent and combat terrorism;

DEEPLY DEPLORING the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law;

DEPLORING ALSO the suffering caused by terrorism to the victims and their families, expressing its profound solidarity with them and stressing the importance of providing them with proper assistance;

TAKING INTO ACCOUNT:

That, in the Declaration on Strengthening Border Controls and International Cooperation in the Fight against Terrorism, adopted in Washington, D.C., on March 6, 2009, the member states reaffirmed that terrorism in all its forms and manifestations, whatever its origin or motivation, has no justification whatsoever, affects the full enjoyment and exercise of human rights, and constitutes a grave threat to international peace and security, democratic institutions and values, and the stability and prosperity of the countries of the region;

That, in the Declaration on Security in the Americas, the states of the Hemisphere renewed their commitment, reiterated in the Declaration of San Carlos and the Declaration of Panama, to fight terrorism and its financing, with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001); and

That, in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Declaration of Nuevo León of the Special Summit of the Americas, and the Declaration of Port of Spain of the Fifth Summit of the Americas, the Heads of State and Government agreed to take all necessary steps to prevent and counter terrorism and its financing, in full compliance with their obligations under international law, including international human rights law, international refugee law, and international humanitarian law;

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that
WELCOMING that the Inter-American Convention against Terrorism entered into force on July 10, 2003, and that to date 24 countries have ratified it;

CONSIDERING the report of the Meeting of Governmental Experts to Exchange, from a Human Rights Perspective, Best Practices and National Experiences in Adopting Antiterrorism Measures, held on February 12 and 13, 2004 (CP/CAJP-2140/04);

CONSIDERING ALSO the document entitled “Recommendations for the Protection of Human Rights by OAS Member States in the Fight against Terrorism” (CP/doc.4117/06), prepared by the Inter-American Commission on Human Rights (IACHR), which supplements the IACHR Report on Terrorism and Human Rights, of October 22, 2002 (OEA.Ser.L/V/II.116, Doc. 5 rev. 1);

REAFFIRMING:

That, in the fight against terrorism, any detained person suspected to be involved in a terrorist act will enjoy the rights and guarantees provided by applicable international law, in particular international human rights law and international humanitarian law;

That the means the state can use to protect its security or that of its citizens in the fight against terrorism should, under all circumstances, be consistent with applicable international law, in particular international human rights law, international humanitarian law, and international refugee law; and

That terrorism cannot and should not be associated with any religion, nationality, civilization, or ethnic group;

RECALLING that, under Article 27 of the American Convention on Human Rights and Article 4 of the International Covenant on Civil and Political Rights, it is recognized that some rights are non-derogable under any circumstances, and that, with respect to rights that may be subject to derogation, states may take measures derogating from their obligations under these conventions to the extent and, with respect to the American Convention, for the period of time strictly required by the exigencies of the situation, provided that such measures are not inconsistent with the other rights and obligations prescribed under international law; and emphasizing that, in the inter-American system, the protection of non-derogable rights includes essential judicial guarantees for their protection; and

OBSERVING WITH CONCERN measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and of due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities and the return of suspects to countries without a case-by-case assessment of the possible existence of substantial grounds for believing that they would be in danger of subjection to torture, and limitations on effective scrutiny of counterterrorism measures,

the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
RESOLVES:

1. To reaffirm that the fight against terrorism must be waged with full respect for the law, including compliance with due process, and for human rights, comprising civil, political, economic, social, and cultural rights, as well as for democratic institutions, so as to preserve the rule of law and democratic freedoms and values in the Hemisphere.

2. To reaffirm that all member states have a duty to ensure that all measures adopted to combat terrorism are in compliance with their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law.

3. To urge states, while countering terrorism, to fully comply with their obligations against cruel, inhuman, or degrading treatment or punishment, in particular the absolute prohibition of torture.

4. To call upon states to ensure that their laws criminalizing terrorist conduct and/or activities are accessible, formulated with precision, nondiscriminatory, non-retroactive, and in accordance with applicable international law, including human rights law, international humanitarian law, and international refugee law.

5. To urge states not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including discrimination on racial, ethnic, and/or religious grounds.

6. To urge states to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light indicating that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law.

7. To urge states to respect the safeguards concerning the liberty, security, and dignity of the person and to treat prisoners in all places of detention in accordance with applicable international law, including human rights law and international humanitarian law.

8. To call upon all member states, with a view to fulfilling the commitments undertaken in this resolution, to consider signing and ratifying, ratifying, or acceding to, as the case may be and as soon as possible, the Inter-American Convention against Terrorism and the American Convention on Human Rights; and to urge the states parties to take appropriate steps to implement the provisions of those treaties.

9. To urge member states to promote and apply at every level the United Nations Global Counter-Terrorism Strategy and its Plan of Action in order to move toward the common goal of eradicating the scourge of international terrorism, taking into account that one of its mainstays is ensuring respect for human rights while countering terrorism.
10. To request the Inter-American Commission on Human Rights (IACHR) to continue promoting respect for and the defense of human rights and facilitating efforts by member states to comply appropriately with their international human rights commitments when developing and executing counterterrorist measures, including the rights of persons who might be at a disadvantage, subject to discrimination, or at risk as a result of terrorist violence or counterterrorist initiatives, and to report to the Permanent Council on the advisability of conducting a follow-up study.

11. To request the Permanent Council to consider preparing, on the basis of the “Recommendations for the Protection of Human Rights by OAS Member States in the Fight against Terrorism,” prepared by the IACHR, and the results of consultations with the Inter-American Committee against Terrorism (CICTE) and the member states, draft common terms of reference for the protection of human rights and fundamental freedoms in the fight against terrorism which would compile current international standards and be based on applicable international law and on best practices, for consideration by the General Assembly.

12. To reiterate the importance of intensifying dialogue among CICTE, the IACHR, and other pertinent areas of the Organization, with a view to improving and strengthening their ongoing collaboration on the issue of protecting human rights and fundamental freedoms while countering terrorism.

13. To urge member states to respect, in accordance with their obligations, the human rights of all persons deprived of their liberty in high-security detention centers, particularly observance of due process.

14. To reaffirm that it is imperative that all states uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism.

15. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2513 (XXXIX-O/09)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE TO MEMBERS OF THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2134 (XXXV-O/05), AG/RES. 2231 (XXXVI-O/06), AG/RES. 2295 (XXXVII-O/07), and AG/RES. 2416 (XXXVIII-O/08) on this subject;

TAKING INTO ACCOUNT resolution AG/RES. 2406 (XXXVIII-O/08) and resolutions from prior years on the right to the truth;

TAKING INTO ACCOUNT ALSO that the problem of missing persons and assistance to members of their families is addressed in international humanitarian law and international human rights law within their respective spheres of application;

DEEPLY CONCERNED over the suffering caused both by the disappearance of persons as a result of armed conflict or other situations of armed violence and by forced disappearances;

RECOGNIZING the need to alleviate the anxiety and uncertainty suffered by the family members of persons who are presumed to have disappeared, as well as their right to learn about the fate of those persons, and, where appropriate, to receive legal remedy for the damage caused;

MINDFUL of the need to prevent the disappearance of persons, to ascertain the fate of those who have disappeared, and to respond to the needs of members of their families, both in situations of armed conflict or other situations of armed violence and in cases of forced disappearances;

GUIDED by the four Geneva Conventions of 1949 and the two Additional Protocols of 1977 thereto, the American Declaration of the Rights and Duties of Man of 1948, the American Convention on Human Rights of 1969, the Inter-American Convention on Forced Disappearance of Persons of 1994, the International Convention for the Protection of All Persons from Enforced Disappearance of 2006, and applicable international law;


NOTING the work that has been done at the international level on this matter, including the resolution on missing persons adopted by the 115th Assembly of the Inter-Parliamentary Union on October 18, 2006, which underscored the role of legislatures in promoting the adoption of policies and laws to better protect the rights of missing persons and members of their families, and resolution 1 of the 30th International Conference of the Red Cross and Red Crescent, held in Geneva from November 26 to 30, 2007, which urged the members of that Conference to continue and intensify their efforts to address the problem of missing persons and their family members; and

RECOGNIZING that forced disappearance is a multiple and continuous violation of various human rights and that it cannot be practiced, permitted, or tolerated, even in states of emergency or exception or of suspension of guarantees,

RESOLVES:

1. To urge all parties involved in armed conflict and actors in other situations of armed violence to prevent the disappearance of persons, in accordance with applicable international law.

2. To encourage member states to continue moving forward in preventing the forced disappearance of persons by considering, where appropriate, the adoption of laws, regulations, and/or instructions requiring the establishment of official registries in which records are kept of all detained persons, among other reasons to enable, as appropriate, family members, other interested persons, judicial authorities, and/or bodies that have a recognized mandate to protect detainees to learn, within a short period of time, of any detention that has taken place, all of the foregoing without interfering with appropriate communications between detainees and members of their families.

3. To encourage member states to pursue their efforts to ensure that all persons, especially those most at risk as a result of armed conflict or a situation of internal violence, receive an official identification document.

4. To urge member states to step up their efforts to shed light on the fate of persons who have disappeared, including their whereabouts or, if dead, the circumstances of their death and their place of burial, and to hand over their mortal remains to their family members, and, to that end, to ensure that authorities and all mechanisms involved coordinate their work, cooperate among themselves, and complement one another’s efforts.

5. To urge member states to maintain, in keeping with their legal and administrative system, complete birth and death records, and also to establish registries to collect and centralize information on persons presumed to have disappeared.
6. To urge member states to ensure that disappearance cases are impartially investigated by the competent authorities, in accordance with their international obligations and domestic legislation, and that the families of persons presumed to have disappeared are systematically involved in the efforts to clarify what has happened to them.

7. To encourage member states to address as fully as possible the psychological, social, legal, and material needs of the family members of presumed victims of disappearances through measures including, where appropriate, provision of periodic information to family members on the efforts to cast light on the fate of the disappeared and on their whereabouts.

8. To encourage member states to consider adopting, as applicable, domestic laws on the situation of missing persons regarding their legal rights and obligations and the uncertainty and hardship faced by family members, in order to provide a legal framework and appropriate remedies to deal with everyday practical issues, taking into account the specific needs and particular interests of women heads of household and children, including the consequences of disappearances on property management, child custody, parental rights, and marital status, as well as devising adequate compensation programs.

9. To urge member states to ensure that human remains are treated with due respect and in accordance with national and international practices and standards and legal and ethical standards applicable to the collection, exhumation, and management of unidentified remains, in order to assemble all the information needed to identify them and to ascertain the facts that led to that situation.

10. To encourage member states to take appropriate measures to ensure that the collection, exhumation, and management of human remains and other related procedures are carried out by forensic experts, respecting, where applicable, traditional practices.

11. To urge member states to ensure that fully identified human remains are returned to family members and that the respective death certificates are issued.

12. To urge member states to investigate cases of alleged violations of the provisions of international human rights law and/or international humanitarian law, within their respective spheres of application, that protect persons from disappearances in situations of armed conflict and other situations of armed violence, and to prosecute and punish those found guilty of such violations.

13. To urge member states to adopt necessary legislative and/or administrative measures to prevent and punish the arbitrary deprivation of liberty.

14. To urge member states to adopt necessary legislative and/or administrative measures to prevent the systematic and deliberate denial of information exchange among family members; obstacles to the provision of information on the disappearance of victims, in particular regarding identification processes; the illicit withholding of accessible information on a death or its cause and the reasons for or circumstances of a death; the destruction of evidence likely to clarify the fate of a person presumed to be missing; and the looting, desecration, or mutilation of corpses.
15. To urge member states to ensure adequate protection of the personal data gathered in connection with missing persons, in accordance with the law.

16. To urge member states to cooperate among themselves in addressing the various aspects of the problem of the disappearance of persons, including in the area of support for family members, the search for missing persons, the collection, exhumation, and identification of human remains, and mutual assistance in criminal proceedings.

17. To encourage member states to request support from international and civil society organizations to address the problem of the disappearance of persons.

18. To invite member states to continue their cooperation with the International Committee of the Red Cross, a recognized neutral and independent humanitarian institution, in its various areas of responsibility, and to facilitate its work.

19. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention on Forced Disappearance of Persons and the International Convention for the Protection of All Persons from Enforced Disappearance.

20. To urge states, as applicable, to endeavor to carry out the mandates set forth in this resolution on an ongoing basis.

21. To instruct the Permanent Council to follow up on this resolution.
AG/RES. 2514 (XXXIX-O/09)

ACCESS TO PUBLIC INFORMATION: STRENGTHENING DEMOCRACY1

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1932 (XXXIII-O/03), AG/RES. 2057 (XXXIV-O/04), AG/RES. 2121 (XXXV-O/05), AG/RES. 2252 (XXXVI-O/06), AG/RES. 2288 (XXXVII-O/07), and AG/RES. 2418 (XXXVIII-O/08), “Access to Public Information: Strengthening Democracy”;

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to the status of implementation of resolution AG/RES. 2418 (XXXVIII-O/08), “Access to Public Information: Strengthening Democracy” (AG/doc.4992/09 add. 1);

CONSIDERING that Article 13 of the American Convention on Human Rights provides that “[e]veryone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice”;

1. The Bolivarian Republic of Venezuela reaffirms the statement made in the footnote to resolution AG/RES. 2288 (XXXVII-O/07) as we consider that access to public information in the hands of the state must be consonant with Article 13 of the American Convention on Human Rights, which establishes that: “Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice.” Venezuela maintains that a democratic system must guarantee access to public information and must allow all citizens, without exception, to seek, receive, and impart information. When a citizen seeks information, he or she exercises, consciously and fully, the right to access information and the state must foster the adoption of legislative provisions that guarantee that right. Furthermore, the state must guarantee that same right for the poor, the underprivileged, and the socially excluded, based on the principle of equality before the law. Accordingly, it is necessary “to instruct the IACHR to conduct a study on how the state can guarantee to all citizens the right to receive public information in the framework of the principle of transparency and objectivity, in full exercise of the right to freedom of expression and as an effective mechanism of participation.” Along those lines, we underscore the conclusions and reflections of the special meeting on the right to public information, held on April 28, 2006, within the framework of the OAS, in which it was recognized that the media are responsible for ensuring that citizens receive, without distortions of any type, information provided by the state. Venezuela laments the fact that the message transmitted by the poor is again falling on deaf ears and it shares the views of those who denounce that denying access to information to the poor perpetuates their social and economic ostracism. For that reason, Venezuela again urges the Inter-American Commission on Human Rights to take the initiative and, under the powers vested in it by the American Convention on Human Rights, conduct the aforementioned study and report its findings to the General Assembly of the Organization of American States at its next regular session.
CONSIDERING ALSO that Article 19 of the Universal Declaration of Human Rights includes the right “to seek, receive and impart information and ideas through any media and regardless of frontiers”;

RECALLING that the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, indicates that governments will ensure that national legislation is applied equitably to all, respecting freedom of expression and access to public information by all citizens;

EMPHASIZING that Article 4 of the Inter-American Democratic Charter states that transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy;

REAFFIRMING the public nature of the acts and decisions of government organs and of the reasons for them, the documents supporting them or constituting a direct and essential complement to them, and the procedures used to promulgate them, without prejudice to exceptions that may be established in accordance with domestic law;

NOTING that, in the Declaration of Nuevo León, the Heads of State and Government affirmed that access to information held by the state, subject to constitutional and legal norms, including those on privacy and confidentiality, is an indispensable condition for citizen participation and promotes effective respect for human rights, and that, in that connection, they are committed to providing the legal and regulatory framework and the structures and conditions required to guarantee the right of access to public information;

CONSIDERING that the General Secretariat has been providing support to member state governments in dealing with the topic of access to public information;

NOTING the work accomplished by the Inter-American Juridical Committee on this issue, in particular resolution CJI/RES. 123 (LXX-O/07), “Right to Information,” attached to which is the report entitled “Right to Information: Access to and Protection of Information and Personal Data in Electronic Form” (CJI/doc.25/00 rev. 2), and resolution CJI/RES. 147 (LXXIII/08), “Principles on the Right of Access to Information”;

RECOGNIZING that the goal of achieving an informed citizenry must be rendered compatible with other societal aims, such as safeguarding national security, public order, and protection of personal privacy, pursuant to laws passed to that effect;

RECOGNIZING ALSO that democracy is strengthened through full respect for freedom of expression, access to public information, and the free dissemination of ideas, and that all sectors of society, including the media, through the public information they disseminate to citizens, may contribute to a climate of tolerance of all views, foster a culture of peace and non-violence, and strengthen democratic governance;

TAKING INTO ACCOUNT the important role civil society can play in promoting broad access to public information;


TAKING NOTE FURTHER of the report of the special meeting of the Committee on Juridical and Political Affairs (CAJP), held at the headquarters of the Organization of American States on December 15, 2008, with the participation of the member states, the General Secretariat, and civil society representatives, to examine the possibility of preparing an inter-American program on access to public information (CP/CAJP-2707/09);

RECALLING initiatives taken by civil society regarding access to public information, in particular, the Declaration of Chapultepec, the Johannesburg Principles, the Lima Principles, and the Declaration of the SOCIUS Peru 2003: Access to Information, as well as the outcomes of the Regional Forum on Access to Public Information, of January 2004; the Atlanta Declaration and Plan of Action for the Advancement of the Right of Access to Information, sponsored by the Carter Center, which addresses ways of advancing the implementation and exercise of the right of access to information; and the results of the International Seminar on Press, Litigation, and the Right to Public Information, held in Lima, Peru, on November 28, 2007;

BEARING IN MIND therefore the Americas Regional Conference on the Right of Access to Information, organized by the Carter Center and held in Lima, Peru, from April 28 to 30, 2009;

RECALLING that the media, the private sector, and political parties can likewise play an important role in facilitating access by citizens to information held by the state;

TAKING INTO ACCOUNT the Report on the Questionnaire regarding Legislation and Best Practices on Access to Public Information (CP/CAJP-2608/08), which is a contribution to the study of best practices concerning access to public information in the Hemisphere; and

\(2\). Reservation by Nicaragua: The Government of Nicaragua wishes to place on record its commitment to the promotion and protection of human rights, as enshrined in the Political Constitution of our country. At the same time, it considers it necessary for the Inter-American Commission on Human Rights not to apply a double standard in its analysis of the situation of human rights in the region. The elements of transparency, veracity of sources of information, and the impartiality and universality thereof would contribute to greater objectivity in the work of the Commission; therefore, its recommendations should not be used as an instrument to pressure some states.
WELCOMING WITH INTEREST the study “Recommendations on Access to Information,” submitted to the CAJP on April 24, 2008 (CP/CAJP-2599/08), a study organized by the Department of International Law pursuant to resolution AG/RES. 2288 (XXXVII-O/07), “Access to Public Information: Strengthening Democracy,”

RESOLVES:

1. To reaffirm that everyone has the right to seek, receive, access, and impart information and that access to public information is a requisite for the very exercise of democracy.

2. To urge member states to respect and promote respect for everyone’s access to public information and to promote the adoption of any necessary legislative or other types of provisions to ensure its recognition and effective application.

3. To encourage member states, in keeping with the commitment made in the Declaration of Nuevo León and with due respect for constitutional and legal provisions, to prepare and/or adjust their respective legal and regulatory frameworks, as appropriate, so as to provide the citizenry with broad access to public information.

4. Also to encourage member states, when preparing or adjusting their respective legal and regulatory frameworks, as appropriate, to provide civil society with the opportunity to participate in that process; and to urge them, when drafting or adjusting their national legislation, to take into account clear and transparent exception criteria.

5. To encourage member states to take the necessary measures, through their national legislation and other appropriate means, to make public information available electronically or by any other means that will allow ready access to it.

6. To encourage civil society organizations to make information related to their work available to the public.

7. To encourage states to consider, when they are designing, executing, and evaluating their regulations and policies on access to public information, where applicable, with the support of the appropriate organs, agencies, and entities of the Organization, implementing the recommendations on access to public information contained in the study organized by the Department of International Law of the Secretariat for Legal Affairs and submitted to the Committee on Juridical and Political Affairs (CAJP) on April 24, 2008.

8. To instruct the Permanent Council, in the framework of the CAJP, to:

   a. Convene in the second half of 2010 a special meeting with the participation of the member states, the General Secretariat, and representatives of civil society to examine the possibility of preparing an inter-American program on access to public information, bearing in mind the recommendations contained in the aforementioned study;
b. Update the Report on the Questionnaire regarding Legislation and Best Practices on Access to Public Information (CP/CAJP-2608/08), requesting to that end contributions from member states, the Special Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), the Inter-American Juridical Committee (CJI), the Department of International Law, the Department of State Modernization and Good Governance of the Secretariat for Political Affairs, interested entities and organizations, and civil society representatives; and

c. Include in the study mentioned in the preceding subparagraph the right of all citizens to seek, receive, and disseminate public information.

9. To instruct the Department of International Law to draft, in cooperation with the CJI, the Special Rapporteurship for Freedom of Expression of the IACHR, and the Department of State Modernization and Good Governance, and with the cooperation of the member states and civil society, a model law on access to public information and a guide for its implementation, in keeping with international standards in this field.

10. To instruct the Department of State Modernization and Good Governance, and to invite the Special Rapporteurship for Freedom of Expression of the IACHR, to support the efforts of member states that request such support in the design, execution, and evaluation of their regulations and policies with respect to access by citizens to public information.

11. To instruct the Department of International Law to update and consolidate the studies and recommendations on access to public information and the protection of personal data, using as a basis the contributions of member states, the organs of the inter-American system, and civil society.

12. To instruct the Special Rapporteurship for Freedom of Expression of the IACHR to continue to include in the Commission’s Annual Report a report on the situation regarding access to public information in the region.

13. To instruct the General Secretariat to identify new resources to support member states’ efforts to facilitate access to public information; and to encourage other donors to contribute to this work.

14. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2515 (XXXIX-O/09)

OBSERVATIONS AND RECOMMENDATIONS ON
THE ANNUAL REPORT OF THE INTER-AMERICAN JURIDICAL COMMITTEE
( Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee to the General Assembly (CP/CAJP-2742/09 rev. 1);


BEARING IN MIND the 74th regular session of the Committee, held in Bogotá, Colombia; and

CONSIDERING:

That Article 53 of the Charter of the Organization of American States (OAS) establishes the Inter-American Juridical Committee (CJI) as one of the organs of the Organization;

That Article 54.f of the OAS Charter provides that it is a function of the General Assembly to consider, inter alia, the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That on March 27, 2009, the CJI presented its annual report to the Committee on Juridical and Political Affairs of the Permanent Council, and that the Permanent Council has forwarded its observations and recommendations thereon to the General Assembly,

RESOLVES:

1. To express appreciation to the people and Government of the Republic of Colombia for offering to host the 74th regular session of the Inter-American Juridical Committee (CJI) in the city of Bogotá, from March 12 to 20, 2009, and for their strong and effective support to making that session a success.

2. To endorse the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee to the General Assembly and to forward them to the Juridical Committee.

3. To thank the Inter-American Juridical Committee (CJI) for including in its annual report resolution CJI/RES. 147 (LXXIII-O/08), which adopted principles on the right of access to

4. To take note of the importance of the Committee’s continuing consideration of issues related to the Inter-American Democratic Charter and in particular “the promotion and strengthening of democracy” by following up on the Inter-American Democratic Charter, assisting with its implementation by member states, supporting member states in their efforts to modernize and strengthen democratic institutions, and working to promote democratic values, practices, and governance, as well as the consideration of the issues in Article 11 of the Inter-American Democratic Charter.

5. To request the CJI to continue preparing and to propose model legislation to support the efforts made to fulfill obligations under international humanitarian law treaties, based on priority issues worked out with the member states and the International Committee of the Red Cross. To that end, member states are urged to forward to the CJI, no later than the end of November 2009, a list of said priority issues, so that the CJI may comply with that mandate.

6. To request the CJI to continue sending its inputs to the Working Group to Prepare a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

7. To acknowledge the importance of having included on the agenda of the CJI topics on cultural diversity in the development of international law and strengthening of the Committee’s advisory capacity, and to request the CJI to report to the General Assembly on gradual advances made in the development of these areas.

