FORTY-FIRST REGULAR SESSION
San Salvador, El Salvador
June 5 – 7, 2011

PROCEEDINGS
VOLUME I

AG/DEC. 66 - AG/DEC. 68 (XLI-O/11)
AG/RES. 2617 - AG/RES. 2698 (XLI-O/11)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006
FORTY-FIRST REGULAR SESSION
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GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006
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 forty-first regular session, held in San Salvador, El Salvador, from June 5 to 7, 2011.

[Signature]

José Miguel Insulza
Secretary General
Organization of American States
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DECLARATION OF SAN SALVADOR ON CITIZEN SECURITY IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS) gathered in San Salvador, El Salvador, at the forty-first regular session of the OAS General Assembly,

RECOGNIZING that peace, security, democracy, human rights, development, and cooperation are the pillars of the inter-American system and that they are interlinked and mutually reinforcing;

CONVINCED that all multilateral efforts and cooperation in the area of security must respect in full the principles of sovereignty, territorial integrity, political independence of states, and of non-interference in the internal affairs of states, in accordance with the Charter of the United Nations, the Charter of the Organization of American States, and international law, as well as take into account different perspectives with regard to threats to states’ security and their priorities;

RECOGNIZING that the Declaration on Security in the Americas reiterates that the 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;

RECOGNIZING that with the adoption of the Commitment to Public Security in the Americas at the First Meeting of Ministers Responsible for Public Security in the Americas (MISPA I), held in Mexico from October 7 to 8, 2008, the member states expressed their political will for and the priority of confronting crime, violence, and insecurity in a joint, mutually supportive, preventive, comprehensive, coherent, effective, and continuous manner;

RECOGNIZING ALSO the Consensus of Santo Domingo on Public Security adopted at the Second Meeting of Ministers Responsible for Public Security in the Americas (MISPA II), held in the Dominican Republic on November 4 and 5, 2009;

REAFFIRMING that the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective forums for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address threats to security;

RECALLING the rights enshrined in the Universal Declaration of Human Rights, in the American Declaration of the Rights and Duties of Man, in the American Convention on Human Rights, and in the International Covenant on Civil and Political Rights;

RECOGNIZING that public security is the duty and exclusive obligation of the state, strengthens the rule of law, and has as its purpose to safeguard the integrity and safety of persons and to protect the enjoyment of all their rights;

TAKING INTO ACCOUNT that citizen and community participation is essential in the promotion and sustainability of public security policies;

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

RECOGNIZING furthermore the need to promote and strengthen long-term and comprehensive state policies for public security that guarantee the protection and promotion of human rights, with an emphasis on addressing the causes of crime and violence;

UNDERLINING the need to continue coordinating international measures in the area of natural disaster prevention, mitigation, and assistance, while encouraging community participation and strengthening domestic capabilities as well as those of competent risk management agencies;

REITERATING the commitment to promote, within the framework of the rule of law, a culture of peace and nonviolence, 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;

RECOGNIZING that crime and violence impair the social, economic, and political development of their societies;

CONSIDERING ALSO that, in the OAS Charter, the member states agreed 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 the need to take action to bring about conditions for social, economic, political, and cultural development so as to promote social inclusion, reduce inequity and create opportunities for their people thereby contributing to the prevention of crime, violence, and insecurity;

REITERATING the commitment to address the challenges related to pandemics and natural and man-made disasters;
REAFFIRMING that states have a duty and responsibility to provide the humanitarian assistance necessary to protect the life, integrity, and dignity of their inhabitants in natural or man-made disasters;

CONSIDERING the importance of adopting policies, programs, and actions to prevent and confront crime, violence, and insecurity, including measures for the protection of vulnerable groups;

CONVINCED that elimination of violence against women in all its dimensions is an indispensable condition for their individual and social advancement and for their full and equal participation in society; as well as of the importance of including a gender perspective in security policies;

RECOGNIZING the importance of providing youth, particularly at-risk youth, with opportunities for and access to education, training, employment, culture, sports, and recreation, in order to prevent violence;

REAFFIRMING that prevention, punishment, and eradication of migrant smuggling, trafficking in persons and exploitation in all its forms, including sexual exploitation of women and minors, are obligations of the member states that should be addressed in accordance with the national and international legal instruments on such matters, and when appropriate, in partnership with civil society;

TAKING INTO ACCOUNT that transnational organized criminal activities can be used to finance and facilitate terrorism;

RECOGNIZING the importance of continuing to strengthen law enforcement and criminal justice capabilities;

RECOGNIZING ALSO the importance of mutual assistance in criminal matters and extradition in response to the preparation, planning, commission, execution, or financing of acts of terrorism, as well as corruption and organized crime, in accordance with domestic law and international agreements;

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

REAFFIRMING the importance of maintaining and strengthening bilateral, subregional, regional, and international cooperation on security-related matters,

DECLARE:

1. That it is their priority to continue directing their political will, efforts and actions to strengthen citizen security, as a component of public security, in their countries.

2. The obligation of states to develop and implement public policies in the area of public security within the framework of a democratic order, the rule of law, and observance of human
rights, geared towards providing security and strengthening peaceful coexistence in their communities.

3. That public security policies must encourage measures for dealing with the causes of crime, violence, and insecurity.

4. That the individual is at the center of citizen security, understood as a component of public security, and should therefore be a key factor in the definition and implementation of ways to build more secure and sustainable communities and societies that conform to their aspirations for democracy and for socioeconomic and cultural development.

5. That public security policies require the participation and cooperation of multiple actors, such as individuals, government at all levels, civil society, communities, the mass media, the private sector, and academia in order to reinforce promotion of a culture of peace and nonviolence and respond effectively and in a participatory manner to the needs of society as a whole.

6. The importance of strengthening the capacity of the state to develop comprehensive, long-term public security policies with a gender-based perspective, bearing in mind the needs of vulnerable groups, including the promotion and protection of human rights, and adapting, as necessary, the appropriate legal frameworks, structures, programs, operating procedures, and management mechanisms.

7. The need to continue implementing policies and measures in the area of prevention, law enforcement, rehabilitation, and reintegration into society, in order to ensure a comprehensive approach in combating crime, violence, and insecurity, for the purpose of enhancing public security.

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

9. The importance of continuing to foster measures to ensure that their populations have access to justice and to the protection afforded by an effective, transparent, and reliable criminal justice system.

10. The need to continue promoting prison systems based on respect for human dignity and human rights, including policies and practices geared towards rehabilitation and reintegration into society.

11. Their commitment to strengthen the links between development and security and, in this regard, foster increasing interaction between the areas of integral development and multidimensional security of the OAS.

12. The importance of maintaining and strengthening bilateral, subregional, regional, and international cooperation on security-related matters.

13. The commitment to reinforce inter-American partnership for integral development and to strengthen cooperation mechanisms and actions to urgently address extreme poverty, inequity, and social exclusion.
14. The need to continue coordinating international measures in the area of disaster prevention, mitigation, and assistance, while encouraging community participation and strengthening domestic capabilities as well as those of competent risk management agencies.

15. The need to continue strengthening bilateral, subregional, regional, and international cooperation mechanisms, in keeping with the principles established in the OAS Charter, to address, prevent, and combat, in a comprehensive and effective manner, transnational organized crime, illicit arms trafficking, trafficking in persons, smuggling of migrants, the global drug problem, money laundering, corruption, terrorism, kidnapping, criminal gangs, and technology-related crime, including cybercrime, as they may affect, in certain cases, social, economic, and political development and the legal and institutional order.

16. To instruct the Permanent Council to prepare, in consultation and coordination with the national authorities of the Meeting of Ministers Responsible for Public Security in the Americas (MISPA) and of the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), with the assistance of the General Secretariat, a draft hemispheric plan of action, to follow up on this Declaration of San Salvador, to be considered by the forty-second regular session of the General Assembly.

17. That they request the General Secretariat to seek adequate funding for the preparation of the draft hemispheric plan of action and to report to the General Assembly at its next regular session on steps taken to this end.
AG/DEC. 67 (XLI-O/11)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 7, 2011)

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-O/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 resolution CP/RES. 655 (1041/95), as a permanent observer of the Organization of American States (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 Georgia, 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 the OAS 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.
DECLARATION ON HAITI

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

WELCOMES the success of the recent electoral process in Haiti;

NOTES with satisfaction the commitment of the Haitian people to democracy and to the betterment of their country confirmed through their participation in the recent elections;

ACKNOWLEDGES the efforts of the international community and all contributors in support of Haiti, and in particular the work of the Organization of American States (OAS), the Joint OAS-CARICOM Electoral Observation Mission, and the United Nations;

EXTENDS its most sincere congratulations to the people of Haiti for their resolve, political maturity and commitment to democracy and the rule of law, and salutes their courage demonstrated during times of difficulty, especially after the earthquake of January 12, 2010;

CONGRATULATES Mr. Michel Joseph Martelly on his democratic election and assumption of office as President of the Republic of Haiti and extends the support of the member states of the OAS for his efforts to meet the expectations of the Haitian people;

WELCOMES the opportunity seized by the Haitian people to address current challenges linked to the reconstruction process, and to work towards a better future for all Haitians;

ENCOURAGES all political actors in Haiti to resolve any remaining electoral disputes through transparent and efficient legal means in order to ensure that the results reflect the will of the Haitian people;

TAKES NOTE WITH SATISFACTION of the commitments made by the President of the Republic of Haiti to promote national reconciliation, social inclusion, universal education, good governance, the rule of law, police and justice reform, restoration of the environment, sustainable development, and prosperity for all Haitians;

ACKNOWLEDGES the efforts of the donor community and calls upon it to fulfill without delay all pledges, including those made at the International Donors’ Conference “Towards a New Future for Haiti” held on March 31, 2010, and to continue working with the new government in support of its efforts to achieve the reconstruction of the country and its integral development;

WELCOMES the attention afforded to Haiti by the United Nations and the role played by the United Nations Stabilization Mission in Haiti (MINUSTAH) in reinforcing the efforts made to ensure the conditions for the success of development initiatives in Haiti;
REAFFIRMS the continued engagement of the OAS to support the efforts of the Haitian authorities, upon their request, to strengthen the rule of law and respect for human rights, political stability, and democratic governance, as well as social and economic development in Haiti; and

REMAINS FIRMLY CONVINCED that the reconstruction process and the development program of Haiti can bring significant and lasting change only through clear Haitian leadership and should have strong support of member states and other partner governments and international institutions.
AG/RES. 2617 (XLI-O/11)

FOLLOW-UP TO THE SPECIAL CONFERENCE ON SECURITY

( Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

HAVING SEEN ALSO General Assembly resolutions AG/RES. 1998 (XXXIV-O/04), AG/RES. 2117 (XXXV-O/05), AG/RES. 2185 (XXXVI-O/06), AG/RES. 2274 (XXXVII-O/07), AG/RES. 2357 (XXXVIII-O/08), AG/RES. 2443 (XXXIX-O/09), and AG/RES. 2532 (XL-O/10), “Follow-up to the Special Conference on Security”;

RECALLING that the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City in 2003, establishes that “[u]r 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;

EXPRESSING ITS SATISFACTION with the results of the meetings of the Committee on Hemispheric Security of February 10, 2011, which examined progress in implementation of the Declaration by member states and by the organs, agencies, entities, and mechanisms of the Organization of American States (OAS); and of March 10, 2011, which adopted the “Criteria to Guide and Facilitate Preparation and Presentation of Voluntary Reports by Member States on Measures and Activities Related to Implementation of the Declaration on Security in the Americas” (CP/CSH-1280/11 rev. 1);

NOTING WITH SATISFACTION the presentation of voluntary reports on implementation of the Declaration on Security in the Americas by Canada, Chile, Colombia, Mexico, Paraguay, Peru, and the United States; and

RECOGNIZING the importance of the interaction between the areas of integral development and multidimensional security in the OAS,
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 invite the member states to submit voluntary reports on implementation of the Declaration on Security in the Americas using the document “Criteria to Guide and Facilitate Preparation and Presentation of Voluntary Reports by Member States on Measures and Activities Related to Implementation of the Declaration on Security in the Americas” (CP/CSH-1280/11 rev. 1).

3. To request, in accordance with paragraph 43 of the Declaration on Security in the Americas, that the Committee on Hemispheric Security continue coordinating cooperation among the organs, agencies, entities, and mechanisms of the Organization of American States (OAS) related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration on Security in the Americas.

4. To request, in keeping with paragraph 44 of the Declaration on Security in the Americas, that the Committee on Hemispheric Security continue maintaining the necessary liaison with other institutions and mechanisms, whether subregional, regional, or international, related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration on Security in the Americas.

5. To request that the Permanent Council, through the Committee on Hemispheric Security, convene a meeting in the first quarter of 2013 to review progress in implementation of the Declaration on Security in the Americas by member states and by the organs, agencies, entities, and mechanisms of the OAS.

6. To instruct the Permanent Council and the Inter-American Council for Integral Development (CIDI) to hold, prior to the forty-second regular session of the General Assembly, a joint meeting for member states and the General Secretariat to present their views and experiences on initiatives and programs that contribute to multidimensional security and integral development; to explore opportunities for cooperation in this field, and to foster collaboration between the Secretariat for Multidimensional Security and the Executive Secretariat for Integral Development in areas of common interest.

7. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

8. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2618 (XLI-O/11)

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

(Adopted at the fourth plenary session, held on June 7, 2011)

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.5217/11 add. 1), particularly the Annual Report of the Inter-American Committee against Terrorism to the General Assembly (CP/doc.4553/11);

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), AG/RES. 2396 (XXXVIII-O/08), AG/RES. 2459 (XXXIX-O/09), and AG/RES. 2536 (XL-O/10), “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 and 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 and principles enshrined in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other international instruments;

REAFFIRMING the nature, principles and purposes of the Inter-American Committee against Terrorism (CICTE) whose main purpose is “to promote and develop cooperation among member states to prevent, combat, and eliminate terrorism, in accordance with the principles of the OAS Charter and with the Inter-American Convention against Terrorism, and with full respect for the sovereignty of states, the rule of law, and international law, including international humanitarian law, international human rights law, and international refugee law”;

UNDERSCORING the urgent need to further strengthen the capacity of member states to cooperate with one another in the fight against terrorism bilaterally, subregionally, regionally, and internationally;

RECOGNIZING that member states have made considerable progress in the global fight against terrorism and that it is necessary to continue identifying and taking effective measures at the national level to prevent, combat, and eliminate terrorism;
RECOGNIZING ALSO that the threat of terrorism is exacerbated when connections exist between terrorism and illicit drug trafficking, illicit trafficking in arms, money laundering, and other forms of transnational organized crime, and that such illicit activities may be used to support and finance terrorist activities;

EMPHASIZING the importance for the member states of the OAS to sign, ratify, or accede to, as the case may be, and implement in an effective way the Inter-American Convention against Terrorism as well as the pertinent universal legal instruments, including the 18 related international conventions, protocols, and amendment, resolutions 1267 (1999), 1373 (2001), 1540 (2004), and 1624 (2005) and other pertinent United Nations Security Council resolutions, and the UN Global Counter-Terrorism Strategy adopted by the United Nations General Assembly to fight terrorism, including 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 haven;

NOTING WITH SATISFACTION the holding of the eleventh regular session of the Inter-American Committee against Terrorism (CICTE) in Washington, D.C., on March 17, 2011, and the adoption of the Declaration on “Renewed Hemispheric Commitment to Enhance Cooperation to Prevent, Combat and Eliminate Terrorism”;

RECOGNIZING the importance of the international counter-terrorism framework adopted by the United Nations through resolutions of the General Assembly and of the Security Council and the Global Counter-Terrorism Strategy;

AWARE of the need to continue strengthening the CICTE Secretariat in its supporting role to member states and to enhance their capacity to cooperate to prevent, combat, and eliminate 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 ninth meeting of CICTE’s National Points of Contact, on March 18, 2011, 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, regardless of where and by whom it is committed, and because it constitutes a serious 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 “Renewed Hemispheric Commitment to Enhance Cooperation to Prevent, Combat and Eliminate Terrorism” adopted by the member states of the Inter-American Committee against Terrorism (CICTE) at its eleventh regular session held on March 17,
2011, in Washington, D.C., and to encourage the member states to fulfill the commitments contained therein.

3. To urge member states to prevent, combat, and eliminate terrorism through the broadest cooperation possible, in full respect for the sovereignty of states and compliance with their obligations under national and international law, including international human rights law, international humanitarian law, and international refugee law.

4. To urge those 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 pertinent universal legal instruments and resolutions of the United Nations General Assembly and Security Council.

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

6. 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.

7. To instruct the CICTE Secretariat to continue providing technical assistance and capacity-building to member states, as appropriate and according to its Work Plan for 2011, which includes the following areas: border controls, legislative assistance and combating terrorism financing, protection of critical infrastructure, strengthening strategies on emerging threats, and international coordination and cooperation; and to instruct it to submit a report to the member states every six months on the results of its program evaluations and on the implementation of mandates given to it.

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

9. To invite member states, permanent observers, and pertinent international organizations to provide, maintain, or increase, as appropriate, their voluntary financial and/or human resource contributions to CICTE, to facilitate the performance of its functions and promote enhancement of its programs and the scope of its work.

10. To instruct the General Secretariat to continue providing the CICTE Secretariat, within the resources allocated in the program-budget of the Organization of American States (OAS) and other resources, with the human and financial resources and support necessary to ensure continuity in the implementation of its mandates, including support for the twelfth regular session of CICTE, scheduled to be held at OAS headquarters in Washington, D.C., from March 7 to 9, 2012; for the tenth meeting of CICTE’s National Points of Contact, which will take place in conjunction with
that regular session; and for the three one-day meetings to be held on October 25, 2011; December 6, 2011; and February 7, 2012.

11. To request the Chair of CICTE to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2619 (XLI-O/11)

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES OF THE CARIBBEAN

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/10 add. 1), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECALLING:

Its resolutions AG/RES. 1410 (XXVI-O/96), “Promotion of Security in the Small Island States”; AG/RES. 1497 (XXVII-O/97), AG/RES. 1567 (XXVIII-O/98), AG/RES. 1640 (XXIX-O/99), and AG/RES. 1802 (XXXI-O/01), “Special Security Concerns of Small Island States”; and AG/RES. 1886 (XXXII-O/02), AG/RES. 1970 (XXXIII-O/03), AG/RES. 2006 (XXXIV-O/04), AG/RES. 2112 (XXXV-O/05), AG/RES. 2187 (XXXVI-O/06), AG/RES. 2325 (XXXVII-O/07), AG/RES. 2397 (XXXVIII-O/08), and AG/RES. 2485 (XXXIX-O/09), “Special Security Concerns of the Small Island States of the Caribbean”;

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
factors; and that multilateral cooperation is the most effective approach for responding to and managing the threats and concerns of small island states;

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

The decisions adopted at the tenth and eleventh regular sessions of the Inter-American Committee against Terrorism (CICTE) to promote public-private cooperation in the fight against terrorism and to renew hemispheric commitment to enhance cooperation to prevent, combat and eliminate terrorism, as well as the decisions adopted at all previous regular sessions of CICTE that address the special security concerns of small island states; 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,… (The text of this footnote continues on page 22.)
The outcomes of the twelfth regular meeting of the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);

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”; AG/RES. 2184 (XXXVI-O/06), “Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations”; AG/RES. 2492 (XXXIX-O/09) and AG/RES. 2610 (XL-O/10), “Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States”; 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 meetings of the Permanent Council’s Committee on Hemispheric Security held on March 25, 2010 and March 31, 2011, which addressed the follow-up on the implementation of resolution AG/RES. 2485 (XXXIX-O/09), “Special Security Concerns of the Small Island States of the Caribbean,” and which included expert presentations on CARICOM’s security priorities, among them disaster management and mitigation, violence and crime prevention, the impact of climate change as an ongoing threat to sustainable development, and border control enhancement;

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 renewed at the Second Meeting of Ministers Responsible for Public Security in the Americas (MISPA II) held in Santo Domingo on November 4 and 5, 2009, and the importance of the undertakings therein to the security of small island states;

The convocation of the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA III), to be held in Trinidad and Tobago on November 17 and 18, 2011, which will focus on the theme of Police Management; 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 concerns of the small island states, in compliance with the Statutes of the IADB, through the formation of a new office of “Small States Affairs” to expand, in accordance with its Statutes, cooperation and coordination with regional and subregional organizations on the needs of small island states in the Caribbean,2

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 special security concerns of the small island states of the Caribbean.

2. 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.

3. 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), the Inter-American Convention against Terrorism; and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC); and to adopting all necessary measures for their effective implementation.

4. 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 with member states, civil society, private-sector organizations, and relevant multilateral institutions, as appropriate, within their areas of competence and programming:

   a. Strengthen regional, sub-regional, 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;

2. Nicaragua respects the sovereign right of the CARICOM member states to create a new office of “Small States Affairs.” The Government of Nicaragua … (The text of this footnote continues on page 22.)
c. Strengthen the capacity of small island states to fight money laundering and illicit trafficking in drugs;

d. Strengthen the capacity of small island states to combat the illicit manufacture of and trafficking in small arms, light weapons, and ammunition;

e. Continue to analyze the causes and effects of violence as it relates to criminal gangs and at-risk youth and other vulnerable populations with a view to identifying best practices and supporting capacity-building initiatives, including prevention, rehabilitation, and social reintegration programs aimed at reducing incidences of violence;

f. Continue to support states through the provision of capacity building programs and technical assistance regarding legislation aimed at countering trafficking in persons;

h. Provide training and technical assistance regarding legislation on counter-terrorism, terrorist financing, cyber-security, and cyber-crime to small island states;

i. 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

j. Improve coordination and information-sharing among member states on immigration policies, including deportation.

5. 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.

6. To request that the General Secretariat, through the Secretariat for Multidimensional Security and the relevant organs, agencies, and entities of the inter-American system, keep the Committee on Hemispheric Security duly apprised on the progress made in addressing the special security concerns of the small island states of the Caribbean.
7. To request the Permanent Council and the General Secretariat to report to the General Assembly at its forty-second and forty-third regular sessions on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTES

1. … Trinidad and Tobago. During the event, Nicaragua stated its position that it considered the Declaration of the Fifth Summit of the Americas to be unacceptable and insufficient as it failed to address a number of issues of vital importance for the Hemisphere, which are still pending discussion. Similarly, Nicaragua does not accept the reference to that Declaration in various resolutions adopted by the General Assembly. Nicaragua insists that the items on the agenda for the General Assembly should be drawn from the discussions and debates of the heads of state and government gathered in Trinidad and Tobago.

2. … has maintained a critical stance towards the IADB, not agreeing that it should be engaged in matters of a military or defense nature in the countries of the hemisphere, or in any other activity that affects the sovereignty of states.
AG/RES. 2620 (XLI-O/11)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.5217/11 add. 1) on the 2010 Annual Report of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.4559/11);

CONSCIOUS of the need for strengthening efforts to address the world drug problem; and

CONSCIOUS 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,

RESOLVES:

1. To take note of the 2010 Annual Report of the Inter-American Drug Abuse Control Commission (CICAD) to the General Assembly (CP/doc.4559/11) and to congratulate CICAD on the progress made.