8. To request the CJI to prepare a study on the issue of asylum in the Americas taking into account the importance of the matter and the work being conducted by the Committee on Juridical and Political Affairs (CAJP) and by the Office of the United Nations High Commissioner for Refugees, pursuant to their respective mandates.

9. To request the CJI to conduct a study on the importance of guaranteeing the right of freedom of thought and expression of citizens, in light of the fact that free and independent media carry out their activities guided by ethical standards, which can in no case be imposed by the state, consistent with applicable principles of international law.

10. To underscore once again the importance of holding the Course on International Law, organized each year in Rio de Janeiro by the CJI and the Department of International Law of the Organization of American States (OAS); to highlight the importance of increasing the amount of OAS scholarship awards for that course; to urge member states to consider the possibility of paying directly for the participation of students and professors from their own countries; and to recognize the work of the Department of International Law in organizing the course and publishing its lectures.
11. To reaffirm the importance of the close ties maintained by the CJI with the political organs of the OAS, particularly the Permanent Council and the CAJP; and to recommend to the CJI that it continue to focus its efforts on the matters which the competent organs identify as being of priority interest to the Organization.

12. To emphasize the need to provide increased administrative and budgetary support to the CJI, so that it may adequately address the current inter-American legal agenda and issue the corresponding recommendations, within the resources allocated in the program-budget of the Organization and other resources.

13. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2516 (XXXIX-O/09)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION AND ON THE INTER-AMERICAN PROGRAM FOR COOPERATION IN THE FIGHT AGAINST CORRUPTION

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to this topic (AG/doc.4992/09 add. 1);

TAKING INTO ACCOUNT resolution AG/RES. 2410 (XXXVIII-O/08);

CONSIDERING the importance of the Inter-American Convention against Corruption and the fact that it has been ratified by 33 member states of the Organization of American States, and that 28 of those states participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC);

BEARING IN MIND the mandates of the Summits of the Americas with respect to the fight against corruption, implementation of the Inter-American Convention against Corruption, and strengthening of the MESICIC;

RECOGNIZING the work of the Committee of Experts of the MESICIC, which has been supported by the General Secretariat and has made it possible to conclude, in December 2008, the second round of review for the 28 states parties and to initiate the third round of review;

UNDERSCORING the developments in the Inter-American Program for Cooperation in the Fight against Corruption (MESICIC/CEP-II/doc.5/06 rev. 2), approved at the Second Meeting of the Conference of States Parties to the MESICIC, in November 2006, and adopted by the General Assembly at its thirty-seventh regular session, in June 2007, noteworthy among which are continuity in the process of review by the member states of implementation of the MESICIC and the program of support for those states for implementation of the recommendations made to them by the Committee of Experts of that mechanism;

REITERATING the unswerving commitment of the states parties to the Inter-American Convention against Corruption to promote, facilitate, and regulate cooperation among the states parties, in order to ensure that measures and efforts to promote, punish, and eradicate acts of corruption in the performance of public functions are effective; and

RECOGNIZING the proposal presented by the Bolivarian Republic of Venezuela regarding the Distance Training Program on the promotion of the Inter-American Convention against Corruption to encourage the establishment of a network for follow-up on implementation of the Convention and to foster the exchange of experiences and joint efforts to strengthen cooperation and
technical support among the Convention’s states parties as vital to the fight against corruption, so that it may be included as an item of collective interest on the agenda of the Committee of Experts,

RESOLVES:

1. To urge those states parties to the Inter-American Convention against Corruption that have not yet done so to participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC); and to urge all states parties to the Mechanism to fund it through voluntary contributions.

2. Also to encourage those member states of the Organization of American States (OAS) that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the United Nations Convention against Corruption (Mérida Convention) and the United Nations Convention against Transnational Organized Crime (Palermo Convention).

3. To urge the states parties to the Inter-American Convention against Corruption to take the measures they deem necessary, within their own institutional systems, to adapt their domestic law and regulations in order to comply with the commitments they undertook upon ratification of or accession to the Convention and, in this regard, to continue working toward compliance with the recommendations of the Committee of Experts of the MESICIC corresponding to the first and the second round of review of implementation of the Convention.

4. To express its satisfaction with the adoption and effective implementation by the states parties to the Inter-American Convention against Corruption of national anti-corruption legislation or plans.

5. To express once again its support for strengthening the MESICIC and, in that regard:

a. To express its satisfaction with the progress made by the Committee of Experts of the MESICIC, with support from the General Secretariat, and reflected in the successful conclusion of the second round of review, which analyzed the implementation of those provisions of the Inter-American Convention against Corruption selected for that round in the 28 member states of the MESICIC, in the adoption of the Hemispheric Report for that round, and in the adoption of the necessary decisions to initiate the third round of review;

b. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, and of external funding, such as international and regional financial institutions and national government agencies, among others, for the adequate functioning of the MESICIC and, when applicable, for the full and effective implementation of its recommendations and of the activities of the countries at which such recommendations are directed;

c. To invite the Conference of States Parties to the MESICIC to continue reporting to the Permanent Council on the implementation of concrete
measures to strengthen the MESICIC, as well as on other topics submitted to it for consideration;

d. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, to provide technical secretariat services to the Conference of States Parties to the MESICIC and to the Committee of Experts of that mechanism; and

e. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and in accordance with the provisions of section I.2.g of the Inter-American Program for Cooperation in the Fight against Corruption, designing and conducting a training program for members of the Committee of Experts of the MESICIC, aimed at the implementation of both the methodology of the Mechanism and the recommendations it has made regarding the provisions of the Inter-American Convention against Corruption.

6. To support the Third Meeting of the Conference of States Parties to the MESICIC, which will be held in the second half of 2009, taking into account that in December 2008 the Committee of Experts of the MESICIC adopted the Hemispheric Report on the Second Round of Review. This meeting, in accordance with Chapter VII of the Inter-American Program for Cooperation in the Fight against Corruption, will consider and adopt a strategy on how the MESICIC can implement the various thematic areas covered by the United Nations Convention against Corruption and monitor the developments made in connection with them. Under the provisions of Chapter IX of the Inter-American Program for Cooperation in the Fight against Corruption and for purposes of its due follow-up, the Conference of States Parties to the MESICIC will forward to the General Assembly the strategy it adopts in this regard.

7. To establish that the preparations for the Third Meeting of the Conference of States Parties to the MESICIC, including those regarding its date, draft agenda, and draft calendar, will be made in accordance with the provisions of Articles 6 to 10 of the Rules of Procedure of the Conference of States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention against Corruption (SG/MESICIC/doc.58/04 rev. 7).

8. To request the General Secretariat to continue providing, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and pursuant to Chapter VIII of the Inter-American Program for Cooperation in the Fight against Corruption, the technical support needed to implement that Program, and in particular the strategy referred to in operative paragraph 5, within the resources allocated in the program-budget of the Organization and other resources.

9. To encourage member states and other donors to consider contributing, in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat, to the OAS specific fund “Inter-American Anti-Corruption Fund” to assist member states in implementing the Inter-American Convention against Corruption and the MESICIC country report recommendations.
10. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2517 (XXXIX-O/09)

HUMAN RIGHTS DEFENDERS: SUPPORT FOR INDIVIDUALS, GROUPS, AND ORGANIZATIONS OF CIVIL SOCIETY WORKING TO PROMOTE AND PROTECT HUMAN RIGHTS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to this topic (AG/doc.4992/09 add. 1) , and resolution AG/RES. 2412 (XXXVIII-O/08), “Human Rights Defenders: Support for Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas”;

RECALLING the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

RECOGNIZING the substantial role that human rights defenders can play in supporting efforts to strengthen peace and development, through dialogue, openness, participation, and justice;

REITERATING that “[e]veryone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means,” in accordance with domestic law consistent with the Charter of the United Nations and other international obligations of the state in the field of human rights and fundamental freedoms;

CONCERNED that situations persist in the Americas that directly or indirectly prevent or hinder the work of individuals, groups, or organizations working to promote and protect human rights and fundamental freedoms;

GRAVELY CONCERNED that, in some instances, national security and counterterrorism legislation and other measures have been misused to incriminate human rights defenders or to hinder their work and safety in a manner contrary to international law;

TAKING INTO ACCOUNT United Nations General Assembly resolution 62/152, as well as resolution 2005/67 of the former Commission on Human Rights of the United Nations, in which the Member States noted “with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities, including through restrictions on freedom of association or expression or the right to peaceful assembly, or abuse of civil or criminal proceedings”;

CONSIDERING that the member states of the Organization of American States have demonstrated their full willingness to support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights
and fundamental freedoms in the Americas, and to the representation and defense of individuals, minorities, and other groups of persons whose rights are threatened or violated;

NOTING that the decisions of the Inter-American Court of Human Rights granting provisional measures, and the Report on the Situation of Human Rights Defenders in the Americas, prepared by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights (IACHR) in 2006, have highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

EXPRESSING APPRECIATION for the information provided by states on measures adopted to implement the recommendations contained in the Report on the Situation of Human Rights Defenders in the Americas;

URGING the Unit for Human Rights Defenders of the IACHR to continue its work;

EMPHASIZING that everyone has duties toward and within the community, in which alone the free and full development of his or her personality is possible;

EMPHASIZING ALSO that the promotion and protection of human rights is legitimate work and that human rights defenders, in the exercise of their functions, contribute decisively to strengthening democratic institutions and improving national human rights systems; and

EMPHASIZING FURTHER the importance of the role of human rights defenders in promoting dialogue, openness, participation, and justice to contribute to the prevention of violence and promote sustainable peace and security, and the affirmation that, to be effective, international strategies in this area must pay special attention to protecting human rights defenders,

RESOLVES:

1. To reiterate its support for the work carried out, at both the national and regional levels, by human rights defenders, and to recognize their valuable contribution to the promotion and protection of, and respect for, human rights and fundamental freedoms in the Hemisphere.

2. To recognize that, in view of their gender-specific role and needs, women human rights defenders should be accorded special attention to ensure that they are fully protected and effective in carrying out their important activities.

3. To condemn actions intended to prevent or hinder, whether directly or indirectly, the work of human rights defenders in the Americas.

4. To encourage human rights defenders to continue their selfless work and their contributions to the enhancement of national human rights systems and to the strengthening of democracy, in accordance with the principles contained in the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.
5. To encourage member states to continue or initiate, as the case may be, activities to educate and disseminate information to government officials, society at large, and the media, both public and private, so as to make them aware of the importance and validity of the work of human rights defenders and their organizations.

6. To urge member states to continue stepping up their efforts to adopt necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders and their families, including effective emergency protection measures in the case of imminent threat or danger, and to ensure that thorough and impartial investigations and proceedings are carried out, and appropriate punishments are applied, in all cases of violations against human rights defenders.

7. To urge states to take appropriate measures, in accordance with their domestic laws and their international obligations, to address the question of impunity for attacks, threats, and acts of intimidation, including cases of gender-based violence, against human rights defenders and their families, including by ensuring that complaints are promptly investigated and addressed in a transparent, independent, and accountable manner.

8. To request the Inter-American Commission on Human Rights (IACHR) to:
   a. Continue to give due consideration to this matter;
   b. Continue intensifying its dialogue and cooperation with the United Nations Special Rapporteur on the situation of human rights defenders; and
   c. Include in its annual report a section on the work of its Unit for Human Rights Defenders.

9. To encourage member states to ensure that applicable national law—including registration where applicable under national law—concerning human rights defenders and their organizations allows their work to be carried out in a free, transparent, and open political environment and in a manner consistent with applicable international human rights and humanitarian law.

10. To invite member states to promote the dissemination and implementation of the treaty and non-treaty instruments of the inter-American system and the decisions of its bodies on human rights matters, as well as the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

11. To invite member states to consider the preparation and implementation of national plans to apply the principles contained in the United Nations Declaration mentioned in the preceding paragraph, for which purpose they may also request the advisory services of the IACHR.

12. To invite member states to inform the IACHR of measures adopted to follow up on the recommendations contained in the Report on the Situation of Human Rights Defenders in the Americas.
13. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2518 (XXXIX-O/09)

FOLLOW-UP AND IMPLEMENTATION OF THE MANDATES OF THE DECLARATION OF COMMITMENT OF PORT OF SPAIN
OF THE FIFTH SUMMIT OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2190 (XXXVI-O/06), AG/RES. 2338 (XXXVII-O/07), and AG/RES. 2393 (XXXVIII-O/08), “Support for and Follow-up to the Summits of the Americas Process”;

CONSIDERING:

That the Fifth Summit of the Americas was held in Port of Spain, Trinidad and Tobago, from April 17 to 19, 2009, under the theme “Securing our Citizens’ Future by Promoting Human Prosperity, Energy Security, and Environmental Sustainability”;

That the Heads of State and Government adopted the Declaration of Commitment of Port of Spain, in which they expressed inter alia their determination to intensify the fight against poverty, hunger, social exclusion, discrimination, and inequality in order to improve the living conditions of the people of the Hemisphere as well as to achieve development and social justice;

That the Statement by the Chairman of the Fifth Summit of the Americas, the Honorable Patrick Manning, Prime Minister of the Republic of Trinidad and Tobago, which was issued on April 19, 2009, informs of the discussions of the Heads of State and Government at the Leaders’ Retreat, held on April 19, 2009;

That the Heads of State and Government recognized that the issues of human prosperity, energy security, and environmental sustainability are closely intertwined and that an integrated, coherent policy framework is essential to the achievement of the commitments made to the people of the Hemisphere in the Declaration of Commitment of Port of Spain;

That the Summits of the Americas process and the initiatives and mandates adopted at the First Summit of the Americas (Miami, 1994), the Summit of the Americas on Sustainable Development (Santa Cruz de la Sierra, 1996), the Second Summit of the Americas (Santiago, 1998),

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
the Third Summit of the Americas (Quebec City, 2001), the Special Summit of the Americas
(Monterrey, 2004), the Fourth Summit of the Americas (Mar del Plata, 2005), and the Fifth Summit
of the Americas (Port of Spain, 2009) have established political, economic, and social priorities for
the Hemisphere that determine the inter-American agenda;¹

That the Organization of American States (OAS) is the foremost political forum for dialogue
and cooperation among the countries of the Hemisphere and that the Heads of State and Government
have recognized its central role in supporting the implementation of Summit mandates;

That, at the Fifth Summit, the Heads of State and Government called upon the technical
secretariats of all the inter-American ministerial meetings to inform their ministers and high-level
authorities of the mandates arising from the Fifth Summit and to initiate strategic actions, by the end
of 2009, to facilitate the implementation of the commitments in the Declaration;²

That the Heads of State and Government, also called upon the General Secretariat, in
accordance with its central role in supporting the implementation of Summit mandates and, in
coordination with the Joint Summit Working Group, to provide a comprehensive report to the
Summit Implementation Review Group (SIRG) annually on the actions taken and progress made at
all inter-American ministerial meetings in support of Summit objectives; and

That the Heads of State and Government further called upon the member institutions of the
Joint Summit Working Group to develop coordinated programs of action aimed at achieving the
goals of the Americas as set out in the Declaration of Commitment of Port of Spain; and ¹

RECOGNIZING the importance of the Committee on Inter-American Summits Management
and Civil Society Participation in OAS Activities of the Permanent Council, which is charged with
coordinating the activities that the Summits of the Americas assign to the Organization and civil
society participation in OAS activities and the Summits process,

RESOLVES:

1. To reaffirm the commitments undertaken by the Heads of State and Government in
the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas.¹

2. To urge member states to implement, promote, and disseminate the commitments
undertaken in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas.²

3. To bear in mind issues contained in the Statement by the Chairman of the Fifth
Summit of the Americas, the Honorable Patrick Manning, Prime Minister of the Republic of Trinidad
and Tobago, which informs of the discussions of the Heads of State and Government on the
reintegration of Cuba into the inter-American system; the global financial crisis, the Declaration of
Commitment of Port of Spain, and Haiti.¹ ²

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¹ The United States reserves on this paragraph. The Statement of the Chairman provides the Summit
host’s perspective on issues discussed at the Summit, but was not negotiated by member states and is
therefore not a consensus document. As such, it should not be cited as an authoritative reference with
respect to Summit follow-up.
4. To encourage the organs, agencies, and entities of the inter-American system, as well as agencies of the United Nations system and other institutions participating in the Joint Summit Working Group, to assign priority to implementation of the initiatives contained in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas and to report regularly to the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities on the progress made in implementing the adopted mandates and commitments.¹

5. To instruct the General Secretariat to carry out, promote, and disseminate the initiatives and commitments adopted at the Fifth Summit of the Americas that were entrusted to the Organization of American States (OAS) in the Declaration of Commitment of Port of Spain.²

6. To instruct the General Secretariat to coordinate with the other OAS organs and entities and with the institutions of the Joint Summit Working Group in following up on the commitments established in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas.³

7. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2519 (XXXIX-O/09)

INCREASING AND STRENGTHENING CIVIL SOCIETY PARTICIPATION
IN THE ACTIVITIES OF THE ORGANIZATION OF AMERICAN STATES
AND IN THE SUMMITS OF THE AMERICAS PROCESS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) (AG/doc.4992/09 add. 1);

TAKING INTO ACCOUNT resolution AG/RES. 2395 (XXXVIII-O/08), “Increasing and Strengthening Civil Society Participation in the Activities of the Organization of American States and in the Summits of the Americas Process”;

TAKING INTO ACCOUNT ALSO that 2009 marks the 10th anniversary of the Guidelines for Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 759 (1217/99) and endorsed by the General Assembly in resolution AG/RES. 1707 (XXX-O/00), which state that “[i]n order to bear fruit, civil society participation must be oriented by a clear and yet flexible regulatory framework. Such flexibility is achieved by way of periodic review of participation in OAS activities. These Guidelines thus represent a further step toward enhancing civil society participation in OAS activities”;

TAKING INTO CONSIDERATION the “Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities,” adopted by the Permanent Council in resolution CP/RES. 840 (1361/03) and subsequently endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), which requested “the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) to follow up on these strategies; to evaluate their implementation; and, if appropriate, to propose amendments to them or new mechanisms for increasing and strengthening participation by civil society organizations in OAS activities”;

CONSIDERING that the Summits of the Americas process encourages full participation by civil society and that, in the Declaration of Nuevo León, the Heads of State and Government undertook to institutionalize meetings with civil society and with the academic and private sectors; and that more recently, through resolution AG/RES. 2315 (XXXVII-O/07), “Participation of Workers’ Representatives in Activities of the Organization of American States,” the ministers of foreign affairs agreed to hold a dialogue with workers’ representatives, recognized as such by virtue of national law or practice, prior to the inaugural sessions of the General Assembly and the Summits of the Americas, so that said representatives may make recommendations and proposals for initiatives related to the theme of the General Assembly or the Summit of the Americas and directed toward the member states and the Organization of American States (OAS);
TAKING INTO ACCOUNT that the Declaration of Mar del Plata recognizes the pivotal role the OAS plays in coordinating civil society participation in the Summits process;

UNDERSCORING that, in paragraph 94 of the Declaration of Commitment of Port of Spain, the Heads of State and Government committed “to continue encouraging the participation of our peoples, through the engagement of our citizens, communities and civil society in the design and execution of development policies and programmes, by providing technical and financial assistance, as appropriate, and in accordance with national legislation to strengthen and build their capacity to participate more fully in the inter-American system”;

CONSIDERING that Articles 6 and 26 of the Inter-American Democratic Charter state, respectively, that “[i]t is the right and responsibility of all citizens to participate in decisions relating to their own development. This is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy” and that “[t]he OAS will continue to carry out programs and activities designed to promote democratic principles and practices and strengthen a democratic culture in the Hemisphere, bearing in mind that democracy is a way of life based on liberty and enhancement of economic, social, and cultural conditions for the peoples of the Americas. The OAS will consult and cooperate on an ongoing basis with member states and take into account the contributions of civil society organizations working in those fields”;

NOTING the establishment of the Specific Fund of voluntary contributions to support the participation of civil society organizations in OAS Activities and in the Summits of the Americas process, by resolution CP/RES. 864 (1413/04), for the purpose of supporting participation by civil society organizations in OAS activities, including the dialogue among heads of delegation of member states, the Secretary General, and civil society organization representatives, which has been included on the draft schedule for regular sessions of the General Assembly as a regular activity before the inaugural session, as established in resolution AG/RES. 1915 (XXXIII-O/03);

NOTING ALSO:

The contributions received during the Subregional Civil Society Forums held in Port of Spain, Trinidad and Tobago, on October 30 and 31, 2008; San Salvador, El Salvador, on December 8 and 9, 2008; and Lima, Peru, on February 6 and 7, 2009, regarding the theme of the Fifth Summit of the Americas, “Securing Our Citizens’ Future by Promoting Human Prosperity, Energy Security, and Environmental Sustainability”;

3. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
The recommendations of the Hemispheric Forum with Civil Society, held in Washington, D.C., on March 3 and 4, 2009, on the theme of the thirty-ninth regular session of the General Assembly, “Toward a Culture of Non-Violence,” and the special meeting of the CISC on strengthening dialogue with civil society held on March 4, 2009; and

The Dialogue between Ministers of Foreign Affairs and Social Actors, held on April 17, 2009, in which representatives from civil society, workers, indigenous groups, the private sector, and youth participated; and

RECOGNIZING that civil society participation in OAS activities should take place in a context of close collaboration between the political and institutional bodies of the Organization and in accordance with the provisions of resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations in OAS Activities,”

RESOLVES:

1. To reaffirm the commitment and will of the member states and the Organization of American States (OAS) to continue strengthening and implementing effective mechanisms and concrete actions for civil society participation in the activities of the OAS and in the Summits of the Americas process.

2. To instruct the Permanent Council, the Inter-American Council for Integral Development, and the General Secretariat to continue, in coordination with all organs, agencies, and entities of the OAS, to facilitate the implementation of the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, adopted by the Permanent Council in resolution CP/RES. 840 (1361/03) and endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), “Increasing and Strengthening Civil Society Participation in OAS Activities.”

3. To instruct the Permanent Council to continue to promote and facilitate civil society participation in the Summits of the Americas and in the activities developed by the OAS as a result of the Summits of the Americas process, as well as the efforts of member states to foster such participation.

4. To continue to actively support and promote the registration of civil society organizations and their participation in OAS activities, and in its organs, agencies, and entities, with the support of the General Secretariat and in accordance with resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations in OAS Activities.”

5. To encourage all member states, permanent observers, and other donors, as defined in Article 74 of the General Standards to Govern the Operations of the General Secretariat and in other rules and regulations of the Organization, to consider contributing to the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas process, in order to sustain and promote the effective participation of civil society organizations in OAS activities in accordance with the goals set by the General Assembly and by the Heads of State and Government in the Summits of the Americas process, including in the dialogue among heads of delegation, the Secretary General, and representatives of civil society organizations.
6. To continue to urge member states to:
   a. Participate in the dialogue of heads of delegation with representatives of civil society organizations in the context of General Assembly sessions and in the Summits of the Americas process; and
   b. Continue their efforts, both domestically and multilaterally, to expand opportunities for participation by civil society organizations in OAS activities and in the Summits of the Americas process.

7. To encourage member states to continue reporting on existing procedures and regulations regarding consultations with civil society, to allow for an exchange of experiences and best practices among the member states.

8. To recognize the efforts of Honduras as host country for the thirty-ninth regular session of the General Assembly to work together with the General Secretariat and with civil society organizations to facilitate and organize their participation in the dialogue of heads of delegation, in accordance with resolution CP/RES. 840 (1361/03); and to encourage future hosts to continue to build on these traditions.

9. To instruct the General Secretariat to continue to support member states that so request in their efforts to increase the institutional capacity of their governments to receive, absorb, and act on civil society input and advocacy.