2. To invite the member states to consider making voluntary financial contributions to ensure the actions of the Commission and the programs carried out by its Executive Secretariat, to thank the international donor community for its contributions, and to invite it to continue its support to CICAD.

3. To acknowledge the work of CICAD and to urge it to continue, through its Executive Secretariat, 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.

4. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

5. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
HEMISPHERIC PLAN OF ACTION ON DRUGS, 2011-2015
(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2556 (XL-O/10), “Hemispheric Drug Strategy and Preparation of Its Plan of Action”;1

REITERATING the importance of having up-to-date strategies and mechanisms that facilitate hemispheric cooperation to address all aspects of the world drug problem;

CONSIDERING:

That at its forty-seventh regular session, the Inter-American Drug Abuse Control Commission (CICAD) began the process of drafting the Plan of Action of the Hemispheric Drug Strategy as a policy instrument that directs the collective effort to combat the world drug problem;

That the main purpose of the Plan of Action is to support the implementation of the Hemispheric Drug Strategy, based on its principles and contents; and

That the Plan of Action is a tool for the planning and management of the activities of CICAD and its subsidiary bodies;

CONSIDERING ALSO that the Government of Mexico coordinated the process whereby the High-Level Working Group agreed on a proposed Plan of Action; and

TAKING INTO ACCOUNT that during its forty-ninth regular session, CICAD approved the Hemispheric Plan of Action on Drugs, 2011-2015,

RESOLVES:

1. To endorse the Hemispheric Plan of Action on Drugs, 2011-2015 (CICAD/doc.1860/11 rev. 2 corr. 1), which is an integral part of this resolution, approved by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-ninth regular session, held in Paramaribo, Suriname, from May 4 to 6, 2011, and to urge the member states to implement that plan of action.

2. To thank and congratulate the Government of Mexico in its capacity as general coordinator of the Plan of Action’s drafting process, as well as the thematic coordinators and the participating experts, for their efforts.

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1. The Government of Nicaragua reiterates its commitment to continue combating drug trafficking and related offenses. To that end, it makes permanent … (The text of this footnote continues on page 26.)
3. To invite all member states to continue to contribute and participate in the implementation of the Plan of Action in the framework of CICAD.

4. To instruct the General Secretariat, through its pertinent organs and, in particular, the Executive Secretariat of CICAD, to provide support to the implementation of the Plan of Action when appropriate.

5. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … efforts in the struggle against transnational organized crime. Although Nicaragua shares the lines of action set out in the document “2011-2015 Hemispheric Plan of Action on Drugs,” at time of the adoption of resolution AG/RES. 2556 (XL-O/10) “Hemispheric Drug Strategy and Preparation of Its Plan of Action,” Nicaragua stated in a footnote thereto that it did not agree with the imperative language used in the chapeaux at the beginning of each thematic area, considering that it contradicts the principle of respect for the sovereignty of states.
HEMISPHERIC PLAN OF ACTION ON DRUGS, 2011-2015
Hemispheric Plan of Action on Drugs, 2011-2015

Purpose: The main purpose of this Plan of Action is to support the implementation of the Hemispheric Drug Strategy. On the basis of the principles and tenets of the Hemispheric Drug Strategy, the Plan identifies the objectives and sets priorities for the activities to be carried out during the period 2011-2015.

The member states of CICAD recognize this plan as a reference guide for the implementation of national projects and programs designed to put into effect to the Hemispheric Drug Strategy. The Plan of Action is also a tool for constructing the hemispheric agenda of the Inter-American Drug Abuse Control Commission (CICAD) and its subsidiary organs, in order to align them and create synergies. Member states also recognize that in many cases the objectives and actions identified in the Plan are designed to generate basic capacities upon which gradual progress will be made in implementing the Strategy. Accordingly, the Plan will be reviewed and updated at the end of the five-year period.

General comments: The Plan of Action consists of objectives and actions. The objectives represent guidance stemming from the Hemispheric Strategy. The actions are the concrete activities, both joint and individual, designed to achieve each objective; these actions are prioritized and sequenced according to the level of development required and take into account differences in the dimensions of the problems in member states. At times, they refer to an initial stage or basis upon which to move incrementally toward full implementation of the Strategy.

Cross-cutting issues: The member states of CICAD recognize that financing and training are cross-cutting issues throughout this plan of action. The importance of these issues requires that they be appropriately addressed in order to carry out the actions and thereby achieve the proposed objectives.

Coordination: In order to enhance the scope of the activities included in the Plan of Action, the Executive Secretariat of CICAD will promote appropriate coordination among the pertinent areas of the General Secretariat.

Follow-up: The Commission will be responsible for evaluation and monitoring of the Plan of Action via the MEM, ad hoc instruments, and other tools that it may identify. For this purpose, the Chair of CICAD, with the support of the Executive Secretariat, will prepare an annual report to be presented to the Commission at its spring session on CICAD’s progress in carrying out the priority actions and achievement of the objectives set out in the Plan.

In addition, a virtual forum will be maintained for information on the activities organized by the Executive Secretariat and Expert Groups that have to do with the implementation of the Plan. Through this forum relevant information will be exchanged, on-line training offered, and secure databases established, among other activities.
INSTITUTIONAL STRENGTHENING

OBJECTIVE No. 1 - INSTITUTIONAL STRENGTHENING

Establish and/or strengthen national drug authorities, placing them at a high political level, with the mission of coordinating the effective planning and implementation of national drug policies.

Actions

a) Establish and/or strengthen national drug authorities (NDAs) at a high political level, adopting the necessary measures to ensure their adequate functioning.

b) Introduce and strengthen the necessary mechanisms to guarantee effective coordination in the planning and implementation of national drug policies.

OBJECTIVE No. 2 - INSTITUTIONAL STRENGTHENING

Design, implement, strengthen, and update national evidence-based strategies and policies on drugs.

Actions

a) Conduct needs assessments that observe scientific and methodological rigor in order to inform the design, strengthening and updating of comprehensive national policies on drugs.

b) Promote, where appropriate, the participation of civil society actors in the process of designing, implementing and updating national drug policies and programs, thus encouraging a broad and open dialogue that contributes to their strengthening.

c) Adopt measures, where appropriate, for the decentralization of national drug policies.

d) Design and implement a plan of action with all actors directly and indirectly involved in the process, assigning roles and responsibilities.

e) Promote relations with the scientific community that contribute to the design, implementation, updating and evaluation of national drug policies.

OBJECTIVE No. 3 - INSTITUTIONAL STRENGTHENING

Establish and/or strengthen national observatories on drugs or similar technical offices to develop national drug information systems and foster scientific research on this subject.
Actions

a) Establish or strengthen national drug observatories (NDOs) or other similar technical offices.

b) Establish and/or strengthen national drug information systems for the generation, collection, organization, analysis and dissemination of information.

c) Promote the development and adoption of methodologies and information-gathering mechanisms that, wherever possible, allow for comparison of data among countries.

OBJECTIVE No. 4 - INSTITUTIONAL STRENGTHENING

Promote periodic, independent evaluations of policies, programs, and interventions.

Action

a) Design, develop, and strengthen monitoring and evaluation mechanisms which show the progress and fulfillment of programs and other initiatives that make up national drug policies.

DEMAND REDUCTION

OBJECTIVE No. 1 – DEMAND REDUCTION

Develop and implement comprehensive demand reduction policies, plans and/or programs, as appropriate, that include elements of universal, selective and indicated prevention, early intervention, treatment, rehabilitation, and related recovery support services.

Actions

a) Update demand reduction policies, plans, and programs based on the results of monitoring and evaluation.

b) Promote and support demand reduction programs and policies that guarantee a multisectoral approach to drug use, abuse, and dependence.

c) Implement demand reduction policies and programs that take into consideration the political and administrative realities of each State.

d) Consider, as appropriate, guidelines and/or recommendations approved by intergovernmental organizations of which the country is a party/member in the design and implementation of public policies on demand reduction.
OBJECTIVE No. 2 – DEMAND REDUCTION

Develop methods to disseminate information on the risks associated with drug use, through the use of new information technologies and the mass media; and inform the general public and various target populations about available prevention and treatment services.

Actions

a) Generate a database on drug prevention and treatment services available throughout the country and establish mechanisms to ensure that this information is easily accessible.

b) Develop communications strategies and community awareness and sensitization programs on the drug problem.

OBJECTIVE No. 3 – DEMAND REDUCTION

Design and implement a comprehensive system of evidence-based universal, selective, and indicated prevention programs, with measurable objectives, aimed at different target populations, including at-risk groups.

Actions

a) Design and conduct situation reviews to identify specific needs as well as risk and protective factors of specific populations to be targeted with substance abuse prevention programs.

b) Develop tailored interventions and monitoring and evaluation methodologies to address the needs of each target group.

c) Generate education opportunities and develop skills that promote healthy lifestyles.

OBJECTIVE No. 4 – DEMAND REDUCTION

Incorporate into family, community, and workplace prevention programs modes of intervention that address the specific needs of the adult population, paying particular attention to situations such as driving under the influence of drugs and drug-related accidents in the workplace.

Actions

a) Promote collaboration among relevant stakeholders to conduct needs assessments, design interventions, and develop specific methodologies for adult populations.

b) Develop inter-institutional strategies aimed at preventing drugged driving.

c) Promote measures to prevent drug-related accidents in the workplace.
OBJECTIVE No. 5 – DEMAND REDUCTION

Promote the integration of treatment and recovery plans and programs into the public health system and address drug dependence as a chronic, relapsing disease.

Actions

a) Develop drug treatment programs that are integrated into the public health systems, including, among others, services for screening, brief intervention, and social reintegration as part of treatment.

b) Create and implement coordination mechanisms among the stakeholders involved to improve the implementation of plans and programs that address drug treatment and rehabilitation.

OBJECTIVE No. 6 – DEMAND REDUCTION

Facilitate access for drug-dependent persons to a system of drug treatment, rehabilitation, social reintegration, and recovery services that offer several evidence-based comprehensive therapeutic intervention models, taking into account internationally-accepted quality standards.

Actions

a) Ensure that treatment plans and programs include evidence-based protocols tailored to the profiles and needs of different target populations.

b) Adopt the necessary measures to ensure that drug treatment programs are provided by qualified professionals.

c) Promote information systems on drug treatment that include a register of the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes.

d) Promote collaboration among all the involved stakeholders to provide support services that foster social reentry as part of treatment in an ongoing and sustainable manner.

e) Develop indicators to evaluate the effectiveness of treatment programs that monitor drug use and incorporate psychosocial variables that are considered relevant to determine the status of recovery.

OBJECTIVE No. 7 – DEMAND REDUCTION

Explore the means of offering treatment, rehabilitation, social reintegration and recovery support services to drug-dependent criminal offenders as an alternative to criminal prosecution or imprisonment.
Actions

a) Consider the possibility of adopting necessary measures to allow for alternatives to prosecution or imprisonment for drug-dependent criminal offenders.

b) Promote the study of other programs that can facilitate the treatment, recovery, and reintegration of drug-dependent criminal offenders.

OBJECTIVE No. 8 – DEMAND REDUCTION

Provide, as far as possible, drug treatment services directed at inmates in correctional facilities.

Action

a) Implement treatment programs in correctional facilities based on documented scientific protocols and minimum quality standards.

OBJECTIVE No. 9 – DEMAND REDUCTION

Strengthen governmental relationships with academic and research institutions and specialized nongovernmental organizations (NGOs), in order to generate evidence on the demand for drugs.

Actions

a) Promote and support the inclusion of demand reduction education and research in relevant post-secondary curricula.

b) Establish and/or strengthen the relationship between the national drug authorities and academic and research institutions as well as specialized nongovernmental organizations (NGOs).

c) Establish or strengthen forums at which drug researchers can present their findings to legislators and policymakers.

OBJECTIVE No. 10 – DEMAND REDUCTION

Promote and strengthen training and continuing education of professionals, technicians and others involved in the implementation of demand reduction activities.

Actions

a) Promote the design and implementation of mechanisms that ensure staff have the necessary competencies to work in drug prevention and treatment programs in accordance with the domestic regulations in each country.
b) Promote collaboration with professional associations, institutions of higher education, and specialized nongovernmental organizations (NGOs), among others, with the purpose of promoting continuing education programs on drug dependence.

OBJECTIVE No. 11 – DEMAND REDUCTION

Monitor and scientifically evaluate drug-demand reduction programs.

Actions

a) Develop or strengthen, as appropriate, project monitoring and scientific evaluation mechanisms for demand reduction programs.

b) Carry out training in monitoring and scientific evaluation techniques for demand reduction programs.

c) Promote agreements with educational institutions with experience in research to conduct long-term studies to measure the impact of prevention and treatment programs.

SUPPLY REDUCTION

OBJECTIVE No. 1 – SUPPLY REDUCTION

Adopt and/or improve comprehensive and balanced measures aimed at reducing the supply of illicit drugs.

Actions

a) Update supply reduction policies, plans and programs based on the results of monitoring and evaluation.

b) In cooperation with civil society, complement supply reduction programs with crime prevention initiatives that address risk factors.

OBJECTIVE No. 2 – SUPPLY REDUCTION

Adopt and/or improve data collection and analysis mechanisms with a view to carrying out assessments that will facilitate the development of public policies aimed at drug supply reduction.

Actions

a) Create and/or strengthen, as necessary, national mechanisms to facilitate the analysis of information on illicit drug supply.
b) Promote the development and sustainability of a hemispheric information system on illicit drug supply within the framework of CICAD, which would ensure the availability of up-to-date data that are, to the extent possible, comparable.

c) Improve capacities to estimate illicit drug cultivation and production, and enable effective eradication through training and implementation of new technologies.

d) Promote the identification of chemical profiles and characteristics of illicit drugs that will permit an understanding of the dynamics of the supply of drugs.

OBJECTIVE No. 3 – SUPPLY REDUCTION

According to the needs of each country, adopt comprehensive measures, such as integral and sustainable alternative development and law enforcement initiatives.

Actions

a) Develop and implement sustainable and effective measures to reduce illicit crops.

b) Adopt the necessary measures to generate a secure environment that facilitates the implementation of integral and sustainable alternative development programs.

c) Coordinate integral and sustainable alternative development programs with other supply reduction programs and ensure proper sequencing in order to sustain illicit crop reduction.

d) Incorporate an environmental protection component into integral and sustainable alternative development programs.

e) Promote the participation/coordination of civil society and governmental authorities, taking into account the political and administrative organization of the member states, in the design and implementation of projects and initiatives in areas of integral and sustainable alternative development intervention.

f) Promote integral and sustainable alternative development policies and programs that promote social inclusion.

g) Consider the promotion of synergies between integral and sustainable alternative development strategies and poverty reduction programs.

h) Design and/or improve systems to monitor and assess the qualitative and quantitative impact of integral and sustainable alternative development programs with respect to the sustainability of illicit crop reduction.

i) Develop strategies to disseminate experiences and successes at the community and national levels in the member states.
OBJECTIVE No. 4 – SUPPLY REDUCTION

Promote studies and research that contribute to the early identification and monitoring of new and emerging trends in order to provide updated information on the illicit supply of drugs.

Actions

a) Promote the generation of updated statistics at the national and hemispheric levels on illicit drug production and on sustainable and integral alternative development.
b) Promote studies and research on the illicit production of drugs.
c) Develop mechanisms for the exchange of technical information on new trends in illicit drug production.
d) Carry out situational assessments on illicit drug supply at the national and hemispheric level, to support the decision making process, taking into account, where appropriate, its interaction with other forms of transnational organized crime.
e) Utilize information on the price and chemical characteristics of raw materials to conduct studies on new trends in drug production.
f) Create and/or strengthen national monitoring systems on supply reduction.

OBJECTIVE No. 5 – SUPPLY REDUCTION

Promote actions to reduce the negative impact on the environment caused by the world drug problem, in accordance with national policies.

Actions

a) Promote research or studies on the environmental impact of drug production.
b) Consider promoting the use of environmental management tools to address the consequences of the world drug problem on the environment, in accordance with the realities of member states.
c) Promote measures to ensure the safety of law enforcement agents and other personnel who participate in activities to reduce illicit drug production.
d) Promote the dissemination of information to the general public on the negative environmental consequences of the world drug problem.
e) Promote, where applicable and in accordance with national priorities, actions with international organizations to reduce the negative impact of the world drug problem on the environment.
CONTROL MEASURES

OBJECTIVE No. 1 – CONTROL MEASURES

Implement programs for the prevention and reduction of the illicit production of synthetic and plant-based drugs.

Actions

a) Review control measures to prevent the illicit manufacture of drugs and to detect and dismantle laboratories; on the basis of this review, modify programs or introduce new ones, as necessary.

b) Evaluate the results achieved through the implementation of measures and programs aimed at preventing the illicit manufacture of drugs and the detection and dismantling of laboratories.

c) Develop an information system on laboratories detected and dismantled that will allow, among other things, the identification of patterns in the use of chemical precursors and essential chemical substances.

d) Design and implement protocols for the dismantling of illicit drug processing laboratories.

e) Design and implement ongoing training programs to enhance the capacities of agents responsible for control activities.

OBJECTIVE No. 2 – CONTROL MEASURES

Adopt or strengthen control measures to prevent the diversion of controlled chemical substances to illicit activities.

Actions

a) Review existing regulations and control measures to prevent the diversion of controlled chemical substances to illicit channels, and, on the basis of this review, modify programs or introduce new ones as necessary.

b) Evaluate the results achieved through the implementation of measures and programs aimed at preventing the diversion of controlled chemical substances to illicit activities.

c) Promote inter-agency coordination among all government bodies involved in the control of chemical substances as well as encouraging private-sector participation.

d) Promote or strengthen methodologies for risk analysis of diversion in foreign trade transactions.

e) Promote or strengthen the use of non-intrusive inspection equipment at customs.
f) Promote, where applicable, the estimation of legitimate needs for chemical substances in order to prevent possible diversion.

g) Create or strengthen, as appropriate, research centers and/or laboratories that contribute to the strengthening of control activities for controlled chemical substances.

h) Promote the use of pre-export notification information systems.

i) Strengthen mechanisms for the exchange of secure information among member states concerning possible cases of chemical diversion.

OBJECTIVE No. 3 – CONTROL MEASURES

Adopt or strengthen control measures that prevent the diversion of pharmaceutical products with psychotropic properties.

Actions

a) Review existing regulations and control measures to prevent the diversion of pharmaceutical products with psychoactive properties and, on the basis of this review, modify programs or introduce new ones, as necessary.

b) Evaluate the results achieved through the implementation of measures and programs aimed at preventing the diversion of pharmaceutical products with psychoactive properties.

c) Promote continuous improvement of information systems that record the movement of pharmaceutical products with psychoactive properties.

OBJECTIVE No. 4 – CONTROL MEASURES

Adopt necessary measures, when appropriate, to prevent the diversion of pharmaceutical products used in the illicit manufacture of amphetamine-type stimulants.

Actions

a) Conduct chemical profiling of seized amphetamine-type stimulants in order to identify the pharmaceutical chemicals being used in the production of such substances.

b) Control, when appropriate, products containing pharmaceutical chemicals being used in amphetamine-type stimulant production.

OBJECTIVE No. 5 – CONTROL MEASURES

Ensure the adequate availability of narcotics required for medical and scientific uses.
Action

a) Periodically evaluate the availability of narcotic drugs for medical and scientific purposes, and adopt, as appropriate, required measures.

OBJECTIVE No. 6 – CONTROL MEASURES

Strengthen national agencies responsible for the control of illicit drug trafficking and related crimes.

Actions

a) Carry out periodic reviews of the capacities and deficiencies of the agencies responsible for control of drug trafficking and related crimes.

b) Increase the capacities of the agencies responsible for control of drug trafficking and related crimes through ongoing training of the stakeholders involved.

c) Strengthen cooperation and exchange of information among law enforcement agencies dealing with drug trafficking and related crimes.

d) Strengthen law enforcement and interdiction capacities as well as effective border control measures to prevent drug trafficking by air, land, or sea.

e) Strengthen technical capacities for the investigation, seizures and forfeitures of assets linked to drug trafficking and related crimes.

f) Develop capacities and legal frameworks needed for the final safe disposal of seized drugs.

OBJECTIVE No. 7 – CONTROL MEASURES

Identify new trends and patterns in connection with illicit drug trafficking and related crimes.

Actions

a) Conduct and publish national reviews based on available information to identify trends in illicit drug trafficking and related crimes.

b) Promote the development of regional reviews based on available information to identify trends in illicit drug trafficking and its related crimes.

c) Promote the performance and circulation of reviews of national and regional best practices in prevention and control of illicit drug trafficking and related crimes.

d) Update national drug control legislation and policy, as appropriate, based on trend shifts in drug trafficking and related crimes.
OBJECTIVE No. 8 – CONTROL MEASURES

Promote improvements in information systems on illicit drug trafficking and related crimes.

Actions

a) Review the methodologies for validating data on illicit drug trafficking and related crimes, increasing the quantity of database variables in order to improve the quality of information, standardize data collection methods, and enrich the analysis.

b) Strengthen information systems on illicit drug trafficking and related crimes.

c) Promote and/or strengthen mechanisms for exchanging information in real time which will alert all member states to new behaviors of criminal organizations involved in drug trafficking and related crimes.

d) Promote technical studies and research on illicit drug trafficking and related crimes.

e) Promote studies on the impurity profiles and characterization of drugs.

f) Promote the use of information on the price, purity, and chemical profile of seized drugs in order to conduct studies on trends in drug manufacturing and trafficking.

OBJECTIVE No. 9 – CONTROL MEASURES

Adopt measures for effective cooperation in criminal investigations, investigation procedures, collection of evidence, and the exchange of intelligence information among countries, assuring due respect for the various national legal systems.

Actions

a) Design and implement specialized training workshops which demonstrate, in particular, the parameters and advantages of the exchange of intelligence information in investigations of cases related to illicit drug trafficking and related crimes.

b) Strengthen mechanisms and/or take the actions needed for the secure and effective exchange of intelligence information in cases related to illicit drug trafficking and related crimes.

c) Promote actions aimed at preserving the integrity of intelligence information exchanged on drug trafficking and related crimes.

d) Promote the exchange of information in order to facilitate interdiction of illegal drug trafficking via air, sea, and land.

e) Promote the exchange of information in order to facilitate investigations of illicit drug trafficking and related crimes.
f) Design and implement specialized training workshops on the application of special investigative techniques and custody chain management for evidence in cases of illicit drug trafficking and related crimes.

g) Promote the strengthening of the control, prevention, investigation, and monitoring of activities related to drug trafficking via the Internet, while ensuring coordinated measures through the effective exchange of information, experiences, and best practices.

OBJECTIVE No. 10 – CONTROL MEASURES

Adopt or strengthen, where appropriate, control measures for illicit trafficking in firearms, ammunition, explosives and other related materials associated with illicit drug trafficking.

Actions

a) Review control measures for illicit trafficking in firearms, ammunition, explosives and other related materials associated with illicit drug trafficking; on the basis of this review, modify programs or introduce new ones, as necessary.

b) Evaluate the results achieved through the implementation of control measures for illicit trafficking in firearms, ammunition, explosives and other related materials associated with illicit drug trafficking.

c) Promote the creation and/or strengthening of databases on firearms linked to illicit drug trafficking that would include, wherever possible, ballistics identification information, with a view to promoting hemispheric mechanisms for information exchange.

OBJECTIVE No. 11 – CONTROL MEASURES

Establish, update, or strengthen legislative and institutional frameworks in the area of prevention, detection, investigation, prosecution, and control of money laundering.

Actions

a) Review legislative and institutional frameworks in the area of prevention, detection, investigation, prosecution, and control of money laundering; on the basis of this review, modify programs or introduce new ones, as necessary.

b) Evaluate the results achieved through the implementation of legislative and institutional measures for the prevention, detection, investigation, prosecution and control of money laundering.

c) Create or strengthen financial intelligence units to foster successful anti-money laundering prosecutions.
d) Create or strengthen mechanisms of cooperation and exchange of information among law enforcement agencies responsible for prevention and control of money laundering.

OBJECTIVE No. 12 – CONTROL MEASURES

Create or strengthen, in accordance with domestic laws, the national agencies responsible for the administration of seized and/or forfeited assets, and the disposal of forfeited assets.

Actions

a) Establish/strengthen national agencies responsible for the administration of seized and/or forfeited assets, and the disposal of forfeited assets.

b) Promote specialized programs to improve systems for the administration and use of seized and forfeited assets.

c) Strengthen technical capacities for the administration and disposal of assets connected with drug trafficking and related crimes.

INTERNATIONAL COOPERATION

OBJECTIVE No. 1 – INTERNATIONAL COOPERATION

Reaffirm the principle of cooperation contained in international instruments to confront the world drug problem through actions to ensure their implementation and effectiveness.

Actions

a) Promote the enactment of national legislation and/or adopt administrative measures that would reaffirm the principle of cooperation contained in international instruments to confront the world drug problem.

b) Promote, through the Intergovernmental Working Group (IWG) of the Multilateral Evaluation Mechanism (MEM), the development of evaluation instruments for monitoring the principle of cooperation contained in international instruments.

c) Encourage, as appropriate, the signing of bilateral or regional cooperation agreements to confront the world drug problem.

OBJECTIVE No. 2 – INTERNATIONAL COOPERATION

Stress the importance of ratifying, acceding to and complying with, as appropriate, the following conventions: The United Nations Convention against Corruption (2003); the United Nations Convention against Transnational Organized Crime (2000) and its three protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol Against the Smuggling of Migrants by Land, Sea and Air; and the Protocol Against the

Actions

a) Emphasize the importance of ratifying or acceding to the international treaties listed above.

b) Promote the necessary actions for compliance with international treaties that have been ratified or acceded to.

OBJECTIVE No. 3 – INTERNATIONAL COOPERATION

Promote international cooperation programs aimed at strengthening national policies to address the world drug problem, based on the needs of individual member states.

Actions

a) Mandate that the Executive Secretariat of CICAD conduct and appropriately disseminate an inventory of international cooperation programs in the area of drug control that are currently being carried out by states and international organizations.

b) Promote the participation of member states in international cooperation programs to strengthen their national policies to address the world drug problem based on their individual needs.

OBJECTIVE No. 4 – INTERNATIONAL COOPERATION

Promote the harmonization of national laws, regulations and procedures that enable the implementation of hemispheric mechanisms for judicial cooperation and mutual legal assistance in the area of drug trafficking and related crimes.

Actions

a) Promote, through the Intergovernmental Working Group (IWG) of the Multilateral Evaluation Mechanism (MEM), the development of evaluation instruments for monitoring measures to implement commitments in the conventions on judicial assistance in criminal matters.
b) Consider, as appropriate, the adoption of judicial cooperation measures that would facilitate the provision of a wide range of mutual legal assistance.

OBJECTIVE No. 5 – INTERNATIONAL COOPERATION

Through the promotion and strengthening of joint or coordinated operations as well as exchange of information and best practices, strengthen the institutional capacity of member states to prevent and effectively address drug trafficking, recognizing the peculiarities of the challenges, harm, and negative impacts faced by producing, transit and consumer countries.

Actions

a) Promote, as necessary, joint or coordinated operations and the exchange of information and good practices to prevent and effectively address illicit drug trafficking and related crimes.

b) Promote, through the Intergovernmental Working Group (IWG) of the Multilateral Evaluation Mechanism (MEM), the development of evaluation instruments to monitor the promotion and strengthening of joint or coordinated operations and the exchange of information and good practices.

c) Promote the development of a good practices manual on joint or coordinated operations to counter illicit drug trafficking and related crimes.

d) Promote the development and implementation of secure mechanisms for the exchange of information in real time to enable advances in cooperation to prevent and combat illicit trafficking in drugs and related crimes.

e) Promote the development of mechanisms among applicable agencies and institutions, where possible, for the use of compatible information in police actions to combat illicit drug trafficking and related crimes.

OBJECTIVE No. 6 – INTERNATIONAL COOPERATION

Encourage and promote technical assistance as well as the exchange of good practices and lessons learned for confronting the world drug problem in the areas of institution building, demand reduction, supply reduction, and control measures.

Actions

a) Mandate the Executive Secretariat of CICAD to develop and implement a secure and up-to-date internet database to disseminate information on best practices in the areas of institution building, demand reduction, supply reduction, control measures, and international cooperation.
b) Mandate the Executive Secretariat of CICAD to publish legislation of the member states in the areas of institutional strengthening, demand reduction, supply reduction, and control measures.

c) Strengthen horizontal technical cooperation among countries as well as through pertinent international organizations.

OBJECTIVE No. 7 – INTERNATIONAL COOPERATION

Strengthen CICAD’s institutional capacity to promote international cooperation aimed at implementing the recommendations emanating from the Multilateral Evaluation Mechanism (MEM) process as well as the objectives set out in the Hemispheric Drug Strategy and this plan of action.

Actions

a) Promote technical assistance, financing, and training to facilitate implementation of the recommendations formulated in the framework of the Multilateral Evaluation Mechanism (MEM).

b) Mandate the Executive Secretariat of CICAD to publish a historical report on the resources of the CICAD Executive Secretariat since the Commission’s inception, including a detailed listing of funding sources, which programs have been conducted and their status, and the overall achievements of completed projects and programs sponsored under the CICAD umbrella.

c) Mandate the Executive Secretariat of CICAD to present a work plan for approval by the Commission at each spring session that is in accordance with the objectives and actions of the Hemispheric Drug Strategy and this plan of action. This work plan will be accompanied by an income and expenditure forecast for each program and action.¹

d) Mandate the Executive Secretariat to present an annual report on all sources of funding and expenditures for programs and actions in accordance with the work plan approved by the Commission.

e) Promote the formation of a CICAD special working group to evaluate the availability of resources of the CICAD Executive Secretariat and propose additional sources of funding.

¹. The work plan to be presented by the Executive Secretariat of CICAD will be prepared in accordance with Articles 19 and 29 of the Statute of the Commission.
AG/RES. 2622 (XLI-O/11)

MULTILATERAL EVALUATION MECHANISM
OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN Resolution AG/RES. 2538 XL-O/10, “Multilateral Evaluation Mechanism of the Inter-American Drug Abuse Control Commission”;

REAFFIRMING the Declaration of Commitment of Port of Spain, whereby the countries pledged to continue implementing, as appropriate, the recommendations of the Multilateral Evaluation Mechanism (MEM);1

BEARING IN MIND the approval by the Inter-American Drug Abuse Control Commission (CICAD), at its forty-eighth regular session, of the 33 national reports of the MEM Fifth Evaluation Round, 2007-2009;

BEARING IN MIND ALSO the approval of the Hemispheric Report of the MEM Fifth Evaluation Round, at its forty-ninth regular session;

REITERATING the importance of having up-to-date strategies and mechanisms that facilitate hemispheric cooperation to address all aspects of the world drug problem;

TAKING NOTE of the decision made by CICAD to carry out, in preparation for the Sixth Round of the MEM, a study to identify alternatives to strengthen the evaluation process and update it with respect to the Hemispheric Drug Strategy and the Hemispheric Plan of Action on Drugs 2011-2015; and

REAFFIRMING that the MEM is the appropriate instrument to measure member states’ progress in drug control in the Hemisphere and to assign recommendations designed to strengthen their capacity to address the world drug problem,

RESOLVES:

1. To note with satisfaction the approval by the Inter-American Drug Abuse Control Commission (CICAD) of the 33 national reports of the Multilateral Evaluation Mechanism (MEM) from the Fifth Evaluation Round, 2007-2009, at the forty-eighth regular session of the Commission.


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, … (The text of this footnote continues on page 49.)
3. To encourage member states to implement the recommendations assigned by the MEM in the national reports on progress in drug control.

4. To invite member states to continue to participate actively in the MEM during the follow-up phase of the Fifth Evaluation Round and in the preparatory process for the Sixth Round.

5. To further invite member states to strengthen the role of the National Coordinating Entities (NCE’s) and facilitate the participation of their experts in meetings of the MEM’s Governmental Expert Group (GEG) in order to guarantee the effectiveness and validity of the MEM.

6. To encourage member states to, when possible, make voluntary contributions to support the MEM and guarantee its continuity and strengthening.

7. To urge member states to comply with the requirements stemming from their participation in the MEM, particularly as regards the submission of information for the work of the GEG, in order to ensure a proper assessment of progress made in controlling the world drug problem.

8. To entrust CICAD with the adoption of the actions necessary to commence the Sixth Round of the MEM.

9. To encourage member states to disseminate the MEM reports on progress in drug control.

10. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … 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.”
AG/RES. 2623 (XLI-O/11)

MODEL LEGISLATION ON SELF-PROPELLED SUBMERSIBLE AND SEMI-SUBMERSIBLE VESSELS

(Adopted at the fourth plenary session, held on June 7, 2011)

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 (AG/doc.3830/99 add. 2), submitted in compliance with Article 91.f. of the Charter of the Organization of American States, and in particular those relating to the Annual Report of the Inter-American Drug Abuse Control Commission (CP/doc.4559/11);

The Model Legislation on Self-Propelled Submersible and Semi-Submersible Vessels (CICAD/doc.1891/11 corr. 2), approved by the Inter-American Drug Abuse Control Commission (CICAD) at its forty-ninth regular session, held in Paramaribo, Suriname, from May 4 to 6, 2011; and

The Final Report of the Forty-Ninth Regular Session of CICAD (CICAD/doc.1892/11) held in Paramaribo, Suriname, from May 4 to 6, 2011; and

CONSIDERING:

That the CICAD Groups of Experts is open to all member states, providing an opportunity to share experience, present initiatives, and promote cooperation;

That the above-mentioned Model Legislation of CICAD is an important tool in the development of a coordinated response to illicit drug trafficking and related offenses;

That the said Model Legislation of CICAD depends upon the input and expertise of the experts of the member states; and

That CICAD has approved the above-mentioned Model Legislation,

RESOLVES:

1. To note with satisfaction CICAD’s approval of the Model Legislation on Self-Propelled Submersible and Semi-Submersible Vessels (CICAD/doc.1891/11 corr. 2) at its forty-ninth regular session, held in Paramaribo, Suriname, from May 4 to 6, 2011.

2. To endorse CICAD’s Model Legislation on Self-Propelled Submersible and Semi-Submersible Vessels (CICAD/doc.1891/11 corr. 2) contained in the Appendix to this resolution, together with the editorial changes to the Model Legislation.
3. To invite the member states to adopt CICAD’s Model Legislation on Self-Propelled Submersible and Semi-Submersible Vessels, when appropriate, in accordance with their national laws.
DRAFT MODEL LEGISLATION ON SELF-PROPELLED SUBMERSIBLE
AND SEMI-SUBMERSIBLE VESSELS

PREAMBLE

The language in this document is non-binding. Its purpose is to provide model language for countries to consider if they decide to draft legislation to counter the threat posed by submersible vessels and semi-submersible vessels without nationality. Any country choosing to use this document should select language from it as may be applicable to their situation and circumstances, and which is consistent with their constitution and laws. A country may choose to use all, some or none of this language as best suits their national needs.

Drug trafficking affects every country in the Hemisphere, and has become a global problem. Such is the extent of the problem that for many years most countries have regarded illicit drugs as a national security concern.

Self-propelled submersible and semi-submersible vessels are watercraft of unorthodox construction capable of putting all or much of their bulk under the surface of the water, making them extremely difficult to detect. These vessels are typically less than 30 meters in length, carry a crew of 4-5, as much as 12 tons of cargo, typically contraband, and can travel at speeds up to 13 knots with a range of more than two thousand kilometers.

The design of these vessels enables criminals to easily destroy their illicit cargo upon detection, usually by scuttling the vessel or contraband, thereby preventing their prosecution due to the lack of evidence. This allows those that engage in these activities to repeat the attempt, with the additional factor that these organizations learn from experience.

The problem that this rising drug-trafficking trend represents for countries of the region is reflected in the amount of personnel, material, funds and equipment that each applies, in spite of excellent coordination of all available resources, including intelligence, operations centers, and surface and air units. Criminalizing the construction, operation of and embarkation upon unflagged submersible and semi-submersible vessels improves officer safety, deters the use of these inherently unsafe vessels, and facilitates effective prosecution of those involved in criminal activities.
ARTICLE 1. CONCLUSIONS AND DECLARATIONS

[Parliament/Congress/Legislature/Government of (Country)] concludes and declares that the construction, embarkation, use, or operating of a submersible or semi-submersible vessel without nationality is a serious international problem, facilitates transnational crime, including drug trafficking, and poses a specific threat to the safety of sea-going ships and the security of [country]. This law applies to any type of artifact that is not intended for use in a tourist, scientific, or any other legal activity.

Definition¹: For the purposes of this law, a submersible or semi-submersible vessel is a watercraft capable of moving in the water with or without self-propulsion, whose characteristics or design allow its total or partial immersion for the purpose of avoiding detection.²

ARTICLE 2. OPERATION OF A SUBMERSIBLE OR SEMI-SUBMERSIBLE VESSEL WITHOUT NATIONALITY

A. Offense: Whoever, without permission from a competent authority, operates or embarks in a submersible or semi-submersible vessel that is without nationality shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both. Whoever attempts or conspires to commit any of the acts described in this section shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both;³

B. Aggravating Circumstances: Whoever utilizes a submersible or semi-submersible vessel to store, transport, or sell narcotic substances or inputs necessary to manufacture narcotic substances shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both. The penalty shall be increased by [provide details] when the unlawful acts are facilitated by a public official or anyone who is or has been a member of the security forces.

ARTICLE 3. USE, CONSTRUCTION, TRADE, AND POSSESSION OF A SUBMERSIBLE OR SEMI-SUBMERSIBLE VESSEL

A. Offense: Whoever, without permission from a competent authority, finances, constructs, or purchases a submersible or semi-submersible vessel shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both. Whoever attempts or conspires to commit any of the acts described in this section shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both;

B. Aggravating Circumstances: Whoever facilitates the conditions for the use and operation of a submersible or semi-submersible vessel in an unlawful activity shall be liable to a fine of [amount], imprisonment from [X months] to [X years], or both.

¹ The necessary definitions of the terms used in these articles may vary by country; it is important to define any term that is unusual, ambiguous, or open to different interpretations.
² In countries where there are potential legitimate uses for the type of vessel that meets the definition of a submersible or semi-submersible vessel, such as small-scale or hand-line fishing, a narrowly defined exception for those legitimate uses may be desired.
³ Penalties should be commensurate with other drug trafficking penalties.
ARTICLE 4. EXTRATERRITORIAL JURISDICTION (COULD BE ENFORCEABLE DEPENDING ON THE LAWS AND CONSTITUTION OF EACH COUNTRY)

There is extraterritorial jurisdiction over the offenses specified in this section, including the attempt or conspiracy to commit said offenses.  

ARTICLE 5. CLAIM OF NATIONALITY OR REGISTRY FOR THE VESSEL

A claim of nationality or registry under Articles 2 and 3 includes only:

A. Possession on board the vessel and production of the appropriate documents demonstrating the vessel’s nationality as provided in Article 91 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS);  
B. Flying its nation’s ensign or flag; or  
C. A verbal claim of nationality or registry by the master or person in charge of the vessel.

4. The scope of the extraterritorial jurisdiction may be limited by international law; however, a broadly defined scope of extraterritorial jurisdiction allows enforcement to the fullest extent permitted under international law.  
5. For countries that are not party to UNCLOS, substitute with Article 5 of the 1958 Convention on the High Seas.
AG/RES. 2624 (XLI-O/11)

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

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the Committee on Hemispheric Security;

RECALLING 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), AG/RES. 2377 (XXXVIII-O/08), and AG/RES. 2442 (XXXIX-O/09);

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;

RECALLING that the preamble to the Treaty of Tlatelolco states that militarily demilitarized zones are not an end in themselves, but rather a means for achieving general and complete disarmament at a later stage;

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;

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;
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”;

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;

WELCOMING the organization of the second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, which was held in New York City, USA, on April 30, 2010, as a contribution toward bringing about a world free of nuclear weapons;

NOTING the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons; and

TAKING NOTE of the results of the meeting of the Committee on Hemispheric Security on disarmament and nonproliferation in the Hemisphere held on March 28, 2011, and of the seminar organized by the Inter-American Defense Board, through the Inter-American Defense College, held on March 28 to 30, 2011,

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 encourage those states that have ratified the relevant protocols to the Treaty of Tlatelolco to review the reservations they made thereto, in compliance with Action 9 of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

3. To urge the member states of OPANAL to continue with the activities and efforts undertaken by that agency to enforce the agreements reached at the First and Second Conferences of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones.

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

5. To call upon OPANAL to continue, in its area of competence, to maintain ongoing contact with the Committee on Hemispheric Security and to 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.
6. To recognize the work of OPANAL in ensuring compliance with the obligations adopted in the Treaty of Tlatelolco.

7. To invite OPANAL to continue to educate and disseminate information on nuclear disarmament.

8. To include the topic “Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)” on the Committee on Hemispheric Security’s schedule of activities for the 2012-2013 period.

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.

10. To request the Permanent Council to report to the General Assembly on the implementation of this resolution at its forty-second and forty-third regular sessions.

11. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2625 (XLI-O/11)
CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS
(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the activities of the Committee on Hemispheric Security (CSH);

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;

RECOGNIZING that confidence- and security-building measures (CSBM)s developed and implemented in the Hemisphere have helped to enhance security and have fostered cooperation and trust among the states of the Hemisphere;

TAKING INTO ACCOUNT that the Organization of American States (OAS) may further advance the progress achieved to date by continuing to promote CSBM}s;

TAKING INTO ACCOUNT that resolutions AG/RES. 2270 (XXXVII-O/07), AG/RES. 2398 (XXXVIII-O/08), and AG/RES. 2447 (XXXIX-O/09), “Confidence- and Security-Building in the Americas,” contain a series of recommendations and mandates directed at the member states and the General Secretariat;

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;

EXPRESSING SATISFACTION with the results of the fourth meeting of the Forum on Confidence- and Security-Building Measures held in Lima, Peru, on November 15 and 16, 2010; and

BEARING IN MIND the Conclusions of the Chair of the Fourth Meeting of the Forum on Confidence- and Security-Building Measures (CSH/FORO-IV/doc.13/10 rev. 1) and the Rapporteur’s Report (CSH/FORO-IV/doc.15/10 rev. 1),
RESOLVES:

1. To continue to encourage and implement confidence- and security-building measures (CSBMs) in keeping with the provisions of the Declarations of San Salvador and Santiago on Confidence-and Security Building Measures, the Consensus of Miami, and the Declaration on Security in the Americas.

2. To call upon all member states to furnish the General Secretariat of the Organization of American States (OAS) by July 15 each year with information on the implementation of CSBMs, utilizing the Consolidated List of Confidence- and Security-Building Measures for Reporting According to OAS Resolutions (CP/CSH-1043/08 rev. 1) and the Format for Reporting on the Application of Confidence- and Security-Building Measures (CSH/FORO-IV/doc.7/10).

3. To reaffirm the goal of participation by all member states, by 2010, in the United Nations Register of Conventional Arms and the United Nations 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 each year.

4. To urge member states to share bilateral and subregional experiences relating to CSBMs at seminars, workshops, and other hemispheric fora in order to encourage the dissemination of best practices, avoid duplication, and help standardize, where appropriate, reporting on CSBMs.

5. To request the Committee on Hemispheric Security (CSH) to establish criteria and guidelines for the selection of experts on confidence- and security-building measures, including a description of the experts’ profile.

6. To request the CSH to continue promoting increased transparency, trust, dialogue, and cooperation to address threats, concerns, and other challenges to hemispheric security.

7. To request the OAS General Secretariat to promote and enhance access to the OAS websites and those of its entities devoted to confidence- and security-building measures, in particular those concerned with the principal international instruments, reporting by member states in this area, and publication of the defense white papers compiled by the Inter-American Defense Board (IADB).

8. To instruct the Permanent Council to convene the fifth meeting of the Forum on Confidence- and Security-Building Measures for the last quarter of 2012, to review and evaluate existing CSBMs, and to discuss, consider, and propose new CSBMs.

9. 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 member states by July 1 each year, and to distribute the new roster to member states by July 30 each year.