10. To request the General Secretariat to report to the Permanent Council before the fortieth regular session of the General Assembly on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the initiatives emanating from the First Summit of the Americas (Miami, 1994), the Summit of the Americas on Sustainable Development (Santa Cruz de la Sierra, 1996), the Second Summit of the Americas (Santiago, 1998), the Third Summit of the Americas (Quebec City, 2001), the Special Summit of the Americas (Monterrey, 2004), the Fourth Summit of the Americas, (Mar del Plata, 2005), and the Fifth Summit of the Americas (Port of Spain, 2009);

BEARING IN MIND the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas, held in the Republic of Trinidad and Tobago, from April 17 to 19, 2009;1/ 

BEARING IN MIND ALSO the Statement by the Chairman of the Fifth Summit of the Americas, the Honorable Patrick Manning, Prime Minister of the Republic of Trinidad and Tobago;

RECALLING that, through resolution AG/RES. 1349 (XXV-O/95), the General Assembly established a special committee of the Permanent Council on inter-American summits management, and that, at its meeting of July 31, 2002, the Permanent Council decided to merge it with the Committee on Civil Society Participation in OAS Activities, thereby creating the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC), in order to ensure effective, timely, and appropriate follow-up of the activities assigned to the Organization of American States (OAS) by the Summits of the Americas and to coordinate the Organization’s preparation, participation, and follow-up with regard to future Summits;

TAKING INTO ACCOUNT the acknowledgment by the Third Summit of the function that the CISC fulfills in coordinating the efforts of the OAS in supporting the Summits of the Americas process and in serving as a forum for civil society to contribute to that process; as well as the establishment of the Summits Secretariat;

RECALLING that at Summits of the Americas, the Heads of State and Government recognized the important role played by the OAS in the implementation of decisions of the Summits of the Americas and as technical secretariat of the Summits process;

1. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
RECOGNIZING the work of the Joint Summit Working Group, comprising the Organization of American States, the Economic Commission for Latin America and the Caribbean (ECLAC), the Inter-American Development Bank (IDB), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Andean Development Corporation (CAF), the Caribbean Development Bank (CDB), the Central American Bank for Economic Integration (CABEI), the Institute for Connectivity in the Americas (ICA), the International Organization for Migration (IOM), and the International Labour Organization (ILO); and

RECOGNIZING ALSO the increasing emphasis placed by the Heads of State and Government on the importance of coordinated, timely, and effective follow-up of the Summits of the Americas mandates,

RESOLVES:

1. To urge member states to continue to implement the commitments of the Summits of the Americas and to promote and disseminate them within their respective national administrations.

2. To renew the mandate to the Permanent Council to coordinate the activities assigned to the Organization of American States (OAS) by the Summits of the Americas.

3. To instruct the organs, agencies, and entities of the Organization to continue to give the highest priority to carrying out the initiatives assigned to them by the General Assembly, in accordance with the mandates of the Summits of the Americas, and to report regularly on these activities, as appropriate, to the Permanent Council, the Inter-American Council for Integral Development, and the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC).

4. To request that the General Secretariat, through the Summits Secretariat, continue to serve as the institutional memory and secretariat of the Summits of the Americas process, continue to support follow-up and dissemination of Summit mandates, continue to offer support to member states in implementing the mandates of the Declaration of Commitment of Port of Spain and those of future Summits and in following up on the issues identified in the Statement by the Chairman of the Fifth Summit of the Americas, and continue to support preparatory efforts and technical coordination for the next Summit of the Americas, scheduled to be held in 2012 or earlier.1/

5. To instruct the Permanent Council to continue to promote and facilitate the participation of social actors, including civil society, labor organizations, indigenous groups, the private sector, and youth, in the Summits of the Americas process and in activities related to topics assigned to the OAS by that process, as well as the efforts of member states to foster such participation.

6. To request the General Secretariat to report to the CISC and to the Summit Implementation Review Group (SIRG) on the implementation and follow-up of the commitments undertaken in the Declaration of Commitment of Port of Spain, bearing in mind the Statement by the Chairman of the Fifth Summit of the Americas, as well as the commitments of prior Summits, the implementation of which are still ongoing.2/
7. To instruct the General Secretariat to continue, through the Joint Summit Working Group, chaired by the Summits Secretariat, to coordinate and promote the implementation and follow-up, in all agencies, of the mandates of the Summits of the Americas. To request further that it hold at least one meeting of agency heads each year to review progress made and plan joint activities, as a complement to the regular interagency meetings, and provide assistance in the preparatory activities for the next Summit of the Americas, scheduled to be held in 2012 or earlier.

8. To request the General Secretariat to continue providing the necessary support for ministerial and sectoral meetings related to the implementation of Summit mandates and commitments on topics of interest to the OAS.

9. To request the General Secretariat to make efforts, through the Summits Secretariat and the member states, to promote and disseminate among the various social actors the mandates, commitments, and results emanating from the Summits of the Americas so that these actors may contribute to their implementation.

10. To urge member states to continue contributing to the Specific Fund for the Summit Implementation Review Group in order to provide financial support for the Group’s activities.

11. To request the General Secretariat to submit to the Permanent Council, through the Summits Secretariat, systematic and detailed information on the budgetary and financial management of said Specific Fund.

12. To request the General Secretariat to strengthen the Summits Secretariat by providing it with the human and financial resources it needs to support follow-up and dissemination of the mandates of the Summits of the Americas.

13. To instruct the General Secretariat to implement the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Secretary General to seek additional voluntary funds to carry out the activities mentioned in this resolution.

14. To instruct the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution.
AG/RES. 2521 (XXXIX-O/09)

STRENGTHENING OF HUMAN RIGHTS SYSTEMS PURSUANT TO THE MANDATES ARISING FROM THE SUMMITS OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to this topic (AG/doc.4992/09 add. 1), as well as resolutions AG/RES. 1828 (XXXI-O/01), AG/RES. 1890 (XXXII-O/02), AG/RES. 1925 (XXXIII-O/03), AG/RES. 2030 (XXXIV-O/04), AG/RES. 2075 (XXXV-O/05), AG/RES. 2220 (XXXVI-O/06), AG/RES. 2291 (XXXVII-O/07), and AG/RES. 2407 (XXXVIII-O/08);

1. The Bolivarian Republic of Venezuela guarantees all persons the right to enjoy and exercise the inalienable, indivisible, and interdependent human rights, in accordance with the principle of progressivity and without any discrimination. The respect, protection, and guarantee of these rights are a priority for the Venezuelan state. The Bolivarian Government of Venezuela accords the human rights of all individuals and communities pride of place, as human beings are our core concern. Accordingly, the Venezuelan state makes every effort on a day-to-day basis to ensure that human rights are absolutely respected within its borders, in accordance with its constitutional mandate and the popular will. The Government of the Bolivarian Republic of Venezuela is refraining from approving this resolution because it deems the inter-American human rights system, especially the Inter-American Commission on Human Rights (IACHR), to have abandoned its role as a human rights protection agency to become a political tool for local and international interests that, for ideological reasons, are set against progressive governments of the region. We also believe that the system, in particular the IACHR, has lost credibility to deal with the issue of human rights, after it recognized the de facto government that had been installed in Venezuela in the wake of the events of April 2002. The Government of the Bolivarian Republic of Venezuela believes that the inaccurate, malicious, and false nature of statements, recommendations, and decisions by the IACHR deal a severe blow to the democratic stability of states. The statements issued by the IACHR are not based on an objective and transparent methodology, as they make generic references to unidentified sources and are overly reliant on newspaper sources that do not always serve the interest of truth, if we consider the politicized and biased posture of some print media and radio and television stations against the legitimate government of Venezuela, in addition to certain Venezuelan and foreign NGOs that took part in the coup of April 2002 and in the business and oil shut-down of December 2003. Venezuela has sufficient grounds to state that the IACHR has abandoned its role as an impartial international body responsible for ensuring respect for human rights in the region to become a political tool of local and international interests intent on delegitimizing the Bolivarian socialist revolution led by President Hugo Chávez Frias. The Venezuelan state has lost any hope that the Commission can ever again exercise good judgment and demonstrate its commitment to human rights, and stop pursuing actions that undermine its role and objectives. In this context, it is worth recalling how the former United Nations Commission on Human Rights lost all credibility once it was established as a forum that served for airing political differences between states, forsaking individuals and communities that once placed their hope in that body. The Venezuelan state again calls on the IACHR to establish a balance between its pretensions and its real competence, in the interest of acting in a transparent and objective manner. The Venezuelan government again calls on the IACHR to establish a balance between its pretensions and its real competence, in the interest of acting in a transparent and objective manner. For the foregoing reasons and in view of the violation of the rules of the system, both substantive and procedural; the threat to the credibility, effectiveness, and efficiency of the system; and the negligent conduct of the Commission, the Bolivarian Government of Venezuela abstains from and disapproves of the entire contents of this resolution.
REAFFIRMING that universal promotion and protection of human rights, including civil, political, economic, social, and cultural rights, based on the principles of universality, indivisibility, and interdependence, as well as respect for international law, including international humanitarian law, international human rights law, and international refugee law, are essential to the functioning of democratic societies; and stressing the importance of respect for the rule of law, effective and equal access to justice, and participation by all elements of society in public decision-making processes;

REAFFIRMING ALSO the importance of the inter-American human rights system, whose organs have competence to promote the observance of human rights in all member states of the Organization of American States, in accordance with the commitments undertaken by each state, and operate in a manner subsidiary to national jurisdictional systems;

EXPRESSING that strengthening the autonomy of the Inter-American Commission on Human Rights in the context of the Charter of the Organization of American States, the American Convention on Human Rights, and the Statute and Rules of Procedure of said Commission, will lead to improvements in the inter-American human rights system;

CONSIDERING that the Organization can serve as a forum for contributing to the efforts of member states to develop and strengthen national systems for the promotion and protection of human rights;

RECALLING the Meeting in Mexico on the Strengthening of the Inter-American Human Rights System, held on June 25 and 26, 2008, in Mexico City, in which Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Panama, Paraguay, and Peru participated, at the invitation of Mexico, and whose results are set out in document CP/doc.4329/08, which was endorsed by the Permanent Council on July 24, 2008; and

BEARING IN MIND the Declarations and Plans of Action of the third, fourth, and fifth Summits of the Americas, held in Quebec City, Canada; Mar del Plata, Argentina; and Port of Spain, Trinidad and Tobago, respectively; and, in particular, paragraphs 1, 82, and 83 of the Declaration of Commitment of Port of Spain,2

RESOLVES:

1. To reaffirm the commitment of the member states to continue strengthening and improving the inter-American system for the promotion and protection of human rights and, in that connection, to continue to take the following concrete measures aimed at implementing the respective mandates of the Heads of State and Government arising from the Summits of the Americas:

2. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
a. Universalization of the inter-American human rights system by considering the signature and ratification or accession to, as soon as possible and as the case may be, all universal and inter-American human rights instruments;

b. Compliance with the judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights (IACHR);

c. Improvement of access by victims to the mechanisms of the inter-American human rights system;

d. Adequate financing of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, including the encouragement of voluntary contributions, so that they may continue to address their activities and responsibilities; and

e. Examination of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account, among other things, the views of those organs.

2. To recognize the following progress made in the specific areas of the inter-American human rights system, namely:

a. The broad process of reflection on the inter-American system for the promotion and protection of human rights, within the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council, and the importance of the informal meetings held for that purpose in the framework of the CAJP and of the exchange of proposals and comments between the member states and the organs of the inter-American human rights system, regarding ways to strengthen and improve it, which were set forth in document CP/CAJP-2665/08 rev. 8 corr. 3, “Results of the Process of Reflection on the Inter-American System for the Promotion and Protection of Human Rights (2008-2009),” which was officially submitted on March 20, 2009, to the Presidents of the two organs of the system, as a contribution by the states to the reform process that the IACHR and the Inter-American Court of Human Rights have embarked upon, in a context of full respect for the autonomy and independence of those organs;

b. The participatory and transparent processes for amending the Rules of Procedure of the Inter-American Commission on Human Rights and of the Inter-American Court of Human Rights and, in particular, the contributions to those processes resulting from the dialogue on the workings of the inter-American human rights system between the member states and the members of the IACHR and judges of the Inter-American Court of Human Rights,
during which inputs were also received from civil society, as noted in the report on the meeting (CP/CAJP-2769/09); and

c. The deposit by Argentina and Chile, on September 5 and October 16, 2008, respectively, of their instruments of ratification to the Protocol to the American Convention on Human Rights to Abolish the Death Penalty.