10. 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.
11. To request the Permanent Council and the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2626 (XLI-O/11)

INTERNATIONAL CONFERENCE IN SUPPORT OF THE CENTRAL AMERICAN SECURITY STRATEGY

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING the multidimensional approach to hemispheric security set forth in the Declaration of Bridgetown [AG/DEC. 27 (XXXII-O/02)], which states that “these new threats, concerns, and other challenges are cross-cutting problems that require multifaceted responses by different national organizations, all acting appropriately in accordance with democratic norms and principles”;

BEARING IN MIND the Framework Treaty on Democratic Security in Central America and the Declaration on Security in the Americas, which reaffirmed the principles, shared values, and common approaches on which peace and security in the Hemisphere are based;

TAKING INTO ACCOUNT that the concept of security set forth in the Declaration on Security in the Americas includes traditional threats, as well new threats, concerns, and other challenges; contributes to strengthening peace, to integral development, and to social justice; and is based on democratic values, respect, the promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty;

EXPRESSING the political will and commitment of the countries of the region to work together for a more secure and stable Hemisphere based on cooperation;

RECOGNIZING that preventing and efficiently fighting transnational organized crime requires international cooperation and an integrated approach, and that the Hemisphere and the international community also bear a shared responsibility to address the worldwide problem of drugs and related crimes;


REAFFIRMING the importance of the United Nations Convention against Transnational Organized Crime, and that bilateral, subregional, and regional agreements and cooperation mechanisms in the security and defense area are vital to strengthening security in the Hemisphere;

CONSIDERING the outstanding progress of the Central American Security Commission in promoting the aims of the Central American states in terms of preventing and fighting crime and the serious threats faced by those states;
REAFFIRMING the important contributions of the Central American Integration System (SICA) to hemispheric security and the progress achieved in the integral development of its democratic security model;

BEARING IN MIND what was expressed at the special meeting of heads of state and government of the SICA member countries held in Honduras on October 3, 2006, and at the special summit of heads of state and government of the SICA countries to re-launch the Central American integration process held in El Salvador on July 20, 2010;

TAKING NOTE of the commitments adopted through the Declaration of Antigua and the Joint Communiqué of the Intersectoral Meeting of Ministers of Foreign Affairs, Public Security and Interior Ministers, Defense Ministers, Attorneys General, and Chiefs and Directors of Police of the SICA Countries on October 3, 2010;

NOTING WITH SATISFACTION the efforts of the Central American countries to strengthen and extend cooperation in the area of regional security through bilateral, multilateral, and subregional coordination mechanisms, and the important efforts of other states in the Hemisphere and of international organizations to share their experience and knowledge in the security and justice area with the Central American nations; and

TAKING INTO ACCOUNT the efforts of the Central American states to modernize defense and public security forces so as to deal with the new threats, concerns, and other challenges of transnational organized crime; the update of their Security Strategy; and the collective will of the Central American governments and peoples to step up the fight against the threat posed by the growing rates of crime and violence,

RESOLVES:

1. To welcome the International Conference in Support of the Central American Security Strategy to be held in Guatemala City, Guatemala, on June 22 and 23, 2011.

2. To thank the group of friendly countries for their efforts and dedication during the preparatory work for the International Conference in Support of the Central American Security Strategy.

3. To invite the international community to provide its technical and financial support to efforts by Central American states in order to address the threats posed by transnational organized crime and increasing violence in their societies.

4. To request international organizations, especially the Organization of American States (OAS), the Inter-American Development Bank (IDB), the World Bank, the United Nations, and the appropriate technical agencies, to continue supporting Central American states in their efforts to make that conference relevant and successful.

5. To encourage all sectors of Central American society as a whole to help to implement the Central American Security Strategy, promoting a culture of prevention, legality, and security in Central American communities and throughout the region.
6. To urge Central American states to draw upon the lessons learned by and good practices of other subregional mechanisms and states in the Hemisphere that have faced problems of crime and violence.

7. To instruct the General Secretariat, in the context of the working programs of the OAS, to support, as appropriate, the initiatives that Central American countries may present in relation to the Central American Security Strategy.

8. To encourage Central American states to draw upon the support of the organs, agencies, entities, and mechanisms of the OAS and of the inter-American system to help to promote security in the subregion.

9. To request the Permanent Council to report to the General Assembly, at its forty-second regular session, on the implementation of this resolution.

10. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2627 (XLI-O/11)

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 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the annual report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

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 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, which support implementation of the CIFTA, adopted at the First and the Second Conference of States Parties, respectively;

KEEPING IN MIND the Third Conference of States Parties to the CIFTA to be held in 2012; and

TAKING NOTE of the Work Program 2011-2012 of the Consultative Committee of the CIFTA, which the Committee adopted at its twelfth regular meeting,

RESOLVES:

1. To urge the four member states that have not yet 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).
2. To request the General Secretariat of the Organization of American States (OAS) to continue preparing the model legislations on Record-keeping, Confidentiality and Exchange of Information (Articles XI, XII, and XIII); Security Measures (Article VIII), and Controlled Delivery (Article XVIII), and to convene a meeting of the Group of Experts at OAS headquarters on October 28, 2011, to consider said documents.

3. To encourage the OAS member states that do not have such legislation in place to implement, as appropriate, the model legislations approved by the Consultative Committee of the CIFTA, and to request the assistance of the General Secretariat, where appropriate, in the development and enactment of this model legislation.

4. To encourage the OAS member states that have not yet done so to submit to the General Secretariat their responses to the Questionnaire on the Implementation and Effectiveness of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

5. To convene the Third Conference of States Parties to the CIFTA at OAS headquarters on March 28 and 29, 2012, in order to examine the functioning and application of the Convention in accordance with Article XXVIII of the Convention, and to convene three preparatory meetings, including the thirteenth regular meeting of the Consultative Committee of the CIFTA to be held on February 3, 2012, at OAS headquarters.

6. To invite the Inter-American Defense Board to organize, through the Inter-American Defense College, a seminar on “Illicit Arms Trafficking” for its students and the Committee on Hemispheric Security (CSH).

7. To request the General Secretariat to continue, in the framework of the CIFTA, the Declaration of Bogotá, and the Tlatelolco Commitment, to organize specialized workshops and training programs on stockpile management and destruction of firearms and munitions; identification, marking and tracing of firearms; strengthening of broker controls; and strengthening of border controls.

8. To consider advancing application of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument [ITI]) of the United Nations, as well as cooperation to mark and trace illicit firearms in the Hemisphere.

9. To request the General Secretariat to update the Summary of Country Compliance with CIFTA: Status of Ratifications and National Firearms Legislation in Force (CIFTA/CEP-II/doc.5/08) for presentation during the Third Conference of States Parties.

10. To include the topic “Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Related Materials” in the 2011-2012 calendar of activities of the CSH.
11. To invite OAS member states; permanent observers to the OAS; international, regional, and subregional organizations; and the international community to consider making voluntary financial contributions to the OAS fund in connection with firearms [AG/RES. 2108 (XXXV-O/05)] and/or to consider providing technical, human, and educational assistance, in order to support the full implementation of the CIFTA and strengthen its Technical Secretariat.

12. To request the Secretary General, in his function as depositary of the Convention, to provide the needed legal services to support the meetings and activities of the Consultative Committee.

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

14. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

15. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2628 (XLI-O/11)

INTER-AMERICAN CONVENTION ON TRANSPARENCY IN CONVENTIONAL WEAPONS ACQUISITIONS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the activities of the Committee on Hemispheric Security;

BEARING IN MIND:

That one of the essential purposes of the Organization of American States (OAS) 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 to 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, and improving transparency in arms acquisitions;

NOTING WITH SATISFACTION:

That the governments of Mexico and Costa Rica deposited their instruments of ratification of the Convention on March 7, 2011, and May 12, 2011, respectively, thereby expressing their commitment to strengthening the instruments of the inter-American system that contribute to hemispheric security;
That the governments of Argentina, Brazil, Canada, Chile, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela (Bolivarian Republic of) have deposited their instruments of ratification or accession, bringing to 15 the number of member states that are states parties to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions; and

The holding of the fourth meeting of the Forum on Confidence- and Security-Building Measures in Lima, Peru, on November 15 and 16, 2010, as well as the Rapporteur’s Report and the Chairman’s Conclusions from that meeting; and

WELCOMING:

The commitment in the Declaration of Santa Cruz de la Sierra, adopted at the IX Conference of Defense Ministers of the Americas, to promoting universal participation and the full implementation of the Convention;

The designation by the General Secretariat of an area responsible for systematizing the information presented by member states and, within its sphere of competence, following up on implementation of the Convention; and

The creation by the General Secretariat of a web page dedicated to the Convention,

RESOLVES:

1. To reaffirm, where applicable, its mandates to the Permanent Council and to the General Secretariat contained in resolution AG/RES. 2552 (XL-O/10), “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 submit, in a timely fashion, annual reports and notifications in compliance with their obligations under Articles III and IV of the Convention.

5. To urge states parties to identify, by July 1 of every year, national points of contact to contribute to the preparation of notifications and annual reports.

6. To invite states parties, 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.
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 states parties.

8. To request that the Permanent Council, through the Committee on Hemispheric Security, convene a meeting of national points of contact in 2012, to which member states not party to the Convention will also be invited, to consider implementation of the Convention and activities aimed at promoting signature and ratification of the Convention, and to contribute to the preparation of the second Conference of the States Parties.

9. 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.

10. To request the Secretary General to present a report to the Permanent Council prior to the forty-second regular session of the General Assembly on the status of signatures and ratifications of the Convention and of accessions thereto.

11. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2629 (XLI-O/11)

FOLLOW-UP TO THE MEETINGS OF MINISTERS RESPONSIBLE FOR PUBLIC SECURITY IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular the section on the matters entrusted to the Committee on Hemispheric Security;

RECOGNIZING that it is the exclusive duty and obligation of states to address problems related to public security in an effort to safeguard the rights and well-being of their citizens, in a framework of security and respect for human rights;

BEARING IN MIND 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 (MISPA I), held in Mexico in October 2008; and the Consensus of Santo Domingo on Public Security (MISPA II/doc.8/09 rev. 4), adopted at the Second Meeting of Ministers Responsible for Public Security in the Americas (MISPA II), held in the Dominican Republic in November 2009;

BEARING IN MIND ALSO the theme of the forty-first regular session of the General Assembly: Citizen Security in the Americas;

HAVING SEEN resolutions AG/RES. 2444 (XXXIX-O/09), “Meeting of Ministers Responsible for Public Security in the Americas,” and AG/RES. 2540 (XL-O/10), “Follow-up to the Meetings of Ministers Responsible for Public Security in the Americas”;

TAKING NOTE of the outcomes of the Meeting of Caribbean Academics and Experts on Public Security: Looking ahead Towards MISPA III, which was held in Montego Bay, Jamaica, on May 19 and 20, 2010;

TAKING NOTE ALSO of the results of the Meeting of Government Experts in Preparation for MISPA III, held in Santiago, Chile, on November 18 and 19, 2010, particularly with regard to the establishment of “police management” as a relevant area identified for consideration by the Ministers of Public Security during MISPA III; and

TAKING INTO ACCOUNT the offer of the Government of Trinidad and Tobago to host the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA III),

RESOLVES:

1. To encourage member states to effectively implement or continue implementing the Commitment to Public Security in the Americas and the Consensus of Santo Domingo on Public
Security; and to request the General Secretariat to execute or continue the execution of the mandates entrusted to it in those documents.

2. To encourage the ministers responsible for public security in the Americas to continue to strengthen the capacity of member states in public security management; prevention of crime, violence, and insecurity; police management; citizen and community participation; and international cooperation.

3. To urge the General Secretariat to conclude, with the inputs from member states, the Feasibility study for Strengthening the Training of Public Security Personnel in the Region (MISPA/RE/doc.4/09), for presentation to the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA III), and to keep the Committee on Hemispheric Security (CSH) regularly informed of the progress made.

4. To request the Secretariat for Multidimensional Security, on the basis of the inputs provided by member states, to continue, *inter alia*, to expand its compilation of best practices and experiences in the areas of police management and international cooperation for presentation to the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA III).

5. To convene the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA III) in Port of Spain, Trinidad and Tobago, on November 17 and 18, 2011.

6. To establish a Working Group, through the CSH, to coordinate preparations for MISPA III.

7. To include the topic “Follow-up to the Meetings of Ministers Responsible for Public Security in the Americas” in the 2011-2012 calendar of activities of the CSH for the purpose of following up on the outcomes of MISPA III and the implementation of mandates entrusted to the General Secretariat through the MISPA process.

8. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
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 remains 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;

RECOGNIZING WITH SATISFACTION:

The efforts made by Colombia in the area of demining, especially in completing the operations to sweep all areas that had been mined (35 military bases) by the state prior to signing of the Ottawa Convention, pursuant to Article 5 of the Ottawa Convention;

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; and

1. The United States remains committed to humanitarian mine action and to cooperating in practical steps to end the harmful legacy of landmines. (The text of this footnote continues on page 78).
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 mine-free-territory declarations made by the republics of Costa Rica, El Salvador, Guatemala, Honduras, Suriname, and, recently, Nicaragua, and the efforts made in fulfillment of those declarations;

WELCOMING the declaration in 2010 of Central America as a mine-free zone;

RECOGNIZING WITH GRATIFICATION:

The valuable contributions by member states such as Argentina, Bolivia, Brazil, Canada, Chile, Colombia, El Salvador, Guatemala, Honduras, Nicaragua, Trinidad and Tobago, the United States, and Venezuela (Bolivarian Republic of); and by permanent observers such as Australia, 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 to demining efforts through the Organization of American States (OAS);

The invaluable efforts that Ecuador and Peru have been making to rid their territories of antipersonnel mines, thereby contributing to the goal of making the Americas an antipersonnel mine-free zone;

The success of the Program for Comprehensive Action against Antipersonnel Mines (AICMA) of the OAS, which for more than 18 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 as well as 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; 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 (AG/doc.5217/11 add. 1), in particular the section on matters assigned to the Committee on Hemispheric Security; 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; and

NOTING:

The successful outcome of the Tenth Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), held in Geneva, Switzerland, from November 29 to December 3, 2010, and the hemispheric commitment to the Convention with the naming of Canada as co-chair of the Standing Committee on the General Status and Operation of the Convention; and of Colombia as co-chair of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies and Peru as co-rapporteur of the Standing Committee on the General Status of Implementation of the Ottawa Convention;

The consideration given in prior years to the granting of extensions to OAS member states that have so requested, under Article 5 of the Ottawa Convention and taking note of their commitment to continue working to rid their territories of antipersonnel mines; and

The recent consideration of granting of an extension to Colombia, an OAS member state which so requested, in accordance with Article 5 of the Ottawa Convention, at the Tenth Meeting of States Parties to the Convention; and noting its commitment to continue working to rid its territory of antipersonnel mines, which are being planted continuously and indiscriminately by outlawed armed groups,

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 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.

3. 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).
4. To urge the international donor community to continue its humanitarian support for victim rehabilitation and in ongoing demining activities, as appropriate, in Chile, Colombia, Ecuador, El Salvador, Guatemala, Nicaragua, and Peru.

5. 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.

6. 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.

7. To condemn also the use of antipersonnel land mines and improvised explosive devices by non-state actors, especially illegal armed groups in Colombia.

8. To invite all states parties to participate in the Eleventh Meeting of States Parties to the Ottawa Convention, in Phnom Penh, Cambodia, from November 28 to December 2, 2011, as a means of demonstrating their continued commitment to the objectives of that convention.

9. 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.

10. To urge 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.

11. 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 fulfill the commitments established in the Cartagena Declaration: A Shared Commitment for a Mine-Free World and to implement the Cartagena Action Plan 2010-2014: Ending the Suffering Caused by Anti-Personnel Mines.

12. 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.
13. To urge member states which have not yet done so to become parties as soon as possible to Amended Protocol II 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 other four protocols thereto; and to request member states to inform the Secretary General when they have done so.

14. To request the Inter-American Defense Board to continue providing technical advice to the AICMA Program.

15. 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.

16. 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, at the request of states and in close coordination with national authorities in order to strengthen their capacities and make those programs sustainable over time.

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

18. To request the Permanent Council and the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … The United States will continue to support OAS efforts to eliminate the humanitarian threat of all remaining landmines and declare countries “mine-impact-free.” Additionally, the United States is undertaking a comprehensive review of its antipersonnel landmine policy. The United States 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 OAS Permanent Council resolution CP/RES. 837 (1354/03), “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.”
SUPPORT FOR THE ACTIVITIES OF THE INTER-AMERICAN DEFENSE BOARD

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Inter-American Defense Board (IADB) to the General Assembly (CP/doc.4545/11);


RECALLING ALSO that the IADB is not by nature an operational body and that its Statutes provide that its purpose is to provide the Organization of American States (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 the invaluable role and contributions of the IADB on matters related to military and defense issues to the OAS organs, the dependencies of the OAS Secretariat, and the OAS member states;

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;

TAKING NOTE of the reports submitted to the Committee on Hemispheric Security (CSH) in compliance with resolution AG/RES. 2573 (XL-O/10): “Report of the Chair of the Informal Group to Reflect on the Topic of the Inter-American Defense Board” (CP/CSH-1267/10 corr. 1) and “Institutional Assessment of the Services the Inter-American Defense Board Could Offer to the Member States Under Its Statutes” (CP/CSH-1266/10);

WELCOMING the measures adopted to increase coordination between the IADB and the OAS through the establishment of liaison officers;

RECOGNIZING the technical assistance that the IADB provides to the Comprehensive Action against Antipersonnel Mines Program (AICMA);

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1. The Government of Nicaragua does not support this resolution because it does not agree with Inter-American Defense Board (IADB) intervention in … (the text of this footnote continues on page 82.)
TAKING NOTE of resolution AG/RES. 2446 (XXXIX-O/09), “Support for the Conference of Defense Ministers of the Americas in Housing Its Institutional Memory,” and of the progress that has been made on the commitments contained in this resolution; and

TAKING NOTE ALSO of the Declaration of Santa Cruz de la Sierra of the IX Conference of Defense Ministers of the Americas, held in Santa Cruz de la Sierra, Bolivia, from November 22 to 25, 2010,

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.

2. To urge the IADB, in compliance with its Statutes, to continue rendering timely technical, consultative, and educational assistance on topics related to military and defense matters to those member states, organs of the OAS, and offices of the General Secretariat that so request.

3. To encourage member states to strengthen and support the Secretariat of the IADB by providing military officers and civilian officials with the necessary skills and expertise for it to continue performing its functions.

4. To urge all OAS member states to continue promoting the participation of at least one student per year from their country in the advanced academic courses and seminars offered by the Inter-American Defense College (IADC).

5. To exhort the Council of Delegates of the IADB to continue to strengthen its cooperation with the OAS through the Committee on Hemispheric Security (CSH), coordinating its annual calendar of activities and the presentation of its approved annual work plan to the OAS, through the CSH, by September each year.

6. To encourage the Secretariat of the IADB and the Secretariat for Multidimensional Security to continue strengthening their communication channels.

7. To request the Secretariat of the IADB and the Secretariat for Multidimensional Security to jointly support the implementation of defense mandates, when appropriate.

8. To invite member states to seek and request relevant studies, assessments, and reports from the IADB on matters in accordance with its Statutes.

9. To request the IADB to continue reporting on its analysis and review of technical assistance, educational, and consultancy services that the IADB can provide to member states in accordance with its Statutes, and to submit a report to the CSH by December 1, 2011.

10. To ask the IADB to continue providing technical assistance to the Comprehensive Action against Antipersonnel Mines Program (AICMA) and to invite member states to continue contributing specialists to the IADB’s team of international monitors.
11. To request the IADB, in accordance with its Statutes, to draw up, taking into account existing mechanisms and bodies at the multilateral, regional, and subregional levels, and to present to the CSH, before the next regular session of the General Assembly, a plan for improving advice and guidance to the inter-American system for bolstering hemispheric capacity for response to disasters, where appropriate.

12. To instruct the IADB to attend ongoing regional and global defense fora, including, but not limited to, the Conference of American Armies (CAA), the Inter-American Naval Conference (IANC), the System of Cooperation among Air Forces of the Americas (SICOFAA), and the Conference of Central American Armed Forces (CFAC); to report on the proceedings of their meetings to the Committee on Hemispheric Security; and to consider strengthening cooperation with said fora.

13. To request the IADB to support the Pro-Tempore Secretariat of the Conference of Defense Ministers of the Americas (CDMA), at the request of the host country, in carrying out the duties set forth in Article 25 of the CDMA’s Regulations.

14. To request the IADB to work with the OAS General Secretariat in encouraging participation by member states as regards reporting on the application of confidence-and security-building measures, in accordance with the consolidated list of measures approved by the CSH (CP/CSH-1043/08 rev. 1) and the format approved at the fourth meeting of the Forum on Confidence- and Security-Building Measures (CSH/FORO-IV/doc.7/10).

15. To request the IADB to work jointly with the OAS General Secretariat toward the full implementation of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

16. To urge the OAS General Secretariat to consider asking the IADB for technical advisory services for the handling, securing, and destruction of stockpiles of weapons in its projects in that area, in accordance with its Statutes.

17. To invite member states, permanent observers, and other donors to support, through voluntary contributions, the activities undertaken by the IADB in carrying out its purpose and functions.

18. To encourage the IADB to continue its efforts to secure resources and funds and to request that the OAS General Secretariat help to facilitate the efforts of the IADB in this regard.

19. To exhort member states to continue to provide the IADB with the financial and human resources necessary to strengthen this institution and enhance academic instruction of military officers and civilian officials at the IADC.

20. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … matters of a military or other nature that would undermine the country’s sovereignty, independence, institutions, and legal structures.
AG/RES. 2632 (XLI-O/11)

FUTURE OF THE MISSION AND FUNCTIONS OF THE INSTRUMENTS AND COMPONENTS
OF THE INTER-AMERICAN DEFENSE SYSTEM

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

TAKING NOTE of the Declaration of Santa Cruz de la Sierra of the IX Conference of
Defense Ministers of the Americas, held in Santa Cruz de la Sierra, Bolivia, from November 22 to
25, 2010, which recommended that the OAS convene a conference on the future of the mission and
functions of the instruments and components of the inter-American defense system,

RESOLVES:

1. To instruct the Permanent Council to begin the process of appropriate steps and
consultations to consider convening a special conference on the future of the mission and functions of
the instruments and components of the inter-American defense system, in keeping with the
recommendation of the IX Conference of Defense Ministers of the Americas.

2. To request the General Secretariat to report to the General Assembly at its forty-
second regular session on the implementation of this resolution. Execution of the activities envisaged
in this resolution will be subject to the availability of financial resources in the program-budget of the
Organization and other resources.

1. Nicaragua does not support this draft resolution, nor does it agree with any initiative aimed at
improving, strengthening, optimizing, or revamping … (the text of this footnote continues on page 84.)
1. … the Inter-American Defense Board. Nicaragua does not agree with IADB intervention in matters of a military or other nature that involves undermining the sovereignty, independence, institutions, and legal structures of the country.
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 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 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 support of 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 of the Americas Secretariat;

RECALLING that at Summits of the Americas, the heads of state and government have 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;

RECOGNIZING the work of the Joint Summit Working Group (JSWG), which comprises the Organization of American States (OAS), the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Central American Bank for Economic Integration (CABEI), the Andean Development Corporation

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, … (The text of this footnote continues on page 89)
(CAF), the Caribbean Development Bank (CDB), the International Organization for Migration (IOM), the International Labour Organization (ILO), and the United Nations Development Programme (UNDP);

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;

RECALLING that at the ministerial meeting of the Summit Implementation Review Group (SIRG) held in the framework of the fortieth regular session of the General Assembly at Lima, Peru, in June 2010, the Secretary General of the OAS launched the Summits of the Americas Virtual Community (SVC) as a tool for modernizing the mechanisms for dialogue among all the actors involved in the Summits process; and

RECALLING ALSO that the Sixth Summit of the Americas will be held in the city of Cartagena de Indias, Colombia, on April 14 and 15, 2012,

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 Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) to coordinate the activities assigned to the Organization of American States (OAS) by the Summits of the Americas.

3. To request the CISC to present, within 60 days after the end of the Summit of the Americas, a report on the activities assigned by the Summit to the OAS during a joint meeting of the Permanent Council and the Inter-American Council for Integral Development (CIDI), so that both bodies can take steps to ensure their inclusion, as a matter of priority, in programs to organize and formalize that mandate.

4. 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 (CIDI), and the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC).

5. To request that the General Secretariat, through the Summits of the Americas Secretariat (SAS), continue to serve as the institutional memory and secretariat of the Summits of the Americas process, advising the host country of the Summit and member states, as requested, in general on all aspects related to the Summits process, supporting follow-up and dissemination of Summit mandates, offering support to member states in implementing existing mandates and those of future Summits, and supporting preparatory activities and technical coordination for the next Summit of the Americas, to be held on April 14 and 15, 2012.
6. 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.

7. To urge member states, through the Summit Implementation Review Group (SIRG), to report on the implementation and follow-up of the commitments established in the Declaration of Commitment of Port of Spain, as well as the commitments of prior Summits, the implementation of which are still ongoing.

8. To request the SAS to continue to report to the CISC and to the SIRG on the activities and programs being carried out in support of member states’ efforts to implement Summit mandates, and to report to the CISC on the technical input prepared by the General Secretariat of the OAS on the Summits process, including reports on inter-American ministerial meetings linked to the Summits process.

9. To instruct the General Secretariat to continue, through the Joint Summit Working Group (JSWG), chaired by the SAS, to coordinate and promote the implementation and follow-up in JSWG institutions of the mandates of the Summits of the Americas; to 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 to provide assistance in the preparatory activities for the next Summit of the Americas, scheduled to be held in 2012.

10. In order to strengthen the Summits of the Americas process and its link to the inter-American ministerial meetings:

   a. To urge member states to improve intersectoral coordination among ministers and authorities;

   b. To instruct the SAS to keep track of ministerial meetings and provide technical guidance for member states, as requested, on ways to strengthen internal coordination on the implementation of Summit mandates; and

   c. To urge countries hosting inter-American ministerial meetings to work with the SAS to ensure follow-up on relevant mandates from the Summits of the Americas and, as appropriate, to prepare for future Summits.

11. To request the General Secretariat through the SAS to provide full support to the Government of Colombia in the preparation for the Sixth Summit of the Americas scheduled to be held in the city of Cartagena de Indias, Colombia, on April 14 and 15, 2012.

12. To request the General Secretariat to make efforts, through the SAS and the member states, to promote and disseminate among the stakeholders involved in the Summits of the Americas process the mandates, commitments, and results emanating from the Summits of the Americas, so that they may contribute to their implementation.
13. To request the General Secretariat to make efforts, through the SAS, to continue to explore and implement in the Summits of the Americas process methods for promoting and increasing awareness and the participation of social actors in that process, through the use of the Summits of the Americas Virtual Community (SVC) and other information and communication technologies.

14. To request the SAS to continue working with member states on the implementation and follow-up of Summit mandates, including promotion and training on the use of the Summits of the Americas Follow-up System (SISCA).

15. 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.

16. To request the General Secretariat to strengthen the SAS by providing it with the human and financial resources to fulfill its function as technical secretariat of the Summits of the Americas process efficiently and effectively.

17. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources; and to instruct the Secretary General to seek additional voluntary funds to carry out the activities mentioned in this resolution.

18. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution.
FOOTNOTE

1. … 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.
AG/RES. 2634 (XLI-O/11)

FOLLOW-UP AND IMPLEMENTATION OF THE MANDATES OF THE DECLARATION OF COMMITMENT OF PORT OF SPAIN OF THE FIFTH SUMMIT OF THE AMERICAS\(^1\)

( Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2190 (XXXVI-O/06), AG/RES. 2338 (XXXVII-O/07), AG/RES. 2393 (XXXVIII-O/08), AG/RES. 2520 (XXXIX-O/09), and AG/RES. 2563 (XLI-O/10), “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 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), 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;

\(^1\) 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, … (the text of this footnote continues on page 93.)
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 the General Assembly of the OAS has instructed the General Secretariat to consider, at all ministerial meetings, the Summit guidelines and mandates with a view to ensuring that the priorities and resolutions adopted by ministers are consistent with the commitments of the Summits of the Americas;

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 (JSWG), 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 JSWG 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

RECOGNIZING:

The importance of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) 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; and

That the Summits of the Americas Secretariat (SAS) has developed useful tools to facilitate reporting on implementation,

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.

2. To urge member states and to request the General Secretariat to continue to implement, promote, and disseminate the mandates set forth in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas.

3. To instruct the General Secretariat to continue to coordinate with other organs and entities of the Organization of American States (OAS) and with the institutions of the Joint Summit Working Group (JSWG) in following up on the mandates set forth in the Declaration of Commitment of Port of Spain of the Fifth Summit of the Americas.

4. 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 Trinidad and Tobago, which informs of the discussions of the heads of state and government on the reintegration of Cuba in
the inter-American system, the global financial crisis, the Declaration of Commitment of Port of Spain, and Haiti.

5. 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 JSWG, 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 (CISC) on the progress made in implementing the adopted mandates and commitments.

6. To instruct the Summits of the Americas Secretariat (SAS) to use and promote, through training for member states, where needed, the Summits of the Americas Follow-up System (SISCA) to facilitate reporting by member states and partner institutions of the JSWG on actions taken and progress made with implementation of Summit mandates, and to provide updates to the CISC and the Summit Implementation Review Group (SIRG) on the implementation and follow-up of the commitments adopted in the Declaration of Commitment of Port of Spain.

7. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … 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.
AG/RES. 2635 (XLI-O/11)

INCREASING AND STRENGTHENING THE PARTICIPATION OF CIVIL SOCIETY AND SOCIAL ACTORS 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 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1) as it pertains to the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC);

TAKING INTO ACCOUNT resolution AG/RES. 2612 (XL-O/10), “Increasing and Strengthening the Participation of Civil Society and Social Actors in the Activities of the Organization of American States and in the Summits of the Americas Process”;

RECALLING that participation by civil society and other social actors in activities of the Organization of American States (OAS) should take place in a context of close collaboration among the political and institutional bodies of the Organization and in implementation of the provisions of the Charter of the Organization of American States and resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations 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 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 other social actors 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 that 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”;

RECALLING resolution AG/RES. 2563 (XL-O/10), “Support for and Follow-up to the Summits of the Americas Process,” which instructs 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;

RECOGNIZING the efforts being made by the host country of the Sixth Summit of the Americas to be held in Cartagena de Indias, Colombia, on April 14 and 15, 2012, to encourage, promote, and facilitate the participation of civil society and of social actors in the preparatory activities for the Sixth Summit of the Americas and at the Summit itself;

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 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);

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,” which instructs the General Secretariat to develop a strategy for a coordinated approach to encourage civil society participation in OAS activities, for consideration by the member states;

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, … (the text of this footnote continues on page 98.)
NOTING ALSO the contributions and recommendations received from civil society organizations and other social actors during the preparatory phase, the activities immediately preceding the Summit, as well as the contributions that they provide in follow up to the commitments and in the process of implementation of the Fifth Summit of the Americas; and

The recommendations of the VIII Hemispheric Forum with Civil Society, held in Washington, D.C., on April 25 and 26, 2011, on the theme of the forty-first regular session of the General Assembly, “Citizen Security in the Americas,” the priorities on the inter-American agenda, and the Inter-American Democratic Charter on the occasion of its tenth anniversary; as well as the special meeting of the CISC with civil society on strengthening dialogue with civil society, held on April 26, 2011; and

RECOGNIZING the importance of participation by civil society organizations and other social actors in consolidating democracy in all member states,

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 participation by civil society and other social actors 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 process and in the activities undertaken by the OAS as a result of this process, as well as efforts by member states to foster said 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 and other social actors 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 the dialogue among the heads of delegation of member states, 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 the Dialogue with Ministers of Foreign Affairs and representatives of social actors in the Summits of the Americas; and
   b. Continue their efforts, both domestically and multilaterally, to expand opportunities for participation by civil society organizations and other social actors 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, in order to allow for an exchange of experiences and best practices among the member states.

8. To recognize the efforts of El Salvador as host country of the forty-first regular session of the General Assembly to work jointly 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 member states to continue analyzing the Draft Strategy for Strengthening Civil Society Participation in the Activities of the Organization of American States (OAS) (CP/CISC-422/09 rev. 1) with a view to completing it, and to request the Permanent Council to consider the final draft in order to promote a coordinated approach that facilitates civil society participation in OAS activities.

10. 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, integrate, and incorporate civil society input and advocacy.

11. To request the General Secretariat to report to the Permanent Council before the forty-second regular session of the General Assembly on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
1. ... 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.
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 7, 2011)

THE GENERAL ASSEMBLY,


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 (CIDI) 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 those member states that have signed but 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 forty-sixth regular session of the General Assembly to be held in 2016, 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 the Executive Secretariat for Integral Development to undertake outreach and awareness-raising efforts on the importance of ratifying the instruments referred to in operative paragraph 1 above, and report to CIDI annually for such time as this resolution remains in force.

4. To request CIDI to report to the General Assembly at its forty-sixth regular session on the implementation of this resolution.
AG/RES. 2637 (XLI-O/11)

CONVOCATION OF THE XVII INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR AND SUPPORT FOR THE INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION

(Adopted at the fourth plenary session, held on June 7, 2011)

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, therefore, 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”; and

That at the Fifth Summit of the Americas, the heads of state and government expressed their awareness that, notwithstanding the gains made since the Fourth Summit of the Americas, deep inequalities continued to exist in our countries and in our region. In response, the heads of state and government declared that they would continue to develop and implement social protection and inclusion policies and programs that give priority to those living in conditions of poverty and
vulnerability in our societies, and would continue to promote access to education, health, nutrition, energy, basic social services and to opportunities for dignified and decent work. At the same time, they announced that they would stimulate income growth and better income distribution, increase productivity, and protect workers’ rights and the environment;

TAKING INTO ACCOUNT:

That the IACML of the Organization of American States (OAS) has been meeting since 1963 to define priorities and activities in the Hemisphere’s labor sector;

That the IACML is recognized as the primary forum for building consensus and discussing and defining labor priorities in the Americas, which are adapted to the changing realities of the region’s labor markets;

That the XVI IACML, held in Buenos Aires, Argentina, from October 6 to 8, 2009, under the *leit motiv* “Facing the Crisis with Development, Decent Work, and Social Protection,” adopted the Declaration and Plan of Action of Buenos Aires (CIDI/TRABAJO/DEC. 1/09 (XVI-O/09) and CIDI/TRABAJO/doc.5/09 rev. 1 corr. 1), respectively, together with a resolution entitled “Contribution of the XVI IACML to the G-20 Process,” [CIDI/TRABAJO/RES. 3/09 (XVI-O/09)];

That the working groups of the Conference met on July 28 and 29, 2010, in Santo Domingo, Dominican Republic, and from May 17 to 19, 2011, in Washington, D.C., to follow up on the Buenos Aires Declaration and Plan of Action;

That the XVI IACML, in its resolution CIDI/TRABAJO/RES. 1/09 (XVI-O/09), “Modification of the Status of COTPAL, COSATE and CEATAL in the IACML,” designated the Permanent Technical Committee on Labor Matters (COTPAL), the Business Technical Advisory Committee on Labor Matters (CEATAL), and the Trade Union Technical Advisory Council (COSATE) as permanent consultative organs of the IACML;

That the XVI IACML, held in Buenos Aires in 2009, welcomed the offer of El Salvador to host the XVII IACML in 2011; and

That the Government of El Salvador proposed as the central theme for the XVII IACML “Learning from the Crisis and Working for the Construction of Fairer Conditions at Work” (CEPCIDI/INF.120/11);

TAKING INTO ACCOUNT ALSO:

That the Inter-American Network for Labor Administration (RIAL) was created at the XIV IACML, held in Mexico City on September 26 and 27, 2005, for the purpose of strengthening the human and institutional capacity of labor ministries through a mechanism for integrating and disseminating knowledge and experience;
That the Government of Canada, through the Labor Program of the Ministry of Human Resources and Skills Development, contributed substantial resources to launch the RIAL and to enable it to carry out most of its activities from 2006 to 2010; and that the governments of the United States, Argentina, Brazil, and Mexico have allocated financial resources to it;

That the Buenos Aires Plan of Action, approved at the XVI IACML in 2009, established that “the IACML renews its support for and undertakes to strengthen the Inter-American Network for Labor Administration (RIAL)”;

That in the course of the meeting of the IACML working groups in 2010, the ministries of labor of the region gave their support to the RIAL and decided to create a fund of voluntary contributions to continue its operations; and

RECOGNIZING:

That the Chair of the IACML, held by the Ministry of Labor, Employment, and Social Security of Argentina, submitted the Buenos Aires Declaration and Plan of Action to the Meeting of the G-20 Ministers held in Washington, D.C., in April 2010, where he and the other IACML members present reiterated the consensus reached by the ministers of the Americas regarding the need to keep employment at the center of recovery from the economic crisis;

That the political dialogue during the IACML was complemented and enriched by the cooperation and technical assistance activities of the RIAL;

That the RIAL has succeeded in institutionally strengthening the region’s labor ministries in areas such as the design of new products or services, improvement in programs under execution, definition of internal procedures, organization of training activities, and reform of laws and regulations; and

That the RIAL has intensified dialogue, cooperation, and assistance among government officials, labor and business representatives, and international organizations, such as the International Labour Organization (ILO), the Inter-American Development Bank (IDB), and the Economic Commission for Latin America and the Caribbean (ECLAC), among others,

RESOLVES:

1. To accept with gratitude the offer of the Government of El Salvador to host the XVII IACML on October 31 and November 1, 2011.

2. To recognize and congratulate the Government of Argentina for its leadership as Chair of the XVI IACML and for the steps it took to bring the hemispheric consensus to the G-20 discussions.

3. To welcome the decision of the XVI IACML to designate the Permanent Technical Committee on Labor Matters (COTPAL), the Business Technical Advisory Committee on Labor Matters (CEATAL), and the Trade Union Technical Advisory Council (COSATE) as permanent consultative organs of the Inter-American Conference of Ministers of Labor.
4. To declare its full support for the Inter-American Network for Labor Administration (RIAL), to back the creation of a fund of voluntary contributions from the labor ministries of the region to guarantee its sustainability, and to invite all governments to make contributions according to their financial capabilities.

5. To thank the Government of Canada for the considerable financial contributions that led to the creation of the RIAL; to express appreciation for the funds contributed by Argentina, Brazil, Mexico, and the United States for the contributions in terms of experience and knowledge of all member states; and to launch an appeal to all states to continue contributing to this important mechanism for labor cooperation.

6. To instruct the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), to work together with ministries of labor and with labor and business representatives to put into practice the decisions adopted by the IACML, to continue coordinating the RIAL and exploring sources of financing, and to report periodically on this process to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

7. To request CIDI to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2638 (XLI-O/11)

EDUCATIONAL PORTAL OF THE AMERICAS: TEN YEARS OF STRENGTHENING HUMAN DEVELOPMENT IN THE HEMISPHERE THROUGH DISTANCE EDUCATION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES.248 (XVI-O/11), “Educational Portal of the Americas: Ten Years of Strengthening Human Development in the Hemisphere through Distance Education”;

REAFFIRMING that Article 50 of the Charter of the Organization of American States (OAS) calls on member states to promote the use of all information media to bring about the eradication of illiteracy; strengthen adult and vocational education systems, and ensure that the benefits of culture are available to the entire population;

RECALLING that the Plan of Action of the Second Summit of the Americas, held in Santiago, Chile, in April 1998, declared that “distance education programs shall be strengthened and information networks established”;

RECALLING FURTHERMORE that in the Declaration of the Third Summit of the Americas, held in Quebec City, Canada, in April 2001, the development of human potential was assigned the utmost importance and the “Connecting the Americas” initiative was adopted with the aim of “mobilizing and sharing human resources to strengthen our capacities for applying information and communications technologies to human development”;

TAKING INTO CONSIDERATION that the launch of the Educational Portal of the Americas (www.educoas.org), as a timely and essential mechanism for strengthening human development through distance education bolstered with the use of information and communication technologies, took place in September 2001 on the occasion of the Second Inter-American Meeting of Ministers of Education, held in Punta del Este, Uruguay;

TAKING INTO ACCOUNT that at its thirty-second regular session held in Bridgetown, Barbados, from June 2 to 4, 2002, the General Assembly recognized the Educational Portal of the Americas as “a novel initiative which will contribute to expanding learning opportunities for students throughout the Hemisphere through access to high-quality distance-learning programs”;

CONSIDERING that development of human resources is a cross-cutting element of the Strategic Plan for Partnership for Integral Development 2006-2009 in force, which recognizes development of human resources as an indispensable component of partnership for development and provides that “[a]dvantage will also be taken of the different instruments provided by new information and communication technologies to benefit from distance learning, multimedia, and education by satellite systems”; and
CONSIDERING ALSO that in its 10 years of existence the Educational Portal of the Americas has imparted more than 180 distance-education courses, benefiting more than 21,000 citizens of the Americas,

RESOLVES:

1. To reaffirm the contribution made by the Educational Portal of the Americas to human development in the Americas in the decade from 2001 to 2011.

2. To recognize that the Educational Portal of the Americas constitutes an original and innovative initiative that enriches our society of knowledge by offering a quality education that fosters social inclusion and training opportunities through distance education for all peoples, including those situated in rural areas.

3. To underscore the work done by the Department of Human Development, Education, and Culture with regard to the Educational Portal of the Americas in the decade from 2001 to 2011.

4. To reaffirm its support for the Educational Portal of the Americas as an essential strategic program for the advancement of human development and competitiveness through professional development and institutional capacity building.

5. To encourage the Educational Portal of the Americas to continue its work in support of the agenda for connectivity in order to help reduce the digital divide among countries in the Hemisphere, as well as promoting access to a quality education and professional development through the use of information and communication technologies.

6. To underscore the importance of maximizing the resources of the Organization of American States (OAS) and harnessing the experience gained by the Educational Portal of the Americas and, to that end, request that the General Secretariat make efforts to channel through the Educational Portal of the Americas the distance-education courses that it imparts via its various organs, entities, and secretariats.

7. To request the Executive Secretariat for Integral Development, through the Department of Human Development, Education, and Culture, to promote the potential of the Educational Portal of the Americas and, in particular, that it advocate it and make it available to the inter-American committees of the Inter-American Council for Integral Development (CIDI) and the Special Multilateral Fund of CIDI (FEMCIDI).

8. To request that the Secretary General distribute this resolution to the relevant international and regional organizations in a bid to establish partnerships and promote the Educational Portal of the Americas.

9. To request the Secretary General to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

10. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2639 (XLI-O/11)

ADAPTATION OF THE INTER-AMERICAN TRAVEL CONGRESSES TO THE CIDI FRAMEWORK AND HOLDING OF THE XIX INTER-AMERICAN TRAVEL CONGRESS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


HAVING SEEN ALSO:

Resolution CEPCIDI/RES. 171/10 (CLXIII-O/10), “Convocation of the XIX Inter-American Travel Congress”; and

The note from the Government of El Salvador, offering to host the XIX Inter-American Travel Congress in San Salvador on September 29 and 30, 2011 (CEPCIDI/INF.94/10);

CONSIDERING:

That with the entry into force of the 1993 Protocol of Managua amending the OAS Charter, the establishment of the Inter-American Council for Integral Development (CIDI) in 1996, and the adoption of its Statutes, an orderly framework was introduced for convening ministerial meetings governed by uniform rules of procedure;

That through resolution AG/RES. 1574 (XXVIII-O/98), “Specialized Conferences,” the General Assembly declared that “there is a need to reorient toward CIDI the dialogue currently taking place in some specialized conferences whose topics correspond to the areas of cooperation of CIDI” and, consequently, “instruct[ed] the Inter-American Travel Congress to hold its meetings at the ministerial level within the framework of the sectoral meetings of the Inter-American Council for Integral Development (CIDI), in keeping with the priority of sustainable development of tourism established in the Strategic Plan for Partnership for Development 1997-2001”; and
That through resolution AG/RES. 1678 (XXIX-O/99), “Mechanisms for Implementing the Inter-American Dialogue on Partnership for Development,” the General Assembly urged the Congresses to present to CIDI, through the Permanent Executive Committee of CIDI (CEPCIDI), the necessary amendments to their regulations so as to adapt their ministerial-level meetings to the existing mechanisms of the CIDI framework;

RECALLING:

That through resolution AG/RES. 1678 (XXIX-O/99), the General Assembly amended the Statutes of CIDI in order to facilitate the establishment of the inter-American committees as subsidiary organs of CIDI, to enhance sectoral dialogue, and, among other functions, to support the preparation and follow-up of specialized or sectoral meetings at the ministerial level; and

That through resolution AG/RES. 1811 (XXXI-O/01), “Sustainable Development of Tourism,” the General Assembly recommended considering “[t]he establishment of an Inter-American Committee on Sustainable Tourism Development, consisting of sectoral authorities at the policy-making and technical levels’’;

RECOGNIZING:

That sustainable management of the tourism sector can enhance its capacity to provide important economic and social benefits that support the livelihood of families and local communities and improve the quality of life of individuals and society;

The importance of international and regional cooperation geared to the promotion of sustainable tourism in the Hemisphere; and

The importance of the Special Multilateral Fund of CIDI for the promotion of tourism cooperation programs that provide technical assistance to support business development, to improve domestic tourism, and to stimulate entrepreneurial development of the micro, small, and medium-size enterprises in the hospitality and tourism sectors, and that include, inter alia, education and capacity-building components intended to encourage people to participate in activities connected with sustainable tourism development, as well as in those designed to improve tourism development overall and heritage conservation; and

TAKING INTO ACCOUNT:

That it is incumbent upon the Inter-American Council for Integral Development (CIDI), in the framework of the Strategic Plan for Partnership for Development 2006-2009, to encourage policy dialogue and include sustainable tourism development as one of its priority areas; and

That the central theme of the XIX Inter-American Travel Congress will be “Tourism: A Challenge to poverty,”
RESOLVES:

1. To thank the Government of El Salvador for its offer to host the XIX Inter-American Travel Congress and to convene it for September 29 and 30, 2011, in San Salvador, El Salvador.

2. To urge the Ministers and High Authorities of Tourism to participate in the XIX Inter-American Travel Congress.

3. To abolish the Organization Plan of the Inter-American Travel Congresses and establish that the Congresses shall no longer meet as an inter-American specialized conference but, rather, as a sectoral ministerial-level meeting of the Inter-American Council for Integral Development (CIDI) in accordance with the CIDI Statutes. These meetings shall convene, starting with the twentieth, as the “Inter-American Congress of Ministers and High-Level Authorities of Tourism.”

4. To establish that the XIX Inter-American Travel Congress shall be governed by CIDI’s Rules of Procedure.

5. To establish an Inter-American Committee on Tourism pursuant to Articles 77 and 95.c.3 of the Charter of the Organization of American States (OAS), and instruct the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to prepare its rules of procedure in accordance with the guidelines set by the Congress.