3. To instruct the Permanent Council to meet the objectives mentioned in operative paragraph 1 and to complement and consolidate the progress referred to in operative paragraph 2, by:

a. Continuing the broad process of reflection on the inter-American system for the promotion and protection of human rights, as a matter of special importance in the work program of the CAJP adopted each year; to that end, meetings should be scheduled taking into account the proposals put forward in the discussions that took place in said Committee. Said process of reflection will continue in consultation with the member states, specialized agencies of the inter-American human rights system, nongovernmental organizations, national human rights institutes, academic institutions, and experts in the field, regarding:

i. The major challenges facing the inter-American system for the promotion and protection of human rights in the Hemisphere;

ii. Possible actions to strengthen and improve the system; and

iii. The advisability of convening an inter-American human rights conference;

b. Adopting measures, as a matter of priority, to achieve an effective increase in the financial resources allocated to the IACHR in the program-budget of the Organization; and thanking the Secretary General for his work in this regard and urging him to continue his efforts and to submit, prior to the fortieth regular session of the General Assembly, additional proposals aimed at achieving adequate funding for the IACHR in said program-budget;

c. Supporting any initiatives taken by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to request funding from international and regional agencies to further the activities of the organs of the inter-American system for the promotion and protection of human rights;

d. Encouraging, in addition, member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights, as well as to the Oliver Jackman Voluntary Capital Fund, established by resolution AG/RES. 2329 (XXXVII-O/07);
e. Continuing to consider ways to promote compliance with the judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights by member states;

f. Continuing to analyze the priorities for improvement of the inter-American human rights system, including consideration of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account related information provided by the presidents of both organs;

g. Holding each year, within the CAJP, the dialogue between the member states and the members of the Inter-American Commission on Human Rights and judges on the Inter-American Court of Human Rights on how the inter-American human rights system operates. The CAJP will establish the agenda for said meeting at least two months in advance; and

h. Requesting the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to continue to report on the impact and the meaning in practice of their regulatory reforms for the work of both organs and for the strengthening of the system.

4. To express its appreciation to the member states (Brazil, Canada, Colombia, Mexico, and the United States) and permanent observers (Denmark, France, Ireland, Italy, Luxembourg, the Republic of Korea, Spain, and Sweden) that made voluntary contributions to the IACHR; to the European Commission and the University of Notre Dame (United States) for their contributions; and to Colombia and Panama for their contributions to the Oliver Jackman Voluntary Capital Fund.

5. To continue to promote the strengthening of national systems for the promotion and protection of human rights in member states; and, to that end, to urge the pertinent organs, agencies, and entities of the Organization to provide, in accordance with their capabilities and resources, cooperation and technical support to the member states that so request, in order to help enhance compliance with their international human rights obligations, and to develop cooperative relations and information exchange with, *inter alia*, the Ibero-American Federation of Ombudsmen, the Caribbean Ombudsmen’s Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council.

6. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador.”

7. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2522 (XXXIX-O/09)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS1

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Commission on Human Rights (IACHR) (CP/CAJP-2758/09 rev. 1);

1. Reservation by Nicaragua: The Government of Nicaragua wishes to place on record its commitment to the promotion and protection of human rights, as enshrined in the Political Constitution of our country. At the same time, it considers it necessary for the Inter-American Commission on Human Rights not to apply a double standard in its analysis of the situation of human rights in the region. The elements of transparency, veracity of sources of information, and the impartiality and universality thereof would contribute to greater objectivity in the work of the Commission; therefore, its recommendations should not be used as an instrument to pressure some states.

2. The Bolivarian Republic of Venezuela guarantees all persons the right to enjoy and exercise the inalienable, indivisible, and interdependent human rights, in accordance with the principle of progressivity and without any discrimination. The respect, protection, and guarantee of these rights are a priority for the Venezuelan state. The Bolivarian Government of Venezuela accords the human rights of all individuals and communities pride of place, as human beings are our core concern. Accordingly, the Venezuelan state makes every effort on a day-to-day basis to ensure that human rights are absolutely respected within its borders, in accordance with its constitutional mandate and the popular will. The Government of the Bolivarian Republic of Venezuela is refraining from approving this resolution because it deems the inter-American human rights system, especially the Inter-American Commission on Human Rights (IACHR), to have abandoned its role as a human rights protection agency to become a political tool for local and international interests that, for ideological reasons, are set against progressive governments of the region. We also believe that the system, in particular the IACHR, has lost credibility to deal with the issue of human rights, after it recognized the de facto government that had been installed in Venezuela in the wake of the events of April 2002. The Government of the Bolivarian Republic of Venezuela believes that the inaccurate, malicious, and false nature of statements, recommendations, and decisions by the IACHR deal a severe blow to the democratic stability of states. The statements issued by the IACHR are not based on an objective and transparent methodology, as they make generic references to unidentified sources and are overly reliant on newspaper sources that do not always serve the interest of truth, if we consider the politicized and biased posture of some print media and radio and television stations against the legitimate government of Venezuela, in addition to certain Venezuelan and foreign NGOs that took part in the coup of April 2002 and in the business and oil shut-down of December 2003. Venezuela has sufficient grounds to state that the IACHR has abandoned its role as an impartial international body responsible for ensuring respect for human rights in the region to become a political tool of local and international interests intent on delegitimizing the Bolivarian socialist revolution led by President Hugo Chávez Frias. The Venezuelan state has lost any hope that the Commission can ever again exercise good judgment and demonstrate its commitment to human rights, and stop pursuing actions that undermine its role and objectives. In this context, it is worth recalling how the former United Nations Commission on Human Rights lost all credibility once it was established as a forum that served for airing political differences between states, forsaking individuals and communities that once placed their hope in that body. The Venezuelan state again calls on the IACHR to establish a balance between its pretensions and its real competence, in the interest of acting in a transparent and objective manner. The Venezuelan government again calls on the IACHR to establish a balance between its pretensions and its real competence, in the interest of acting in a transparent and objective manner. For the foregoing reasons and in view of the violation of the rules of the system, both substantive and procedural; the threat to the credibility, effectiveness, and efficiency of the system; and the negligent conduct of the Commission, the Bolivarian Government of Venezuela abstains from and disapproves of the entire contents of this resolution.
HIGHLIGHTING that 2009 marks the 50th anniversary of the establishment of the IACHR and the 40th anniversary of the adoption of the American Convention on Human Rights;

CONSIDERING:

That, in the Charter of the Organization of American States (OAS), the member states have proclaimed, as one of their principles, respect for the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

That, under the OAS Charter, the American Convention on Human Rights, and the Statute of the IACHR, the principal function of the Commission is to promote the observance and defense of human rights; and

That in the Declaration of Commitment of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, the Heads of State and Government expressed their commitment “to protect and promote human rights in our Hemisphere, and to the strengthening of the inter-American human rights system, with due respect for its autonomy and independence.” They also recognized that “all human rights are universal, indivisible and interdependent and interrelated” and that “the universal promotion and protection of human rights, including civil, political, economic, social and cultural rights, as well as respect for international law, including international humanitarian law, international human rights law and international refugee law, are essential to the functioning of democratic societies.” They further recognized the principles contained in the Vienna Declaration and Programme of Action, which reaffirms, inter alia, the importance of ensuring the universality and objectivity of the consideration of human rights issues; 3

EXPRESSING APPRECIATION TO:

The Government of Jamaica for its invitation to the IACHR to conduct an on-site visit from December 1 to 5, 2008;

The Government of Brazil for its invitation to the IACHR to conduct an on-site visit in 2009;

The Governments of Argentina, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Paraguay, Peru, and Uruguay, which have extended open and permanent invitations to the IACHR to visit those countries with the consent or at the invitation of the respective government; and

The States of Argentina and Chile for their invitations to the IACHR to hold special sessions in those countries in September 2009 to commemorate the 50th anniversary of the establishment of

3. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
the IACHR and the 40th anniversary of the adoption of the American Convention on Human Rights, and, in the case of Argentina, to mark the occasion of the 30th anniversary of the Commission’s on-site visit to that country;

TAKING NOTE:

Of the observations by some countries, during the presentation of the annual report of the IACHR to the Committee on Juridical and Political Affairs (CAJP), on May 7, 2009, on the importance of transparency in the use of information sources;

Of the appeal made by several member states for sufficient resources to be allocated for the work of the IACHR;

RECOGNIZING:

The importance of continuing the dialogue conducted in the CAJP jointly with the IACHR, the states, and other users of the inter-American system, as part of the process of reflection on the system in 2008-2009;

The transparent and participatory process initiated by the IACHR with a view to amending its Rules of Procedure;

The readiness shown by the IACHR to embark on a broad dialogue with the states and other users of the system with a view to ascertaining the methodology used to develop the information presented, including the selection of sources, and to improve and strengthen that methodology, where appropriate;

The fundamental work of protection performed by the IACHR, through the case and petition system whose precautionary measures protect hundreds of people in the Hemisphere;

The restructuring of its Executive Secretariat carried out during the second half of 2008;

The holding of three periods of sessions of the IACHR in 2008, in the course of which 93 hearings and 70 working meetings were held;

The working visits by IACHR members to Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, Paraguay, the United States, and Uruguay, and bearing in mind the importance of these activities;

The adoption by the IACHR of the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas (OEA/Ser/L/V/II.131 doc. 26) and the Guidelines for Preparation of Progress Indicators in the Area of Economic, Social and Cultural Rights, and bearing in mind the usefulness of said documents (CP/doc.4250/09);

AWARE of the need of the IACHR for financial resources to fulfill its functions and mandates and exercise its powers, especially in processing petitions and individual cases; and
EXPRESSING APPRECIATION for the document submitted by the Executive Secretariat of the IACHR, “Financial Needs (Short, Medium and Long Range)” (CP/CAJP-2695/09),

RESOLVES:

1. To adopt the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Commission on Human Rights (IACHR) (CP/CAJP-2758/09 rev. 1) and to forward them to that organ.

2. To reaffirm the essential value of the work carried out by the IACHR in enhancing the promotion and protection of human rights and strengthening the rule of law in the Hemisphere.

3. To encourage member states to:
   a. Consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights (Pact of San José, Costa Rica) and all other legal instruments of the inter-American human rights system;
   b. Implement the recommendations of the IACHR, including, *inter alia*, precautionary measures; and
   c. Continue to take appropriate action in connection with the annual reports of the IACHR, in the framework of the Permanent Council and the General Assembly.

4. To note with satisfaction the decisions taken by the member states that have invited the IACHR to visit their respective countries; and to encourage all member states to continue this practice and to consider the requests made by the IACHR to that end.

5. To encourage the member states to continue inviting the IACHR to hold special sessions away from its headquarters.

6. To urge the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights to continue periodically to hold specialized seminars for government officials on the inter-American system for the promotion and protection of human rights.

7. To reiterate the importance of the application of the friendly settlement mechanism among the parties concerned, in accordance with the American Convention on Human Rights and the Statute and Rules of Procedure of the Inter-American Commission on Human Rights.

8. With regard to financing of the IACHR, to:
   a. Instruct the Permanent Council to continue analyzing, as a matter of priority, ways to achieve an effective increase in the financial resources allocated to the IACHR in the program-budget of the Organization and to seek specific solutions in that regard, taking into account the outcomes of the joint meeting
of the Committee on Juridical and Political Affairs (CAJP) and the Committee on Administrative and Budgetary Affairs (CAAP) of February 5, 2009. To that end, to thank the Secretary General for his work and to urge him to continue his efforts and to present, prior to the fortieth regular session of the General Assembly, additional proposals aimed at achieving adequate financing for the IACHR in said program-budget;

b. Thank the member states, permanent observers, and other institutions that have made voluntary contributions to the IACHR; and

c. Suggest to donors that, to the extent possible, part of the voluntary contributions that they make not be earmarked for specific purposes, to allow the IACHR flexibility in allocating resources among its various activities and projects.