6. To instruct the Executive Secretariat for Integral Development, through the Department of Economic Development, Trade, and Tourism to support the organization and the preparatory process of the XIX Inter-American Travel Congress and to redouble its efforts to support member states in fostering sustainable tourism development.

7. To entrust the Ministers and High Authorities of Tourism, in the framework of the XIX Inter-American Travel Congress, with the definition of the key themes for partnership for development in the tourism sector within the framework of the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI).

8. To request CIDI to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2640 (XLI-O/11)

2011: INTER-AMERICAN YEAR OF CULTURE

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2468 (XXXIX-O/09), CIDI/RES. 226 (XIV-O/09), and CIDI/RES. 251 (XVI-O/11), “2011: Inter-American Year of Culture”;

TAKING INTO ACCOUNT:

That the heads of state and government, gathered in Port of Spain, Trinidad and Tobago, at the Fifth Summit of the Americas, reaffirmed that inter-cultural dialogue and respect for cultural diversity encourage mutual understanding, which helps reduce conflict, discrimination, and the barriers to economic opportunity and social participation; and

That the Ministers of Culture and Highest Appropriate Authorities, at their Fourth Inter-American Meeting within 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;

WELCOMING the outcomes of the work done by the Working Group to Prepare the Inter-American Year of Culture (IAYC), established within the framework of the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), from June to October 2010;

WELCOMING ALSO the Strategy for 2011: Inter-American Year of Culture agreed upon by CEPCIDI (CEPCIDI/doc.965/10) and developed by the above-mentioned Working Group, which identified the following objectives for the IAYC:

- To provide a platform to promote the key role that culture plays in economic, social, and human development;
- To highlight the rich cultural diversity of the Americas;
- To promote the development and implementation of public policies in member states, ensuring the sustainability of the outcomes of the 2011: Inter-American Year of Culture; and
- To raise awareness of the work of the Inter-American Committee on Culture (CIC); and
RECOGNIZING that the slogan “Our Cultures, Our Future” summarizes the mission statement agreed for the IAYC: “The Inter-American Year of Culture celebrates the many cultures in existence in the Hemisphere and recognizes the central role that culture plays in economic, social, and human development in all communities”;

TAKING INTO ACCOUNT:

That on March 23, 2011, at the joint special meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), the IAYC and its web page were officially launched, and that on that occasion the progress made in planning and implementing the IAYC was reported, and the symbols and media elements to serve as vehicles for identification of the IAYC, especially its logo, were made public; and

That the General Secretariat has established, within the framework of the IAYC, the Cultural Heritage of the Americas Award for the most representative cultural expressions of member states in order to highlight the variety of elements that make up the identity of the Americas, promote them as an inter-American contribution to the cultural heritage of humanity, and reaffirm the region’s presence on the world stage;

EXPRESSING APPRECIATION to the governments of Brazil and the United States of America for their substantial financial contributions to the Organization of American States (OAS) to help implement elements of the CIC Work Plan that will make it possible to advance toward achieving the objectives of the IAYC, as well as to other states and entities that are taking part by making technical and logistical contributions; and

BEARING IN MIND resolution AG/RES. 2468 (XXXIX-O/09), “2011: Inter-American Year of Culture,” whereby the member states are invited “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,”

RESOLVES:

1. To call on the member states to participate fully in the commemoration of the Inter-American Year of Culture (IAYC) and to advise the Organization of American States (OAS), through the Technical Secretariat of the Inter-American Committee on Culture (CIC), of any programs, projects, initiatives, and activities they will include in the commemoration of the IAYC.

2. To urge member states to consider specific actions to emphasize the importance of culture in the economic, social, and human development of communities and to take them into account when formulating public policies on culture, education, tourism, sustainable development, and on any other areas they deem appropriate.

3. To urge member states to disseminate widely any policies, programs, projects, initiatives, and activities formulated and/or implemented in the context of the IAYC.
4. To express appreciation for the financial contributions of the governments of Brazil and the United States of America, as well as for the technical contributions of other states and entities, and to encourage other states and entities to make financial and technical contributions to carry out actions that help to achieve the objectives of the IAYC.

5. To welcome with satisfaction the initiative of the General Secretariat to establish the Cultural Heritage of the Americas Award and to congratulate Peru on being the first recipient of this award in recognition of its gastronomic riches.

6. To instruct the CIC, with support from its Technical Secretariat, to continue to coordinate the implementation of the IAYC.

7. To instruct the General Secretariat, in consultation with the CIC, to consider the most appropriate way to mark the close of the IAYC and to disseminate its outcomes in the framework of the Sixth Summit of the Americas, to be held in Cartagena de Indias, Colombia, in April 2012.

8. To instruct the General Secretariat to report to the General Assembly on the implementation of this resolution prior to its forty-second regular session.
AG/RES. 2641 (XLI-O/11)

EXTENSION OF THE TERM OF THE STRATEGIC PLAN FOR PARTNERSHIP FOR INTEGRAL DEVELOPMENT 2006-2009

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 218 (XIV-O/09), AG/RES. 2474 (XXXIX-O/09), CIDI/RES. 237 (XV-O/10), AG/RES. 2583 (XL-O/10), and CIDI/RES. 252 (XVI-O/11), “Extension of the term of the Strategic Plan for Partnership for Integral Development 2006-2009”;

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), 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 CIDI/RES. 178 (XI-O/06), “Strategic Plan for Partnership for Integral Development 2006-2009”; and


1. The Government of Venezuela reiterates the content of its reservations to the FTAA formulated in the Declarations and Plans of Action of the Summit of … (the text of this footnote continues on page 113.)
TAKING INTO ACCOUNT:

That the term of the Strategic Plan for Partnership for Integral Development 2006-2009 was extended until December 31, 2011;

That the current Strategic Plan states that “the Executive Secretariat for Integral Development (SEDI) shall present to CIDI, through the Permanent Executive Committee of the American Council for Integral Development (CEPCIDI), a qualitative and quantitative report on the implementation of the Strategic Plan. That report should contain an evaluation of (a) policy implementation; (b) the results of cooperation activities, their impact, efficacy, and efficiency; (c) the use of resources; and (d) the quality of the technical cooperation services rendered”;

That a process of reflection and consultation is taking place within CEPCIDI and the Inter-American Agency for Cooperation and Development (IACD) on mechanisms for policy dialogue in the framework of CIDI and on the present structure of partnership for development, exploring numerous alternatives with a view to strengthening it; and

That significant progress has been made in strengthening CIDI, including the establishment of a transition period to put into practice the proposed structure for the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) and that major recommendations and guidelines have been received in the framework of the sixteenth regular meeting of CIDI to enhance and consolidate innovative mechanisms for cooperation, in order to link them with existing and potential funding mechanisms; 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 Organization of American States (OAS),

RESOLVES:

1. To extend the term of the Strategic Plan for Partnership for Integral Development 2006-2009 by one year, until December 31, 2012.

2. To request the Executive Secretariat for Integral Development (SEDI) to present to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), before September 30, 2011, a quantitative and qualitative report on the implementation of the Strategic Plan for Partnership for Integral Development 2006-2009.
3. To instruct CEPCIDI to initiate, before October 31, 2011, based on the report to be submitted by SEDI pursuant to the mandate contained in the preceding operative paragraph, the evaluation of the results achieved under the current strategic plan and, taking also into account the agreements reached at that time to strengthen the Inter-American Council for Integral Development (CIDI), begin preparation of the next strategic plan.

4. To authorize CIDI to approve, before December 31, 2012, the next strategic plan for partnership for development ad referendum of the forty-third regular session of the General Assembly.

5. To request CIDI to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
1. … the Americas (paragraph 15 of the Declaration of Quebec City and paragraph 6-A of the Plan of Action; and paragraph 12 of the Declaration of Nuevo León), as well as in resolution AG/RES. 2014 (XXXIV-O/04), “Trade and Integration in the Americas,” and previous resolutions with the same title.
AG/RES. 2642 (XLI-O/11)

THIRD MEETING OF MINISTERS AND HIGH AUTHORITIES ON SCIENCE AND TECHNOLOGY IN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


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, held in Lima, Peru, on November 11 and 12, 2004;

That the heads of state and government gathered at the Fifth Summit of the Americas held in Trinidad and Tobago, from April 17 to 19, 2009, “[i]n order to foster innovation, increase competitiveness and promote social development, and taking note of the outcomes of the Second Meeting of Ministers and High Authorities on Science and Technology, held in Mexico City in 2008,” took on the commitment “to create conditions for increasing public investment and to take measures that promote investment in the private sector, particularly in science, technology, engineering, innovation, research and development, and to encourage the strengthening of linkages among universities, science institutions, the private and public sectors, multilateral agencies, civil society and workers. […]”; and

That the heads of state and government at the Fifth Summit of the Americas also recognized “that the benefits of a digital society should reach all citizens of the Americas. Additionally, [they] consider[ed] that reducing the digital divide, both among and within the nations of the Americas, is one of the conditions for achieving internationally agreed development objectives, including those of the Millennium Declaration.” They therefore renewed their “commitment to collaborate with regional, subregional and multinational agencies to advance in the implementation of the outcomes of the World Summit on the Information Society (WSIS), the Agenda for Connectivity in the Americas, the Plan of Action of Quito, and the Declaration of the OAS General Assembly held in Santo Domingo, Dominican Republic in 2006 on ‘Good Governance and Development in the Knowledge-
Based Society,’ and [they took] note of the eLAC 2010 Plan of Action contained in the San Salvador Commitment of 2008.” In addition, they called upon their “ministers and high level authorities with responsibility for information and communication technologies (ICT’s) and for health and education to promote the use of ICT’s in all those areas in which they can improve [their] public and private sectors and the quality of life of [their] people, and to seek to improve access for households and communities”;

ALSO TAKING INTO ACCOUNT that the area of science and technology has been considered a priority area in the Summits of the Americas process, and that this was confirmed in the Strategic Plan for Partnership for Integral Development 2006-2009;

CONSIDERING:

That it is of the utmost importance for the Hemisphere to hold at least one ministerial meeting on science and technology before the next Summit of the Americas, with a view to apprising the highest political levels of the priorities, needs, and recommendations of the highest authorities on science and technology in the Americas; and

That the Inter-American Committee on Science and Technology (COMCyT) held its sixth regular meeting on September 9 and 10, 2010. At that meeting, the authorities recommended that work be continued in the following areas: a) Attract more public and private investment and make investments attractive; b) place more emphasis on the education and training of human resources. Start scientific education at an early age, so as to encourage youth to choose scientific and technological careers. Additionally, improve education both in the Formal System (schools, universities) and the Informal System (TV channels, publications) to support the popularization of science and its appropriation by society; c) emphasize engineering with innovation and entrepreneurial components; d) create more and better collaboration and links between the public sector, the private sector and universities; e) promote greater participation of women in science, technology, and engineering; and f) increase collaboration among countries in the region to face common challenges, including sharing and replicating successful experiences with other countries to take advantage of synergies (CIDI/COMCYT-VI/doc.9/10); and

CONSIDERING ALSO that in resolution CEPCIDI/RES. 175/10 (CLXIV-O/10), “Strengthening of the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI): Establishment of a Transition Period Aimed at Putting into Practice the Proposed Structure for FEMCIDI,” future programming of FEMCIDI under its current modality was suspended, and a transition period was established to put into practice the proposed structure for FEMCIDI, contained in the programming schematic flowchart (CEPCIDI/doc.963/10); and

That under this new FEMCIDI structure, COMCyT is considering a methodology to define key topics in the area of science and technology to be financed by FEMCIDI,

RESOLVES:

1. To accept with pleasure and gratitude the generous offer of the Government of Panama to host the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI, in Panama City, on November 17 and 18, 2011.
2. To underline the importance of determining the key topics in the area of science and technology to be financed by the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI), and to request that the officers of the Inter-American Committee on Science and Technology (COMCyT) recommend a methodology for defining them, and that the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) consider and approve such a methodology as soon as possible.

3. To highlight the importance of continuing the ministerial dialogue on science and technology in the framework of the Inter-American Council for Integral Development (CIDI) and urge member states to ensure that their highest authorities in science and technology participate in that meeting.

4. To instruct the General Secretariat of the Organization of American States (OAS), through the Executive Secretariat for Integral Development (SEDI), to offer the necessary support to prepare for and follow up on the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI, and to report periodically to CEPCIDI on the preparatory process.

5. To request CIDI to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2643 (XLI-O/11)

SEVENTH INTER-AMERICAN MEETING OF MINISTERS OF EDUCATION WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 242 (XV-O/10) and AG/RES. 2589 (XL-O/10), “Report of the Sixth Meeting of Ministers of Education within the Framework of CIDI,” and CIDI/RES. 254 (XVI-O/11), “Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI”;

Resolutions CEPCIDI/RES. 178 (CLXVI-O/11), “Convocation of the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI”; and


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;

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 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 at the Fifth Summit of the Americas the heads of state and government also “call[ed] on the Ministers of Education, with the support of the OAS, specialised international and regional institutions and civil society organisations, to develop strategies to make quality secondary education accessible to all ... young people by 2015, especially the most vulnerable groups and those with special education needs”; and that “[i]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”;
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 Sixth Inter-American Meeting of Ministers of Education within the Framework of CIDI, the Inter-American Committee on Education (CIE) met in Guayaquil, Ecuador, on November 9 and 10, 2010; and

That the member states have undertaken, with support from the Executive Secretariat for Integral Development (SEDI), significant work to follow up on the Sixth Inter-American Meeting of Ministers of Education within the Framework of CIDI and are engaged in preparations for the seventh ministerial meeting; and

HAVING SEEN the note from the Permanent Mission of Suriname offering to host the Seventh Inter-American Meeting of Ministers of Education within the framework of CIDI (CEPCIDI/INF.106/10),

RESOLVES:

1. To accept with gratitude the offer by the Government of Suriname to host the Seventh Inter-American Meeting of Ministers of Education within the framework of CIDI in Paramaribo, Suriname, on March 1 and 2, 2012.

2. To acknowledge the importance of the Seventh Inter-American Meeting of Ministers of Education within the framework of CIDI as an occasion to assess the results of policy dialogue and technical cooperation carried out under the Work Plan of the Inter-American Committee on Education (CIE) and to provide guidance to the CIE on adjustments or additions to its Work Plan, with the objective of supporting member states in their efforts to improve the quality and equity of their educational systems.

3. To acknowledge the progress made in putting into practice the new structure for the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI), especially as regards incorporation of the education sector.

4. To highlight the importance of approving FEMCIDI projects on education under its new structure in advance of the holding of the Seventh Inter-American Meeting of Ministers of Education within the framework of CIDI.

5. To request the Executive Secretariat for Integral Development (SEDI) to expedite the preparation of the programmatic approaches for each of the selected key themes in education and to continue supporting the FEMCIDI transition period; and the Secretariat for External Relations to work, under the guidance of the Inter-American Agency for Cooperation and Development (IACD) and in coordination with SEDI, on mobilizing additional resources and cooperation initiatives in support of the selected themes.
6. To call upon the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), the CIE, and the IACD to continue working to implement the new FEMCIDI structure in the education sector.

7. To call upon member states to actively support the Seventh Inter-American Meeting of Ministers of Education in the Framework of CIDI by sending their highest education authorities.

8. To request the CIE, with the help of SEDI, 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 CEPCIDI.

9. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2644 (XLI-O/11)

REPORT OF THE SECOND INTER-AMERICAN MEETING OF MINISTERS AND HIGH-LEVEL AUTHORITIES ON SUSTAINABLE DEVELOPMENT WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 187 (XI-O/06) and AG/RES. 2211 (XXXVI-O/06), “First Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI”; CIDI/RES. 199 (XII-O/07) and AG/RES. 2312 (XXXVII-O/07), “Report of the First Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI”; CIDI/RES. 236 (XV-O/10) and AG/RES. 2572 (XL-O/10), “Second Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI,” and CIDI/RES. 255 (XVI-O/11), “Report of the Second Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI”;

BEARING IN MIND:

That the Summit of the Americas on Sustainable Development, held in Santa Cruz de la Sierra, Bolivia, in 1996, instructed the Organization of American States (OAS) to coordinate follow-up on the various decisions of that Summit, and to convene the necessary meetings at the appropriate level for that purpose;

That the declarations of the Summits of the Americas note that the ministerial meetings are producing important results in support of the mandates of the Summits process and that this cooperation should be continued;

That in the framework of the Summits process, the heads of state and government of the Americas have undertaken to coordinate international efforts to support sustainable development policies;

That the heads of state and government of the Americas, at the Fifth Summit of the Americas held in Trinidad and Tobago from April 17 to 19, 2009, called for the ministers and authorities responsible for sustainable development to meet in 2010, under the auspices of the OAS; and

That it is of the utmost importance for the Hemisphere to hold a ministerial meeting on sustainable development in order to bring the priorities, needs, and recommendations of the highest authorities responsible for sustainable development in the Americas to the attention of the highest political authorities;
CONSIDERING:

That in the framework of the Strategic Plan for Partnership for Development 2006-2009, the Inter-American Council for Integral Development (CIDI) is responsible for promoting dialogue on sustainable development and the environment as one of its priority areas;

That the Second Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI was held in Santo Domingo, Dominican Republic, from November 17 to 19, 2010, with technical support provided by the Executive Secretariat for Integral Development (SEDI);

That three preparatory meetings were held: the first on June 28 and 29, 2010, at OAS headquarters; the second in Mexico, on September 6 and 7, 2010, at which significant progress was made on the draft declaration; and the third on November 17, 2010, in Santo Domingo, to conclude the negotiations;

That a broad and inclusive process was held, which allowed the participation of civil society and other social actors, including youth and the private sector, enabling their experiences to be harnessed for the topics addressed at the meeting;

That the dialogue of the Ministers and High-Level Authorities on Sustainable Development focused on the theme “Toward sustainable development in the Americas” and this event offered an opportunity to follow up on the Declaration of Santa Cruz +10 and on the implementation of the Inter-American Program for Sustainable Development (2006–2009) (PIDS), as well as to discuss vulnerability in the context of sustainable development, risk management and planning, and institutional and management aspects related to climate change;

That the Ministers and High-Level Authorities on Sustainable Development adopted the Declaration of Santo Domingo for the Sustainable Development of the Americas (CIDI/RIMDS-II/DEC.1/10); and

That the above declaration, among other conclusions, extended the PIDS for the period 2010-2014, and decided to convene regular meetings of the Inter-American Committee on Sustainable Development (CIDS); and

HAVING SEEN the report of the Second Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development (CIDI/RIMDS-II/doc.8/11),

RESOLVES:

1. To commend the Government of the Dominican Republic on its successful holding of the Second Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI.

1. The Plurinational State of Bolivia places on record that it is not party to the Declaration of Santo Domingo for the Sustainable Development of... (the text of this footnote continues on page 125.)
2. The Plurinational State of Bolivia places on record that it is not party to the Declaration of Santo Domingo for the Sustainable Development of... (the text of this footnote continues on page 125.)
2. To endorse the Declaration of Santo Domingo for the Sustainable Development of the Americas (CIDI/RIMDS-II/DEC.1/10).  

3. To urge the Inter-American Committee on Sustainable Development (CIDS) to report on progress in its process for the revision and update of the Inter-American Program for Sustainable Development (2006-2009) (PIDS).

4. To instruct the General Secretariat of the Organization of American States (OAS) to continue, through the Department of Sustainable Development of the Executive Secretariat for Integral Development (SEDI), to support member states in their efforts to continue the exchange of information, experiences, and best practices to strengthen the sustainable development agenda in the framework of the OAS.

5. To instruct the General Secretariat, through the Department of Sustainable Development of SEDI, to work with authorities for sustainable development in implementing the measures and decisions adopted at the Second Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development, and to report periodically on this process to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

6. To welcome the United Nations Conference on Sustainable Development (Rio +20) and to reiterate the full commitment of all the countries in the region to the success of the Conference.

7. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

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3. The Plurinational State of Bolivia places on record that it is not party to the Declaration of Santo Domingo for the Sustainable Development of ... (the text of this footnote continues on page 125.)
FOOTNOTE

1. … the Americas, adopted in Santo Domingo, because the Declaration seeks to place a commercial value on environmental services and to develop carbon markets and because it does not reflect, in a balanced way, the positions of all the OAS member states. The Plurinational State of Bolivia considers that no monetary value can or should be attached to functions performed by nature; much less should they be the object of a market.

2. … the Americas, adopted in Santo Domingo, because the Declaration seeks to place a commercial value on environmental services and to develop carbon markets and because it does not reflect, in a balanced way, the positions of all the OAS member states. The Plurinational State of Bolivia considers that no monetary value can or should be attached to functions performed by nature; much less should they be the object of a market.

3. … the Americas, adopted in Santo Domingo, because the Declaration seeks to place a commercial value on environmental services and to develop carbon markets and because it does not reflect, in a balanced way, the positions of all the OAS member states. The Plurinational State of Bolivia considers that no monetary value can or should be attached to functions performed by nature; much less should they be the object of a market.
AG/RES. 2645 (XLI-O/11)

REPORT OF THE SECOND MEETING OF MINISTERS AND HIGH AUTHORITIES OF SOCIAL DEVELOPMENT WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:


CONSIDERING:

That the heads of state and government, gathered at the Fifth Summit of the Americas, held in Port of Spain, Trinidad and Tobago, from April 17 to 19, 2009, instructed their ministers, especially those responsible for finance, planning and social development, to begin or strengthen a review of national social protection, inclusion, and poverty eradication programs, where necessary, in order to increase efficiency and effectiveness, reduce duplication, identify gaps at the national level, and optimize the use of resources;

That at the Fifth Summit of the Americas, the heads of state and government instructed their ministers, especially those responsible for finance, planning and social development, to exchange, at the Second Meeting of Ministers and High Authorities of Social Development to be held in Colombia, experiences and best practices derived from the reviews of national social protection, inclusion, and poverty eradication programs; and

That it is incumbent upon the Inter-American Council for Integral Development (CIDI) to encourage regional dialogue and cooperation activities conducive to integral development and poverty reduction; and

BEARING IN MIND:

That the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI was held on July 8 and 9, 2010, in Cali, Colombia;
That the meeting of Ministers and High Authorities of Social Development gave rise to a dialogue on strengthening social protection systems as a comprehensive strategy to combat poverty, inequity, inequality, and social exclusion in Latin America and the Caribbean, recognizing the pivotal role of the State in this effort, and seeking linkage among institutions and with civil society and community-based organizations, academia, and other private stakeholders, based on the following strategic lines: i) promoting employment and income generation, ii) strengthening food and nutritional security policies; and, iii) risk management and reconstruction of the social fabric through societal organization to reduce the vulnerability of the victims of natural disasters;

That the Ministers and High-level Authorities of Social Development reiterated the call for the Inter-American Social Protection Network (IASPN) to be strengthened as a mechanism of hemispheric cooperation in fighting poverty, inequity, and exclusion and to foster the exchange of successful experiences and analyses of the main challenges confronting social protection and promotion strategies and that the launching and consolidation of the Network has benefited greatly from the support of member states, and, in particular, the financial assistance provided by the United States;

That it is necessary for the General Secretariat, in its role as Technical Secretariat, to continue its efforts to facilitate cooperation in the framework of the IASPN;

That in the framework of the ministerial meeting, the delegations took note of the progress made in the negotiations of the Social Charter of the Americas and its Plan of Action and reiterated their support of its objectives;

That in the framework of the ministerial meeting, Brazil was elected chair of the Inter-American Committee on Social Development (CIDES); El Salvador and Mexico were elected to the first vice chair, which the two delegations shall share for a period of one year each; and Barbados was elected second vice chair; and

That the Ministers and High Authorities of Social Development adopted a communiqué (CIDI/REMDES/doc.5/10 rev. 5), which is contained in the Final Report of the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI (CIDI/REMDES/doc.11/10),

RESOLVES:

1. To commend the Government of Colombia on the successful holding of the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI.

2. To endorse the communiqué of the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI (CIDI/REMDES/doc.5/10 rev. 5).

3. To instruct the Inter-American Committee on Social Development (CIDES) to follow up on the decisions of the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI in its Work Plan 2010-2012.
4. To instruct the General Secretariat of the Organization of American States (OAS) to provide the necessary support, through the Executive Secretariat for Integral Development (SEDI), to CIDES in implementing its Work Plan 2010-2012 and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

5. To accept with gratitude the offer of the Government of Brazil to host the Third Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI in 2012, made in the context of the Second Meeting of Ministers and High Authorities of Social Development within the Framework of CIDI.

6. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2646 (XLI-O/11)

EXTENSION OF THE MANDATE OF THE CEPCIDI WORKING GROUP TO STRENGTHEN CIDI AND ITS ORGANS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:


REITERATING the importance of strengthening the Inter-American Council for Integral Development (CIDI) and its organs, as well as political dialogue and technical cooperation mechanisms, with a view to enhancing their operations and efficiency;

TAKING INTO ACCOUNT:

That a process of reflection and consultation is taking place within the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on mechanisms for policy dialogue in the framework of CIDI and on the present structure of partnership for development, exploring various opportunities with a view to strengthening it;

That, in that context, CEPCIDI established a working group charged with “consider[ing] various alternatives to strengthen CIDI and its organs and to improve their operations”;

That the Working Group to Strengthen CIDI has been carrying out its tasks since 2008 and is making progress with its Work Plan (CEPCIDI/GT/FORCIDI/doc.20/10 rev. 1. corr. 1), in fulfillment of which presented the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) its recommendations to strengthen the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI);

That based on the recommendations to strengthen FEMCIDI, CEPCIDI approved resolution CEPCIDI/RES. 175/10 (CLXIV-O/10), “Strengthening of the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI): Establishment of a Transition Period Aimed at Putting into Practice the Proposed Structure for FEMCIDI,” through which future programming of FEMCIDI under the current modality were suspended and a transition period aimed
at putting into practice the proposed structure for FEMCIDI included in the schematic flowchart (CEPCIDI/doc.963/10) was established; and

That within the objectives of the Work Plan, the study is still pending of new modalities of cooperation, financing mechanisms, technical cooperation, links between the political processes, strengthening of political dialogue, and the structure of CIDI and its organs;

TAKING INTO ACCOUNT ALSO that the Committee on Administrative and Budgetary Affairs (CAAP) of the Permanent Council is carrying out a prioritization and re-engineering process for the General Secretariat;

RECALLING the importance of the work undertaken in Playa del Carmen in October 2008, and reinforced by the CIDI Specialized Meeting of High-level Cooperation Authorities through the Consensus of Bogotá, adopted in October 2009, to strengthen CIDI, and

RECALLING FURTHER that the sixteenth regular meeting of CIDI considered innovative modalities for cooperation and financing mechanisms now under implementation in the framework of the Organization of American States (OAS), providing recommendations and guidelines to promote and consolidate such modalities and link them with existing and potential financing mechanisms,

RESOLVES:

1. To recognize the progress made by the Working Group to Strengthen the Inter-American Council for Integral Development (CIDI) established by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), extend its mandate to the seventeenth regular meeting of the Inter-American Council for Integral Development (CIDI) so that it continue to move forward with its Work Plan (CEPCIDI/GT/FORCIDI/doc.20/10 rev. 1 corr. 1.), and request its authorities to submit its recommendations to CEPCIDI no later than April 30, 2012.

2. To instruct the CEPCIDI Working Group to Strengthen CIDI and its Organs to take into account in its recommendations to be presented to CEPCIDI the decisions and guidelines resulting from the dialogue during the sixteenth regular meeting of CIDI, aimed at promoting and consolidating the innovative modalities for cooperation, so that they are linked with existing and potential financing mechanisms.

3. To request CEPCIDI that if, in considering possible courses of action aimed at strengthening CIDI, its organs, and the mechanisms for political dialogue and technical cooperation, it determines the need to make amendments to CIDI, CEPCIDI, the Special Multilateral Fund of CIDI (FEMCIDI), and the Inter-American Agency for Cooperation and Development (IACD), including their Statutes or Rules of Procedure, these be approved ad referendum of the General Assembly, as appropriate.

4. To request the Inter-American Council for Integral Development to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2647 (XLI-O/11)

EXISTING MECHANISMS FOR DISASTER PREVENTION AND RESPONSE AND HUMANITARIAN ASSISTANCE AMONG THE MEMBER STATES

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2314 (XXXVII-O/07), “Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations”; 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”; and CIDI/RES. 245 (XV-O/10), CIDI/RES. 259 (XVI-O/11), AG/RES. 2610 (XL-O/10), and AG/RES. 2492 (XXXIX-O/09), “Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States”;

TAKING NOTE of the Assessment and Course of Action Suggested by the Joint Working Group on Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States (GTC/DAH-12/11 rev. 3) (hereinafter the Joint Working Group);

TAKING NOTE ALSO of the Report prepared by the Chair on the five substantive meetings of the Joint Working Group (GTC/DAH-11/11);

HIGHLIGHTING the participation, proposals, and recommendations of the member states and of 37 experts and officials of countries, of bodies of the inter-American system, and of international, regional, and subregional agencies and organizations at five substantive meetings of the Joint Working Group;

EMPHASIZING the need to continue assessing and, when necessary, strengthening the hemispheric mechanisms, in order to adapt them and bring them into line with the new realities and complexities of disasters and with the new framework for action in the international arena;

REAFFIRMING the importance of facilitating and utilizing mechanisms to further joint efforts and enlist the community and its organizations in assessing its problems and in developing prevention and response mechanisms;

UNDERSCORING the advisability of implementing the guidelines arising from the Hyogo Framework for Action in public policies to continue specific risk management and emergency policies;

MINDFUL that to ensure rapid and efficient assistance to persons in disaster situations, it is essential that conflicts of jurisdiction and/or competence arising from a lack of specific legislation on disaster-risk management be avoided;
CONVINCED of the importance of migration, customs, and tax agreements, among others, to facilitate the receipt, donation, or transit of humanitarian supplies in disaster or emergency situations;

EMPHASIZING the importance of reinforcing complementarity without duplicating efforts of regional and subregional emergency and risk management agencies and the importance of closer ties among the inter-American system, national agencies, and subregional risk management entities, taking into account existing mechanisms and activities, such as the Caribbean Disaster Emergency Management Agency (CDEMA), the Center for the Prevention of Natural Disasters in Central America (CEPREDENAC), the Andean Committee for Disaster Prevention and Relief (CAPRADE), and the Specialized Meeting on Social and Natural Disaster Risk Reduction, Civil Defense, Civil Protection, and Humanitarian Assistance (REHU); and

REITERATING the importance of reaching a commitment among member states that will allow the timely and effective exchange of information, tools, successful experiences, and best practices among countries, international agencies, regional and subregional institutions and organizations, social actors, and civil society entities as regards risk management, disaster assistance, as well as avoiding duplication of efforts and combining synergies offered by existing mechanisms in the interest of the region,

RESOLVES:

1. To endorse the “Assessment and Course of Action Suggested by the Joint Working Group on Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States (GTC/DAH-12/11 rev. 3) (hereinafter the Joint Working Group).

2. To extend the mandate of the Joint Working Group for one additional year so that it may design an inter-American plan for the coordination of disaster prevention and response and humanitarian assistance, to reflect, inter alia, the assessment and to take into account the existing national, subregional, regional, and multilateral mechanisms and agencies in order to seek out complementarities and avoid duplication of efforts.

3. To instruct the Joint Working Group that in designing this plan it consider the instruments and mechanisms that exist in the inter-American sphere.

4. To urge member states to consider:

   a. Strengthening national comprehensive risk-management capabilities by enhancing response coordination and international humanitarian assistance;

   b. Strengthening the subregional mechanisms and their Forum on Coordination and Cooperation of Subregional Agencies for Disaster Risk Management in the Americas as key actors, in order to increase the level of regional coordination;

   c. Informing the General Secretariat of the Organization of American States (OAS), through the permanent missions of the member states, of the
respective national coordination authorities for emergency situations in the member states with a view to increasing the levels of regional coordination;

d. Developing, in accordance with their possibilities and needs, tools to optimize humanitarian assistance processes, such as supply management, operating guidelines, manuals, etc.;

e. Promoting the International Disaster Response Laws, Rules and Principles (IDRL) of the International Federation of Red Cross and Red Crescent Societies (IFRC) as a contribution to the development of internal legal structures with a view to generating action protocols, improving and adapting laws, closing gaps, and enlisting the involvement of the public, private, and community sectors; and

f. Supporting the process of regional meetings on international humanitarian assistance mechanisms, helping to prevent the duplication of efforts and focusing on building specific tools to improve regional coordination mechanisms, such as designing a compendium of regional standards, developing formal foreign ministry procedures and operating manuals for humanitarian assistance, and adopting subregional models for supply management, virtual coordination tools, and recovery of traditional knowledge and practices, among others.

5. To instruct the General Secretariat:

a. To report on the status of implementation of the agreements that the General Secretariat has concluded with, inter alia, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the IFRC, the International Strategy for Disaster Reduction (ISDR), and the World Food Programme (WFP);

b. Making use of the installed capacity of the OAS, based on interaction among the OAS offices in member states, foreign ministries of member states, and their missions to the Organization, to encourage the use of existing standardized disaster information systems, including on the basis of requests from the relevant subregional agencies;

c. To establish and disseminate an updated registry of civil society organizations and other social actors working in the field of humanitarian assistance on which the OAS and the member states can call in the event of an emergency, based on the resources that exist within the Organization;

d. To publicize, expedite, and facilitate the work of the Inter-American Committee on Natural Disaster Reduction (IACNDR) and the Inter-American Emergency Aid Fund (FONDEM);
e. To activate the IACNDR in the event of emergency situations requiring international assistance in the region; and

f. To disseminate the IDRL of the IFRC

6. To instruct the Joint Working Group that, in preparing the plan referred to in the first operative paragraph, it follow up on and take into consideration, as appropriate, the activities described in operative paragraphs 4 and 5, as well as other specialized meetings that could offer contributions.

7. To instruct the General Secretariat to develop a resource mobilization strategy to sustain the work of the Joint Working Group.

8. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2648 (XLI-O/11)

IMPROVING TRANSPARENCY AND EFFECTIVENESS OF THE INTER-AMERICAN COMMITTEE ON PORTS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

That, under Article 8 of the Statutes of the Inter-American Council for Integral Development (CIDI), the functions of the Permanent Executive Committee of CIDI (CEPCIDI) include, inter alia, coordinating the activities of the subsidiary bodies of CIDI and receiving their reports and recommendations;

That in the framework of CEPCIDI a process of reflection and consultation is under way regarding the mechanisms for policy dialogue within the framework of CIDI and the existing scheme of partnership for development, exploring different alternatives with a view to strengthening it; and

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”;

HAVING SEEN resolution CIDI/RES. 257 (XVI-O/11), “Improving Transparency and Effectiveness of the Inter-American Committee on Ports”; and

CONSIDERING:

That through resolution CECIP/RES. 1 (XII-11), “Subcommittee on Policy and Coordination,” the Executive Board of the Inter-American Committee on Ports (CECIP) instructed the CIP Subcommittee on Policy and Coordination to approve by June 1, 2011, a format for reporting quarterly financial statements that includes a detailed report on the CIP’s expenditures in order to improve record-keeping and budgeting for future activities; and

That, through resolution CECIP/RES. 9 (XII-11), “Pilot Plan for New Procedures for Managing and Executing the Work of the Groups and Subcommittees,” the CECIP instructed the CIP Subcommittee on Policy and Coordination to formulate a proposal for a pilot plan for new procedures for managing and executing the work of the groups and subcommittees that does not alter due follow-up of current plans and programs but opens up an executive process to guarantee completion of the work of the CECIP,

RESOLVES:

1. To instruct the Secretariat of the Inter-American Committee on Ports (CIP) that prior to holding meetings of the CIP and of its organs, it submit the proposed places and dates thereof to
the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) for approval.

2. To instruct the Secretariat of the CIP to submit to CEPCIDI the results of each meeting so that CEPCIDI may transmit them to CIDI, accompanied, when appropriate, by its observations and recommendations thereon.

3. To instruct the Secretariat of the CIP to present the new format for quarterly financial reports to CEPCIDI no later than June 17, 2011.

4. To instruct the Secretariat of the CIP to review the activities of the CIP and propose to CEPCIDI a survey of member states with a view to designing a streamlined program of targeted activities that align with the CIP’s strengths and members’ priorities.

5. To instruct the Secretariat of the CIP to provide CEPCIDI with quarterly financial reports using the new format no later than 30 days after the end of each quarter, starting July 1, 2011.

6. To entrust the Secretariat of the CIP with submitting to CEPCIDI a report on the implementation of resolution CECIP/RES. 9 (XII-11) no later than July 1, 2011.

7. To instruct CEPCIDI to consider the reports requested of the Secretariat of the CIP and to forward them to the CIP, together with any recommendations it deems relevant for improving the work of the Committee. To instruct it also to forward those recommendations to the Working Group to Strengthen CIDI and Its Organs in order that it take them into account in its process of strengthening CIDI.

8. To instruct the Secretariat of the CIP to adopt the provisions of this resolution in the preparations for the next meeting of the CIP.

9. To instruct CIDI to make the necessary amendments to the Rules of Procedure of the CIP to take account of this resolution.

10. To request CIDI to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2649 (XLI-O/11)

CLIMATE CHANGE IN THE COUNTRIES OF THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 241 (XV-O/10), AG/RES. 2588 (XL-O/10), and CIDI/RES. 260 (XVI-O/11), “Climate Change in the Countries of the Hemisphere”; and

CONSIDERING:

That socioeconomic development and environmental protection are interdependent pillars of sustainable development, of which poverty eradication is an essential target;

That climate change generates adverse impacts throughout the Hemisphere, causing deterioration in the quality of life and the environment for present and future generations;

That the most recent scientific evidence, including the Fourth Assessment Report of the United Nations Intergovernmental Panel on Climate Change (IPCC), indicates that it is necessary to reduce global emissions in order to stabilize the earth’s temperature in the medium and long terms;

That member states of the Organization of American States (OAS) face significant risks from the adverse impacts of climate change, particularly those vulnerable in accordance with the United Nations Framework Convention on Climate Change, and require adaptation strategies to counteract such effects;

That OAS member states and the international community share the responsibility of finding effective and equitable solutions to climate change in accordance with the principle of common but differentiated responsibilities and their respective capabilities, and all other principles, objectives and provisions of the United Nations Framework Convention on Climate Change;

That the OAS member states endorse the efforts underway to mobilize financial and technological support in the Hemisphere to address the adaptation and mitigation needs of its developing countries;

That the OAS has adopted resolutions and declarations to support the efforts of member states on climate change and sustainable development, including: resolutions AG/RES. 1674 (XXIX-O/99), “Climate Change in the Americas”; AG/RES. 1736 (XXX-O/00) and AG/RES. 1821 (XXXI-O/01), “The Socioeconomic and Environmental Impact of Climate Change on the Countries of the Hemisphere”; AG/RES. 2588 (XL-O/10), “Climate Change in the Countries of the Hemisphere”; and the Declaration of Santo Domingo for the Sustainable Development of the Americas (CIDI/RIMDS-II/DEC.1/10);

1. The Plurinational State of Bolivia places on record that it is not party to the Declaration of Santo Domingo for the Sustainable Development of the Americas (the text of this footnote continues on page 140.)
That the sixteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 16) and the sixth session of the Parties to the Kyoto Protocol (CMP 6) were held in Cancún, Mexico, from November 29 to December 10, 2010,

RESOLVES:

1. To reaffirm the commitments undertaken in the relevant instruments, resolutions, and declarations on sustainable development and climate change within the framework of the Organization of American States (OAS).

2. To support the efforts of OAS member states to promote economic and social development and environmental protection in a comprehensive manner, consistent with actions to eradicate poverty.

3. To welcome with appreciation the Cancún outcomes of the sixteenth session of the Conference of the Parties (COP 16) and, for those that are party to the Kyoto Protocol, the sixth session of the Parties to the Kyoto Protocol (CMP 6), held in Cancún, Mexico, from November 29 to December 10, 2010.2

4. To work to strengthen the resilience of OAS member states to the adverse impacts of climate change, especially the most vulnerable states of the Hemisphere, and to support the development of climate change adaptation activities.

5. To support the efforts of OAS member states to reduce greenhouse gas emissions, including promotion of capacity-building and information exchange activities.

6. To urge all OAS member states to work together to build on the decisions adopted at the thirteenth and sixteenth sessions of the Conference of the Parties, including both implementation tasks and issues to be resolved, in order to ensure the success of COP 17 and CMP 7.3/4

7. To promote capacity-building and information exchange, related to climate change, including the development and strengthening of the meteorological capacities of the OAS member states.

8. To highlight the special needs of people, communities, and ecosystems vulnerable to climate change in the countries of the Hemisphere and take them into account in OAS plans, programs, and activities in the area of climate change.

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2. The Plurinational State of Bolivia places on record that it presented a formal and express objection to the results of COP 16 and CMP 6 because they … (the text of this footnote continues on page 140.)
3. The Plurinational State of Bolivia places on record that at the sixteenth session of the Conference of the Parties, held in Cancún, for the first time in … (the text of this footnote continues on page 140.)
4. The delegation of Mexico states that all the decisions of the Conference of the Parties to the UN Framework Convention on Climate Change … (the text of this footnote continues on page 140.)
9. To urge, also, all OAS member states to seek and agree upon ambitious, equitable, effective, and efficient results from an inclusive and transparent negotiation process to ensure the success of COP 17 and CMP 7, to be held in Durban, South Africa.

10. To support the General Secretariat’s efforts to mobilize resources aimed at furthering implementation of climate-change-related activities.

11. To request the Inter-American Council for Integral Development to report to the General Assembly, at its forty-third regular session, on the implementation of this resolution.
FOOTNOTES

1. … Americas, adopted in Santo Domingo, as it believes that the valuation of environmental services and carbon markets, rather than contributing to sustainable development and to resolving the problem of climate change, further deepen the lack of equilibrium with nature and inequity among human beings.

2. … would place humanity and nature in the catastrophic scenario of a 4°C increase in temperature by permitting developed countries to violate their greenhouse-gas reduction obligations, weaken the Kyoto Protocol, and promote new market mechanisms that transfer their responsibilities to developing countries.

3. … the history of the 277 decisions adopted by the Conference of the Parties to the Convention on Climate Change, the formal and express objection of a state party was disregarded, and that circumstance must be taken into account in the implementation of its results.

4. … have been adopted, without exception, by consensus. The preparatory process for COP 16 was characterized by transparency and by the Chair’s interest in reflecting the concerns of all the states parties. There is no right of veto under the Framework Convention. The reports of the Conference indicated that the Chair stated that the Cancún Agreements were adopted by consensus and that no delegation objected to that declaration.
AG/RES. 2650 (XLI-O/11)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

REAFFIRMING its resolution AG/RES. 2575 (XL-O/10) and all its pertinent past resolutions;

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, and by the challenges posed by the new situations that arise in the context of armed conflicts;

RECALLING that the obligation, under any circumstances, to respect and ensure respect for international humanitarian law, whether treaty-based or arising from customary international law, applies to all states parties to the universally recognized, four Geneva Conventions, which includes the member states;

RECALLING ALSO that 33, 32, and 13 OAS member states are parties, respectively, to Additional Protocols I, II, and III to the Geneva Conventions of 1949, and that 11 have recognized the competence of the International Humanitarian Fact-Finding Commission;

NOTING the entry into force of the Convention on Cluster Munitions on August 1, 2010, and that, to date, 10 member states are party to said instrument and 19 have signed it;

NOTING ALSO the attention given to the question of cluster munitions by the Group of Governmental Experts 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;

AWARE of the rich legacy of cultural assets in the Hemisphere recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as world heritage, and which would benefit from the protection systems of international humanitarian law;

UNDERSCORING the need to strengthen international humanitarian law by means of its universal acceptance, broader dissemination, and adoption of national measures for its effective application, including the suppression of gross violations thereof;

RECOGNIZING the important advisory work of the national committees or commissions on international humanitarian law, and that 19 member states of the Organization have such bodies;
TAKING NOTE of the conclusions of the Third Universal Meeting of National Committees on International Humanitarian Law held in Geneva, Switzerland, from October 27 to 29, 2010, as well as the conclusions and recommendations adopted by the International Conference of National Committees on International Humanitarian Law of Latin America and the Caribbean held in Mexico City from June 30 to July 2, 2010; 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 victims of armed conflicts, as well as to promote respect for international humanitarian law in the region, and recognizing, also, the valuable efforts of national Red Cross societies in that regard,

RESOLVES:

1. To urge the 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 treaties on international humanitarian law to which they are not yet party, including those on prohibition or restriction of the use of certain weapons for humanitarian reasons, and to consider making use of, when appropriate, the services of the International Humanitarian Fact-Finding Commission.

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 adopt such legislative or other measures as may be necessary to meet their legal obligations under the treaties on international humanitarian law to which they are party, including:

   a. To classify under criminal law gross violations of international humanitarian law, with a particular emphasis on war crimes, including the responsibility of superiors for the acts of their subordinates and recognition of non-applicability of statutory limitations to these offenses, among other pertinent provisions;

   b. 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 the rules and principles of international humanitarian law, international human rights law, and international refugee law;
c. To adopt 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, including provisions to protect medical missions; and

d. To adopt provisions to guarantee protection of cultural property from the effects of armed conflict, which may include preventive measures related to the preparation of inventories, the planning of emergency measures, and the appointment of competent authorities.