9. To invite the IACHR to:

a. Continue to take into account the observations and recommendations of the member states on its annual report and to adopt such measures as it considers pertinent based on those observations and recommendations;

b. Continue to publish on its Web page, when member states so request, their observations and recommendations on its annual report to the General Assembly;

c. Continue to strengthen, pursuant to Article 15 of its Rules of Procedure, existing rapporteurships and operational units, in the most equitable manner possible, within the limits of its available resources and in accordance with the procedures in effect for designating rapporteurs;

d. Continue to participate, through the members of the Commission, in the dialogue with member states in the context of the CAJP, in order to follow up on the observations and comments of the states contained in the reports on the meetings held on October 26, 2004 (CP/CAJP/SA.412/04 corr. 1 and CP/CAJP/INF.17/04), March 9, 2006 (CP/CAJP-2311/05 add. 2 and 2-a), March 30, 2007 (CP/CAJP-2526/07), April 4, 2008 (CP/CAJP-2644/08), and March 20, 2009 (CP/CAJP-2769/09), in particular the observations and comments regarding the criteria used in its principal mechanisms for the protection of human rights and in the application of its Rules of Procedure to the individual case system, and also regarding the role of the IACHR in proceedings before the Inter-American Court of Human Rights; and

e. Continue to participate, through its members, in the dialogue with member states in connection with the process of reflection on strengthening the inter-American human rights system taking place in the framework of the CAJP.
10. Also to invite the IACHR to bear in mind the proposals and comments made by the member states in the framework of the dialogue between the member states and the members of the IACHR and of the Court on the functioning of the inter-American human rights system, held on March 20, 2009, especially those contained in document CP/CAJP-2665/08 rev. 8 corr. 3, “Results of the Process of Reflection on the Inter-American System for the Promotion and Protection of Human Rights (2008-2009),” which was officially presented on that occasion to the Presidents of the two organs of the system as a contribution by the states to the reform process undertaken by the IACHR and the Inter-American Court of Human Rights in a context of the fullest possible respect for the autonomy and independence of those organs, as well as the contributions by civil society, as set out in the report of that meeting (CP/CAJP-2769/09), and to adopt such measures as it deems appropriate in the context of its autonomy and independence.

11. To invite the IACHR to engage in dialogue with the states and other users of the system, in order to gain awareness of the methodology used to develop the information presented in Chapter IV of its annual report.

12. To instruct the CAJP, with a view to implementing operative paragraph 9.d, to schedule meetings to continue its dialogue with the members of the IACHR.

13. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2523 (XXXIX-O/09)

RIGHT TO FREEDOM OF THOUGHT AND EXPRESSION
AND THE IMPORTANCE OF THE MEDIA

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4992/09 and addenda);

TAKING INTO ACCOUNT resolutions AG/RES. 2237 (XXXVI-O/06), AG/RES. 2287 (XXXVII-O/07), and AG/RES. 2434 (XXXVIII-O/08), “Right to Freedom of Thought and Expression and the Importance of the Media”;

UNDERSCORING the Declaration of Santo Domingo: Good Governance and Development in the Knowledge-Based Society [AG/DEC. 46 (XXXVI-O/06)], adopted on June 6, 2006;

RECALLING that the right to freedom of thought and expression, which includes the freedom to seek, receive, and impart information and ideas of all kinds, is recognized in Article IV of the American Declaration of the Rights and Duties of Man, Article 13 of the American Convention on Human Rights, the Inter-American Democratic Charter (including in Article 4), the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international instruments and national constitutions, as well as in United Nations General Assembly resolution 59 (I) and resolution 104 of the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO);

RECALLING ALSO that Article IV of the American Declaration of the Rights and Duties of Man states that “[e]very person has the right to freedom of investigation, of opinion, and of the expression and dissemination of ideas, by any medium whatsoever”;

RECALLING FURTHER that Article 13 of the American Convention on Human Rights states that:

1. Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice.

2. The exercise of the right provided for in the foregoing paragraph shall not be subject to prior censorship but shall be subject to subsequent imposition of liability, which shall be expressly established by law to the extent necessary to ensure:
a. Respect for the rights or reputations of others; or

b. The protection of national security, public order, or public health or morals.

3. The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.

4. Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.

5. Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any other similar action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be considered as offenses punishable by law;

BEARING IN MIND principles 10 and 11 of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), of 2000, which refer to the decriminalization of “desacato” (offensive expressions directed at public officials);

RECALLING the relevant volumes of the annual reports of the IACHR for 2004, 2005, 2006, 2007, and 2008 on freedom of expression, as well as the comments by member states during meetings at which said reports were presented;


RECALLING the significance of the studies and contributions approved by UNESCO regarding the contribution of the media to strengthening peace, tolerance, and international understanding, to promoting human rights, and to countering racism and incitement to war,

RESOLVES:

1. To reaffirm the right to freedom of thought and expression and to call upon member states to respect and ensure respect for this right, in accordance with the international human rights instruments to which they are party, such as the American Convention on Human Rights and the International Covenant on Civil and Political Rights, inter alia.

2. To reaffirm that freedom of expression and dissemination of ideas are fundamental for the exercise of democracy.
3. To urge member states to safeguard, within the framework of the international instruments to which they are party, respect for freedom of expression in the media, including radio and television, and, in particular, respect for the editorial independence and freedom of the media.

4. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights.

5. To reaffirm that free and independent media are fundamental for democracy, for the promotion of pluralism, tolerance, and freedom of thought and expression, and for the facilitation of dialogue and debate, free and open to all segments of society, without discrimination of any kind.

6. To urge member states to promote a pluralistic approach to information and multiple points of view by fostering full exercise of freedom of thought and expression, access to the media, and diversity in the ownership of media outlets and sources of information, through, *inter alia*, transparent licensing systems and, as appropriate, effective regulations to prevent the undue concentration of media ownership.

7. To urge member states to consider the importance of including, in their domestic legal systems, rules about the establishment of alternative or community media and safeguards to ensure that they are able to operate independently, so as to broaden the dissemination of information and opinions, thereby strengthening freedom of expression.

8. To call upon member states to adopt all necessary measures to prevent violations of the right to freedom of thought and expression and to create the necessary conditions for that purpose, including ensuring that relevant national legislation complies with their international human rights obligations and is effectively implemented.

9. To urge member states to review their procedures, practices, and legislation, as necessary, to ensure that any limitations on the right to freedom of opinion and expression are only such as are provided by law and are necessary for respect of the rights or reputations of others or for the protection of national security, public order (*ordre public*), or public health or morals.

10. To recognize the valuable contribution of information and communication technologies, such as the Internet, to the exercise of the right to freedom of expression and to the ability of persons to seek, receive, and impart information, as well the contributions they can make to the fight against racism, racial discrimination, xenophobia, and related and contemporary forms of intolerance, and to the prevention of human rights abuses.

11. To request the Inter-American Commission on Human Rights (IACHR) once again to follow up on and deepen its study of the issues addressed in the relevant volumes of its 2004, 2005, 2006, 2007, and 2008 annual reports on freedom of expression, on the basis, *inter alia*, of the inputs on the subject that it receives from member states.

12. To invite member states to consider the recommendations concerning defamation made by the Office of the Special Rapporteur for Freedom of Expression of the IACHR, namely by repealing or amending laws that criminalize *desacato*, defamation, slander, and libel, and, in this regard, to regulate these conducts exclusively in the area of civil law.
13. To request the Permanent Council to hold a meeting of national authorities in this field with a view to exchanging experiences and information and engaging in political dialogue among the member states on new trends and debates regarding the right to freedom of thought and expression, the importance of the media in the Hemisphere, and the right of every individual to seek, receive, and impart information. Invitees to that meeting will include members of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights, including the Special Rapporteur for Freedom of Expression, and experts from the member states, all for the purpose of sharing their experiences with these issues.

14. To take into consideration the findings of, and views expressed at, the special meetings on freedom of thought and expression, held on February 28 and 29, 2008, and April 23 and 24, 2009, in the framework of the Committee on Juridical and Political Affairs; and to request the Special Rapporteur of the IACHR to report on the conclusions and recommendations issued by the experts at those special meetings, in order to follow up on the matter.

15. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2524 (XXXIX-O/09)

SUPPORT FOR RECAPITALIZATION OF THE
INTER-AMERICAN DEVELOPMENT BANK IN THE CONTEXT OF
THE INTERNATIONAL ECONOMIC AND FINANCIAL CRISIS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING that the Inter-American Development Bank (IDB) is one of the principal agencies of the inter-American system, and that its mandate is to promote economic and social development in Latin America and the Caribbean;

RECALLING the importance to the region of appropriate strategic coordination between the Organization of American States and the IDB;

CONSIDERING that the IDB has not launched a recapitalization process in 15 years whereas the regional gross domestic product has doubled in size and development demands continue to rise;

CONCERNED about the impact of the economic and financial crisis, chiefly because of its social consequences and the fulfillment of the Millennium Development Goals;

CONSIDERING that the region will have to meet major short-, medium-, and long-term challenges as a result of the most severe international economic and financial crisis since the Great Depression;

RECOGNIZING that the IDB, as the main institution for regional financing, must contribute so that Latin America and the Caribbean make progress in their process of economic and social growth, poverty reduction, and achievement of the Millennium Development Goals; and

BEARING IN MIND the consensus reached by the Heads of State and Government of the Hemisphere at the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, from April 17 to 19, 2009, wherein they considered that recapitalization of the IDB was high on the regional agenda for immediate action,

4. The Government of Nicaragua places on record its express reservation to the Declaration of the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago. During that event, Nicaragua expressed its view that the Declaration of the Fifth Summit of the Americas was unacceptable and inadequate as it did not resolve a number of matters that were extremely important for the Hemisphere and were still under discussion. Nor does Nicaragua accept that references may be made to that Declaration in the resolutions to be adopted by the OAS General Assembly. Nicaragua reaffirms that the items on the General Assembly agenda should be derived from the debates and deliberations of the Heads of State and Government in Trinidad and Tobago.
RESOLVES:

1. To urge member states to support the necessary negotiations so the Inter-American Development Bank (IDB) can increase its credit availability and strengthen its strategic foundations through the urgent consideration of a capital increase needed to provide for investments in social infrastructure, institutional strengthening, and support for the poorest in the region, through the support, *inter alia*, of projects that generate employment.

2. To promote strategies to enable the relevant bodies of the Organization of American States to improve their coordination and define areas of common interest with the IDB.

3. To request the General Secretariat to report to the General Assembly at its fortieth regular session on the implementation of this resolution.
AG/RES. 2525 (XXXIX-O/09)

FUND FOR PEACE: PEACEFUL SETTLEMENT OF TERRITORIAL DISPUTES

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 1756 (XXX-O/00), “Fund for Peace: Peaceful Settlement of Territorial Disputes,” through which a specific fund was established to provide member states that so request with financial resources to assist with defraying the costs of proceedings previously agreed to by the parties for the peaceful settlement of territorial disputes among member states;

HAVING SEEN:

The annual report of the General Secretariat to the Permanent Council (CP/doc.4374/09), presented pursuant to resolution CP/RES. 781 (1257/00), on the Fund for Peace: Peaceful Settlement of Territorial Disputes (Peace Fund); and

The section of the Annual Report of the Secretary General on the activities of the Peace Fund for the period 2008-2009; and

CONSIDERING:

That strengthening peace and security, preventing conflicts, and peacefully settling disputes are among the essential purposes of the Organization of American States, as established in its founding Charter; and

That border and territorial disputes can be a contentious and unnecessary barrier to economic and social development and that they regularly frustrate trade, environmental protection, security, and law enforcement,

RESOLVES:

1. To instruct the Secretary General to continue to promote the raising and mobilization of funds from member states, permanent observers, other states, international financial institutions, national and international organizations, and other entities and donors for the financing of the Fund for Peace: Peaceful Settlement of Territorial Disputes (Peace Fund).

2. To encourage the member states to use the Peace Fund as an effective financial tool for peacefully settling disputes through mechanisms envisaged in the Charter of the Organization of American States, such as direct negotiation, good offices, mediation, investigation, and conciliation.

3. To request the General Secretariat to continue to strengthen its knowledge and experience in the peaceful settlement of territorial disputes through the Secretariat for Political Affairs, under which the Peace Fund is administered pursuant to CP/RES. 781 (1257/00).
4. To recognize the Inter-American Peace Forum, which operates under the Peace Fund, for its contribution to the promotion of a culture of peace in the member states.
AG/RES. 2526 (XXXIX-O/09)

SUPPORT FOR GOVERNANCE AND THE DEMOCRATIC INSTITUTIONAL SYSTEM IN GUATEMALA

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

REAFFIRMING that the strengthening and preservation of the democratic institutional system in the member states is an essential purpose of the Organization of American States (OAS) that calls for hemispheric solidarity;

TAKING INTO ACCOUNT:

The firm commitment of the Government of Guatemala to address the current challenges to governance in the country as a state policy, in order to continue progress toward a consolidation of peace and national reconciliation and the strengthening of democracy in Guatemala;

The results of the elections held toward the end of 2007, which were observed by the OAS and in which the citizens freely elected their President, members of Congress, and municipal mayors;

Resolution CP/RES. 950 (1691/09) of the Permanent Council, which supported the constitutional government of Guatemala in its obligation to preserve the democratic institutional system and the effective exercise of the rule of law; and

The report submitted by the Secretary General to the Permanent Council at its meeting of May 27, 2009, on his recent visit to Guatemala; and

CONSIDERING:

The presentation by the Minister of Foreign Affairs of Guatemala, on May 13, 2009, on the situation in the country, which may undermine the stability of the democratic constitutional order in Guatemala; and

The request for assistance by the Government of Guatemala under Article 17 of the Inter-American Democratic Charter,

RESOLVES:

1. To reiterate support for the Government and people of Guatemala in their efforts to strengthen the rule of law and preserve the democratic institutional system.

2. To support the Government of Guatemala in the consolidation of democracy and in its resolute battle against impunity.
3. To instruct the Secretary General to analyze the possibility of coordinating cooperation programs or projects to support institutions and the rule of law in Guatemala.

4. To request the Government of Guatemala to continue reporting on developments in that country in order to take appropriate measures to strengthen and preserve the democratic institutional system.
AG/RES. 2527 (XXXIX-O/09)

SEVENTH INTER-AMERICAN SPECIALIZED CONFERENCE
ON PRIVATE INTERNATIONAL LAW

( Adopted at the fourth plenary session, held on June 4, 2009 )

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII) (AG/doc.4992/09 add. 1);

RECALLING resolutions AG/RES. 1923 (XXXIII-O/03), AG/RES. 2033 (XXXIV-O/04), AG/RES. 2065 (XXXV-O/05), and AG/RES. 2217 (XXXVI-O/06), which, respectively, convened CIDIP-VII, analyzed member state proposals for CIDIP-VII, selected Consumer Protection and Secured Transaction Registries as the two topics for its agenda, and established its methodology and preparatory work, as well as resolutions AG/RES. 2285 (XXXVII-O/07) and AG/RES. 2401 (XXXVIII-O/08);

RECALLING ALSO that the CIDIP process is the principal component of the Organization of American States (OAS) for the development and harmonization of private international law in the Hemisphere, through which 26 inter-American instruments have been adopted; and

CONSIDERING:

That in the area of consumer protection, the Government of Brazil has proposed a draft Convention on Applicable Law; the Government of Canada, a Draft Model Law on Jurisdiction and Applicable Law; and the Government of the United States, a Legislative Guide and Model Laws on Monetary Redress;


That in the area of secured transaction registries, the Permanent Council approved the model registry regulations drafted by the member states and convened a three-day meeting of CIDIP-VII, to be held at OAS headquarters in Washington, D.C., from October 7 to 9, 2009;

That the Government of Brazil offered to host CIDIP-VII to consider the draft final document or documents on consumer protection; and
That the member states are determined to work toward completion of the proposed documents on consumer protection with a view to setting dates for CIDIP-VII on said topic as soon as possible, preferably in the first half of 2010,

RESOLVES:

1. To thank the working groups on consumer protection and secured transaction registries of the Inter-American Specialized Conference on Private International Law (CIDIP) for their efforts. In the future they will be composed of government officials or representatives appointed by the states.

2. To instruct the Permanent Council to set up a working group made up of government officials and representatives of interested member states with a view to completing the draft final document or documents on consumer protection. To that end, the General Secretariat will provide support for the Working Group to:

   a. Organize and hold teleconferences, beginning as soon as possible and not later than July 2009, to allow the Working Group to complete the work on the final draft document or documents; and

   b. Organize and hold a meeting of the Working Group, no later than November 2009, at a venue and on a date to be determined by the Permanent Council.


3. To instruct the Permanent Council, after consideration of the Working Group’s report referred to in the preceding paragraph, to set the dates for CIDIP-VII on consumer protection once the experts complete their preparatory work on the final draft document or documents. If the Permanent Council does not set the dates for CIDIP-VII, the Working Group will continue its work and present another progress report, by May 15, 2010.

4. To instruct the Permanent Council to allocate funds from the Regular Fund program-budget to cover the costs of the CIDIP-VII meeting to be held this October at the headquarters of the Organization of American States, as well as to cover the expenses for the preparatory work on the topic of consumer protection called for in this resolution.

5. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2528 (XXXIX-O/09)

MODERNIZATION AND USE OF ELECTORAL TECHNOLOGIES IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2254 (XXXVI-O/06), AG/RES. 2337 (XXXVII-O/07), and AG/RES. 2428 (XXXVIII-O/08), “Modernization and Use of Electoral Technologies in the Hemisphere”;

BEARING IN MIND the Charter of the Organization of American States (OAS), which establishes in its preamble that representative democracy is an indispensable condition for the stability, peace, and development of the region, and that one of the essential purposes of the Organization is to promote and consolidate representative democracy, with due respect for the principle of nonintervention;

CONSIDERING that, according to the Inter-American Democratic Charter, the essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, and the holding of periodic, free, and fair elections based on universal suffrage and secret balloting as an expression of the sovereignty of the people;

RECALLING that, in the Plan of Action of the Third Summit of the Americas, the Heads of State and Government stated that they would “[c]ontinue to enhance electoral mechanisms, using information and communications technologies where possible, to effectively guarantee the impartiality, promptness and independent action of agencies, tribunals or other bodies responsible for the conduct, supervision and verification of elections at national and sub-national levels”;

CONSIDERING the reports of the various electoral observation and technical assistance missions, in particular their diverse recommendations on the need to improve electoral processes, which constitute an important contribution to strengthening democratic institutional systems, and the “Report: Best Practices in OAS Electoral Observation, 2004-2007” (CP/CG-1739/08 corr. 1), prepared by the General Secretariat;

UNDERSCORING the advisability of reinforcing hemispheric cooperation and the exchange of experiences in the area of electoral technologies and related legislation;

NOTING the Conclusions and Recommendations of the Inter-American Meeting of Experts and Representatives of Electoral Bodies of the OAS member states, held in Caracas, Bolivarian Republic of Venezuela, on April 4, 2008 (ROEL/doc.3/08);
BEARING IN MIND that the Fifth Inter-American Meeting of Electoral Authorities, held in Quito, Ecuador, on April 23 and 24, 2008, underscored the role played by electoral authorities in the application and implementation of political funding rules in election campaigns, as well as new tools for regulating political funding;

BEARING IN MIND ALSO that the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies of the OAS member states will be held in Caracas, Bolivarian Republic of Venezuela, on June 11 and 12, 2009, where there will be an exchange of experiences on standards and procedures applicable to electoral bodies of the countries of the region for management and control of electoral processes;

BEARING IN MIND ALSO FURTHER that the Sixth Inter-American Meeting of Electoral Management Bodies, to be held in Ottawa, Canada, on June 22 and 23, 2009, will consider the issues of electoral registers, international electoral observation, and the role of electoral bodies between elections; and

RECOGNIZING the role of the OAS and the General Secretariat in the strengthening, transparency, and deepening of the region’s democratic processes,

RESOLVES:

1. To underscore the efforts made by election officials in the member states to organize and administer elections, for the purpose of increasing the quality and transparency of their electoral processes, including the incorporation of new electoral technologies.

2. To underscore the decisive contribution by the Organization of American States (OAS), through electoral observation missions, advice, and assistance, to the holding of elections and the strengthening and development of electoral institutions and processes in the member states.

3. To urge the General Secretariat to support member states that so request, in such a way as to enable their electoral bodies to join together in a horizontal cooperation effort to adopt new electoral technologies under the auspices of the OAS, within the resources available.

4. To request the Secretariat for Political Affairs to maintain ongoing consultations with the member states on the priorities of their electoral bodies with respect to elections and the promotion of democracy.

5. To instruct the General Secretariat to do more, through the Secretariat for Political Affairs, to foster the generation of horizontal cooperation mechanisms for organizing electoral processes, including the adoption of new technologies, in order to assist member states that request such assistance.

6. To instruct the General Secretariat to work with member states that so request in training human resources in international electoral observation.
7. To underscore the advisability of promoting, for these purposes, cooperation and the exchange of experiences in the areas of electoral legislation and technologies, with other international and regional organizations.

8. To call upon member states, permanent observers, and other donors to make voluntary contributions to the activities proposed to implement and follow up on this resolution.

9. To instruct the General Secretariat to include in its activity reports on the promotion of democracy the progress made in carrying out this mandate.

10. To thank the National Electoral Council of the Bolivarian Republic of Venezuela for organizing the Second Inter-American Meeting of Experts and Representatives of Electoral Bodies of the OAS member states.

11. To request the Permanent Council to convene the Third Inter-American Meeting of Experts and Representatives of Electoral Bodies, to be held in Caracas, Bolivarian Republic of Venezuela, in 2010, for the purpose of producing a compendium of best practices and common approaches used by electoral bodies and authorities to manage and control electoral processes. Its conclusions are to be referred to the Seventh Inter-American Meeting of Electoral Authorities.

12. To instruct the Secretariat for Political Affairs to coordinate with the National Electoral Council of the Bolivarian Republic of Venezuela, through the Department of Electoral Cooperation and Observation, the preparation and holding of the Third Inter-American Meeting of Experts and Representatives of Electoral Bodies, referred to in the preceding paragraph.

13. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2529 (XXXIX-O/09)

PLACE AND DATE OF THE FORTIETH REGULAR SESSION
OF THE GENERAL ASSEMBLY

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT Articles 43 and 44 of the Rules of Procedure of the General Assembly, relating to the holding of regular sessions of the General Assembly and the establishment of sites for those sessions;

RECALLING:

That the premises of the Organization of American States (OAS) in Washington, D.C., were inaugurated in 1910;

That 2010 will mark the celebration of the 120th anniversary of the First International Conference of American States, a milestone in the construction of the inter-American multilateral system; and

Resolution AG/RES. 2319 (XXXVII-O/07), “Celebration of the Centennial of the Headquarters of the Organization of American States”; and

CONSIDERING that, in resolution AG/RES. 939 (XVIII-O/88), it was recommended that the first Monday in June of each year be set as the opening date for the regular sessions,

RESOLVES:

To determine that the fortieth regular session of the General Assembly will start on the first Monday in June in the year 2010 at the headquarters of the Organization of American States in Washington, D.C.
AG/RES. 2530 (XXXIX-O/09)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF HONDURAS

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the thirty-ninth regular session of the General Assembly of the Organization of American States was held in the Republic of Honduras from June 2 to 4, 2009, and noting the warm welcome extended by the people and Government of Honduras; and

That the delegations expressed their deep gratitude to Her Excellency Patricia Isabel Rodas Baca, Minister of Foreign Affairs of Honduras, for the skill with which she steered the discussions, which led to the adoption of important declarations and resolutions on high-priority issues on the hemispheric agenda,

RESOLVES:

1. To express its appreciation to His Excellency Manuel Zelaya Rosales, President of the Republic of Honduras, and particularly to the people of San Pedro Sula, for their warm and generous hospitality and the contribution they have made to the success of the thirty-ninth regular session of the General Assembly of the Organization of American States (OAS).

2. To recognize and congratulate the Minister of Foreign Affairs of Honduras, Her Excellency Patricia Isabel Rodas Baca, for her able leadership as President of the thirty-ninth regular session of the General Assembly.

3. To express its appreciation and gratitude to Ambassador Carlos Sosa Coello, Permanent Representative of the Republic of Honduras to the OAS, the members of the Permanent Mission of Honduras to the OAS, and the officials from the Ministry of Foreign Affairs of Honduras, whose dedication and professionalism contributed to the success of the thirty-ninth regular session of the General Assembly.
The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 63 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (Commonwealth of), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (Commonwealth of), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.