5. To remind member states that are party to treaties that prohibit or restrict, for humanitarian reasons, the use of certain arms and munitions, of their obligations under those instruments, including:

a. To adopt legislative or other measures to prevent or, as appropriate, criminalize the use, manufacture, stockpiling, and any other prohibited activity with respect to these weapons and munitions; to facilitate the purging and destruction of their arsenals; to provide proper care to victims, and to strengthen control over their availability;

b. To introduce procedures to determine, when studying, developing, acquiring, or adopting a new weapon, or new means or methods of warfare, whether the use thereof would be contrary to international humanitarian law, and, if so, prohibit such activities;

c. To actively implement the 2010-2014 Plan of Action of Cartagena,\(^1\) as well as the Vientiane Action Plan,\(^2\) with a particular emphasis on care for victims and on activities designed to prevent and reduce the risk of arms contamination; and

d. To strengthen safeguards for civilians against the use and indiscriminate effects of arms and munitions, \textit{inter alia}, through active participation in:

i. The Fourth Review Conference of the States 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, which will be held in Geneva, Switzerland, in November 2011, and which will consider, \textit{inter alia}, the findings of the Group of Governmental Experts of the High Contracting Parties to the Convention entrusted with developing an instrument that fully addresses the consequences of cluster munitions;

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\(^1\) Adopted by the Second Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer (\textit{the text of this footnote continues on page 146.})

\(^2\) Adopted by the First Meeting of States Parties to the Convention on Cluster Munitions (Vientiane, Lao People’s Democratic Republic, November 9 to 12, 2010).
ii. The Second Meeting of States Parties to the Convention on Cluster Munitions, which will be held in Beirut, Lebanon, from September 12 to 16, 2011; and

iii. The Fourth Session of the Preparatory Committee and the United Nations Conference on the Arms Trade Treaty, which will be held in New York, in July 2011 and in 2012, respectively.

6. To urge member states to participate actively in the XXXI International Conference of the Red Cross and Red Crescent, which will be held in Geneva, Switzerland, from November 28 to December 1, 2011.

7. 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 strengthening advancement and observance of international humanitarian law.

8. To request the General Secretariat to identify, in conjunction with the International Committee of the Red Cross (ICRC), mechanisms for promoting the participation of national commissions for international humanitarian law in the activities of the Organization of American States (OAS).

9. To provide backing for the regional meetings of national commissions for international humanitarian law organized with the support of the ICRC, which assist in promoting awareness of the activities and contributions of those commissions, for the sharing of good practices in the implementation, integration, and promotion of international humanitarian law in their corresponding countries, and to invite the ICRC to submit reports on the results of those meetings.

10. To urge member states to continue to support efforts to implement and strengthen international humanitarian law, with a view to making its application more effective and to finding solutions to shortcomings in protection.

11. To express its satisfaction with the cooperation between the OAS and the 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.

12. To request the Inter-American Juridical Committee (CJI) to propose model laws to support the efforts made by member states to fulfill obligations under international humanitarian law treaties, with an emphasis on protection of cultural property in the event of armed conflict, and to report on the progress made to the General Assembly at its forty-second and forty-third regular sessions, respectively.

13. To request the General Secretariat to continue organizing, within the framework of the Committee on Juridical and Political Affairs, through the Department of International Law and in coordination with the ICRC, courses and seminars for member states, staff of the OAS, 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.
14. To reiterate the request made to the Permanent Council to hold, prior to the forty-second regular session of the General Assembly, a special meeting on topics of current interest in international humanitarian law.

15. To request the Permanent Council to report to the General Assembly at its forty-third regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … of Anti-Personnel Mines and on Their Destruction (Cartagena, Colombia, November 30 to December 4, 2009).
AG/RES. 2651 (XLI-O/11)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE TO MEMBERS OF THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2594 (XL-O/10), “Persons Who Have Disappeared and Assistance to Members of Their Families,” adopted by the General Assembly on June 8, 2010; resolution 65/210, “Missing Persons,” adopted by the United Nations General Assembly on December 21, 2010; other past resolutions on this subject, adopted by both forums, by the former Commission on Human Rights, and by the present Human Rights Council of the United Nations; as well as the treaties on international humanitarian law and international human rights law, both universal and regional, that address this problem;

NOTING that the International Convention for the Protection of All Persons from Enforced Disappearance, adopted on December 20, 2006, by the United Nations General Assembly, entered into force on December 23, 2010; that 23 countries have ratified or acceded to it, of which 10 are states of the Hemisphere, and that three of the six countries that have recognized the competence of the Committee on Enforced Disappearances belong to this region;

RECOGNIZING the efforts made in this area by organizations and associations of family members and civil society and by state institutions in defining common standards for matters related to psychosocial care;

BEARING IN MIND that the problem of missing persons and assistance to members of their families is addressed in both international humanitarian law and international human rights law within their respective spheres of application, and that, in accordance with those legal frameworks, states are further urged to adopt, progressively, the national implementing measures referred to in previous resolutions of this General Assembly on the subject, in particular, in terms of prevention, investigation of cases, and treatment of human remains, and support to family members;

REAFFIRMING the humanitarian need and the responsibility of states to continue necessary efforts to alleviate the suffering, anxiety, and uncertainty besetting the family members of persons who are presumed to have disappeared in situations of armed conflict or armed violence, as well as their right to truth and justice, to learn about the fate and whereabouts of those persons, as recognized in OAS resolution AG/RES. 2509 (XXXIX-O/09), and, where appropriate, to receive legal remedy for the damage caused;

EMPHASIZING the development of forensic science and, in particular, forensic genetics, and the important contribution of those sciences to the process of searching for missing persons, especially as regards clarifying the location, recovery, identification, and return of human remains, and as regards the fate and the whereabouts of persons who are presumed to have disappeared; and
REAFFIRMING that forced disappearance is a multiple and continuous violation of several 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 reiterate the provisions of operative paragraphs 1 through 17 of resolution AG/RES. 2594 (XL-O/10), “Persons Who Have Disappeared and Assistance to Members of Their Families,” adopted by the General Assembly on June 8, 2010.

2. To urge states, in keeping with their obligations under international humanitarian law and international human rights law, to continue the progressive adoption of measures, including domestic regulatory and institutional provisions, to prevent the disappearance of persons in the context of armed conflict or other situations of armed violence, to clarify the fate and whereabouts of those who have disappeared, to strengthen technical capacity to deal with human remains, and to attend to the needs of the family members, using as a reference, among others, the Guiding Principles/Model Law on the Missing prepared by the Advisory Service on International Humanitarian Law of the International Committee of the Red Cross (ICRC).

3. To encourage member states, in order to address the legal situation of missing persons and its effect on that of family members, to proceed to adopt the necessary domestic legal framework to recognize and address the legal and practical difficulty and hardship faced by the missing person and his or her family members, including the legal framework needed to authorize a “declaration of absence” for persons who are presumed to have disappeared.

4. To ask states to pay maximum attention to cases of children presumed to have disappeared in connection with armed conflicts and other situations of armed violence and to adopt appropriate measures to seek out and identify those children and reunite them with their families.

5. To invite member states to consider ratifying and/or acceding to, and implementing in their domestic legal systems the International Convention for the Protection of All Persons from Enforced Disappearance and to recognize the competence of the Committee on Enforced Disappearances for which that Convention provides.

6. To exhort member states, in order to allow family members to exercise their right to learn the fate and whereabouts of relatives who have disappeared in situations of armed conflict or armed violence, as recognized in OAS resolution AG/RES. 2509 (XXXIX-O/09), to adopt effective measures in the context of a broad and comprehensive investigation for the location, recovery, identification, and return of human remains, while respecting the families’ dignity, traditions, and mental health.

7. To urge member states, in line with the conclusions and recommendations of the First Meeting of Forensic Specialists of the Americas, of the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), held on September 24 and 25, 2009, to support the training of forensic scientists in their own countries and the implementation of professional forensic training consistent with internationally validated scientific standards and
procedures, to that end fostering the international cooperation, participation, and technical assistance of international and national institutions with recognized experience in the field.

8. To recommend that member states take into account minimum standards for psychosocial work when defining and applying their government policies concerning the search for missing persons and the corresponding forensic investigation, and in addressing the situation of family members.

9. To invite member states to continue their cooperation with the ICRC, a recognized neutral and independent humanitarian institution, in its various areas of responsibility, by facilitating its work and implementing its technical recommendations with a view to consolidating the measures adopted by states in the process of searching for missing persons.

10. To encourage member states, as appropriate, with the support of their respective missing persons search commissions and their national commissions on human rights or on international humanitarian law, or other competent bodies, in accordance with their respective mandates, and with technical collaboration from the ICRC, to provide information on the measures taken, at the national level, regarding the provisions of resolutions adopted by the General Assembly since 2005 on “Persons who have Disappeared and Assistance to Members of Their Families,” entrusting the Committee on Juridical and Political Affairs (CAJP) with placing on its agenda the broad dissemination of this information before the forty-second regular session of the OAS General Assembly.

11. To instruct the Permanent Council to follow up on this resolution.
AG/RES. 2652 (XLI-O/11)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 7, 2011)

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-2948/11 rev. 1); and

Article 54.f of the Charter of the Organization of American States and Article 65 of the American Convention on Human Rights;

CONSIDERING that on various occasions the heads of state and government have expressed their support for continued efforts toward “strengthening the functioning of the bodies of the Inter-American System of Human Rights,” to which end they will take 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 …, 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”;

NOTING WITH SATISFACTION the progress and considerable output and efficiency of the Inter-American Court of Human Rights in the performance of its adjudicatory functions, which has resulted in a significant reduction in the time it takes to adjudicate the cases before it;

EMPHASIZING the importance of the fact that the Inter-American Court of Human Rights conducted special sessions in Argentina, Bolivia, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Paraguay, Peru, and Uruguay, which has strengthened considerably the ties between the Court and national and civil society institutions;

RECOGNIZING that the private hearings held on the monitoring of compliance with the Court’s judgments have been important and constructive and have yielded positive results;

EMPHASIZING the importance of the training activities carried out by the Inter-American Court of Human Rights for executive branch officials, judges, public defenders, and other justice operators, as a means of fostering better understanding of the inter-American system for the promotion and protection of human rights;

VALUING the contribution and impact of the Inter-American Court’s jurisprudence at both the regional and national levels;
CONCERNED that the judgments and decisions of the Court are not available to all inhabitants of the region, since they cannot be translated into the official languages of the Organization, which deprives those inhabitants of effective access to the Court’s jurisprudence;

TAKING NOTE of the convocation of a meeting on financial strengthening for the inter-American human rights system, which has been organized by the Court and the Inter-American Commission on Human Rights and is scheduled to be held in San Salvador on June 8, 2011; and

AWARE that considerable financial resources are needed for the Inter-American Court of Human Rights to operate effectively, as outlined in the Note from the President of the Inter-American Court of Human Rights on the Short-, Medium-, and Long-Term Budgetary Needs of the Court (CP/CAJP/INF.124/10) dated November 2, 2010,

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-2948/11) and to forward them to that organ.

2. 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 must comply with the Court’s decisions in all cases to which they are party.

3. To reaffirm the essential value of the work and jurisprudence of the Inter-American Court of Human Rights for the effective exercise of, and respect for, human rights in the Hemisphere and the rule of law, as well as the importance of effective dissemination of its decisions in all member states.

4. To direct that the OAS General Secretariat, starting with fiscal year 2012, assume the cost of translating into all the official languages the judgments and decisions issued by the Inter-American Court of Human Rights, so as to guarantee full access to them by all inhabitants of the Hemisphere.

5. To reiterate the need for states parties to provide, in a timely fashion, the information requested by the Court, in order to enable it to meet in full its obligation to report to the General Assembly on compliance with its judgments.

6. 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 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;
c. The hearings held to monitor compliance with judgments as one of the most effective mechanisms to promote compliance with them; and

d. 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.

7. To instruct the Permanent Council to continue its consideration and study of the following issues: Access of victims to the Inter-American Court of Human Rights (jus standi) and its application in practice; 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; and means of encouraging compliance by member states with the judgments of the Court.

8. To request the Secretary General to seek effective means to ensure the sustainable funding of the Inter-American Court through the Regular Fund of the Organization of American States (OAS).

9. To support the initiatives to strengthen financially both organs of the inter-American human rights system.

10. To invite member states, permanent observers, and other donors to make voluntary contributions, without earmarks, to the Inter-American Court, so that it may conduct its various activities.

11. To thank Chile, Colombia, Costa Rica, and Mexico, 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; the permanent observers of Norway and Spain which, through cooperation projects, extend significant support and financing to the Court; and the Konrad Adenauer Foundation, which has provided cooperation to the Court in the area of training.

12. To thank the people and governments of Peru and Ecuador for having allowed the Court to hold, successfully, special sessions in their countries in 2010, and the governments of Panama, Barbados, and Colombia for inviting the Court to hold special sessions in their countries in 2011.

13. To encourage member states to continue extending invitations for the Inter-American Court of Human Rights to hold special sessions away from its seat.

14. To encourage member states, permanent observers, and other donors to contribute to the Legal Assistance Fund of the Inter-American Human Rights System.

15. To urge member states to consider the signature and ratification, as appropriate, of the American Convention on Human Rights and the other instruments of the system, including acceptance of the binding jurisdiction of the Inter-American Court of Human Rights.
16. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2653 (XLI-O/11)

HUMAN RIGHTS, SEXUAL ORIENTATION,
AND GENDER IDENTITY

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2435 (XXXVIII-O/08), AG/RES. 2504 (XXXIX-O/09), and AG/RES. 2600 (XL-O/10), “Human Rights, Sexual Orientation, and Gender Identity”;

REITERATING:

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 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 without distinction as to race, sex, language, creed, or any other factor;

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;

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 the acts of violence and related human rights violations as well as discrimination practiced against persons because of their sexual orientation and gender identity,

RESOLVES:

1. To condemn discrimination against persons by reason of their sexual orientation and gender identity, and to urge states, within the parameters of the legal institutions of their domestic systems, to adopt the necessary measures to prevent, punish, and eradicate such discrimination.

2. To condemn acts of violence and human rights violations committed against persons because of their sexual orientation and gender identity; and to urge states to prevent and investigate
these acts and violations and to ensure due judicial protection for victims on an equal footing and that the perpetrators are brought to justice.

3. To encourage member states to consider, within the parameters of the legal institutions of their domestic systems, adopting public policies against discrimination by reason of sexual orientation and gender identity.

4. To urge states to ensure adequate protection for human rights defenders who work on the issue of acts of violence, discrimination, and human rights violations committed against individuals on the basis of their sexual orientation and gender identity.

5. To request the Inter-American Commission on Human Rights (IACHR) to pay particular attention to its work plan titled “Rights of LGTBI People” and, in keeping with its established practice, to prepare a hemispheric study on the subject; and to urge member states to participate in the report.

6. To request the IACHR and the Inter-American Juridical Committee (CJI) each to prepare a study on the legal implications and conceptual and terminological developments as regards sexual orientation, gender identity, and gender expression, and to instruct the Committee on Juridical and Political Affairs (CAJP) to include on its agenda the examination of the results of the requested studies, with the participation of interested civil society organizations, before the forty-second regular session of the General Assembly.

7. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2654 (XLI-O/11)

PROTECTING THE HUMAN RIGHTS OF OLDER PERSONS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2562 (XL-O/10), “Human Rights and Older Persons,” adopted at the fourth plenary session of the General Assembly, held on June 8, 2010;

TAKING NOTE of the presentations and recommendations made by member states, experts from the academic sector and civil society, as well as international organizations, at the special meeting of the Permanent Council held on October 28, 2010 (CP/CAJP-2801/10 rev. 1), in fulfillment of resolution AG/RES. 2562 (XL-O/10), “Human Rights and Older Persons”;


REITERATING its concern over the lack of studies and reports at the hemispheric level on specific institutions and mechanisms related to the rights and needs of older persons, in particular on violations and infringements of their human rights and freedoms, which makes it necessary to move forward with the establishment of international instruments to address their specific protection needs; and

TAKING INTO ACCOUNT:

Efforts underway at the United Nations and its agencies to effectively identify and address the particular needs of older persons, including considering, as appropriate, the feasibility of further legal instruments and measures regarding the rights of older persons; and

The advisability that it be possible, in the framework of the Organization of American States (OAS), to add value to existing efforts and to meet a need that is not being addressed elsewhere,

1. Canada reserves its position on the necessity of creating a draft inter-American convention for the advancement and protection of the rights of … (the text of this footnote continues on page 158.)

2. The United States is committed to promoting the human rights of all persons, including older persons. However, it is premature to call for preparation … (the text of this footnote continues on page 158.)
RESOLVES:

1. To request the Permanent Council to establish a working group composed of national representatives and experts from the academic sector and civil society, as well as from international organizations and specialized agencies, to prepare by the end of 2011 a report analyzing the situation of older persons in the Hemisphere and the effectiveness of binding universal and regional human rights instruments with regard to protection of the rights of older persons.

2. To request that working group to prepare, based on the findings of the above-mentioned report, a draft inter-American convention for the advancement and protection of the rights of older persons, which shall be submitted to the Permanent Council before the end of the first half of 2012 and which recommends other measures to further the implementation of existing international conventions.

3. To urge member states, in collaboration with civil society, to take additional actions to make older persons, their families and caregivers, as well as other relevant stakeholders, aware of their rights and responsibilities, so as to safeguard the dignity and the physical, mental and social well being of older persons.

4. To welcome efforts underway at the United Nations and its Open-ended Working Group on Ageing to address issues facing older persons in our member states, including considering, as appropriate, the feasibility of further legal instruments and measures regarding the rights of older persons.

5. To encourage the Pan American Health Organization (PAHO) and the Economic Commission for Latin America and the Caribbean (ECLAC) to continue their cooperation with the General Secretariat of the Organization of American States (OAS), member states, experts from the academic sector, civil society, and international organizations to promote regional cooperation, inter alia, by identifying best practices for designing public policies that address the specific needs of older persons in the Hemisphere within the context of universal and regional human rights instruments.

6. To urge the General Secretariat to provide, through the area responsible for monitoring this issue, ample technical support to the working group to be established pursuant to operative paragraph 1.

7. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTES

1. ... older persons pending the outcome of deliberations in the UN Open-ended Working Group on Ageing concerning a recommended approach to addressing the needs of this vulnerable group. Canada is notably concerned by the prospect of duplication of international work in this area and believes it prudent to await clarification from the UN Open-ended Working Group concerning what gaps may exist in the current international rights framework in this area and what additional instruments, if any, may be required before the OAS considers the relative merit of moving ahead with an inter-American convention. Canada encourages the OAS to focus on implementing existing human rights resolutions and on strengthening the effectiveness of existing human rights instruments rather than creating new and potentially duplicative processes before there is a clearly identified need.

2. ... of a draft inter-American convention for the advancement and protection of the rights of older persons at this time, while a UN working group is assessing whether such an instrument is needed. Rather, we believe that the OAS should await the conclusions of the UN group, and consider those conclusions, before deciding whether to undertake a potentially lengthy, costly, and duplicative negotiating and drafting process. We, therefore, reserve our position on the necessity of creating any new international instruments, including a draft inter-American convention, to protect the rights of older persons.
AG/RES. 2655 (XLI-O/11)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION AND ON THE INTER-AMERICAN PROGRAM OF COOPERATION TO FIGHT CORRUPTION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1) as it pertains to this topic;

TAKING INTO ACCOUNT resolution AG/RES. 2576 (XXL-O/10);

CONSIDERING the importance of the Inter-American Convention against Corruption (IACC) and the fact that it has been ratified by 33 member states of the Organization of American States (OAS), and that 31 of those states participate in the Mechanism for Follow-Up on 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 IACC, and strengthening of its follow-up mechanism (MESICIC); as well as the support expressed by the XIX Ibero-American Summit of Heads of State and Government held in Portugal, in 2009;

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 initiate, in September 2009, the Third Round of Review for the 28 states parties;

UNDERSCORING the developments in the Inter-American Program of Cooperation to Fight 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 the Mechanism;

REITERATING the unswerving commitment of the states parties to the IACC to promote, encourage, 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;

RECOGNIZING WITH SATISFACTION the results of the Third Meeting of the Conference of States Parties to the MESICIC and, in particular, the recommendations thereof, the text of which is contained in the document MESICIC/CEP-III/doc.4/10 rev. 1; and
EXPRESSING ITS SATISFACTION with the fact that Antigua and Barbuda, Haiti, and Saint Kitts and Nevis joined the MESICIC in the framework of the above meeting,

RESOLVES:

1. To urge those states parties to the Inter-American Convention against Corruption (IACC) that have not yet done so to participate in the Mechanism for Follow-Up on Implementation of the Inter-American Convention against Corruption (MESICIC or “the Mechanism”); and to urge all states parties to the Mechanism to fund it through voluntary contributions.

2. To encourage those member states of the Organization of American States (OAS) that have not yet done so to consider ratifying or acceding to, as appropriate, the United Nations Convention against Corruption (Mérida Convention) and the United Nations Convention against Transnational Organized Crime (Palermo Convention).

3. To urge states parties to the IACC 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, second, and third rounds of review of implementation of the Convention.

4. To express its satisfaction with the adoption and effective implementation by many states parties to the IACC 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 MESICIC in the Third Review Round, with support from the General Secretariat, which is reflected in the approval of the reports on Argentina, The Bahamas, Bolivia, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, the United States, Uruguay, and Venezuela; as well as in the preparation of the reports on Belize, Brazil, Grenada, and Suriname to be considered and approved at the next meeting of the Committee of Experts to be held in Washington, D.C., from September 12 to 16, 2011;

   b. To express its satisfaction with the workshops held in Bolivia, Costa Rica, Suriname, and Trinidad and Tobago as part of the cooperation project being undertaken by the General Secretariat to support the states parties to the MESICIC in the implementation of the recommendations made to them by the Committee of Experts, through the adoption of national action plans to that effect;
c. To express its satisfaction with the approval by the MESICIC Committee of Experts of the First Progress Report on Implementation of the Inter-American Convention against Corruption (SG/MESICIC/doc.263/10 rev. 2), which reflects the advances made in this process by the MESICIC member states;

d. To express its satisfaction with the work session by international experts, in the framework of the MESICIC technical cooperation project, on the model legislation to protect persons who report and/or witness acts of corruption, held in the city of Lima, Peru, on April 6 and 7, 2011;

e. To support the holding of the Second Conference on Progress and Challenges in Hemispheric Cooperation against Corruption, which will be held in Colombia on June 21 and 22, 2011, in cooperation with the government of that country and will facilitate an exchange of good practices and experiences with the issues examined in the MESICIC framework and, thus, contribute to implementation of the Mechanism’s recommendations and strengthening of inter-American cooperation against corruption;

f. To suggest to the MESICIC Committee of Experts that it consider placing on its agenda, as a collective-interest issue, quality management in the public sector;

g. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, as well as sources 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;

h. 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;

i. 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 the Mechanism; and

j. 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 of Cooperation to Fight Corruption, designing and conducting a training program for members of the Committee of Experts of the MESICIC, aimed
at the implementation both of the methodology of the Mechanism and of the recommendations it has made regarding the provisions of the IACC.

6. To thank the Government of Brazil for its successful organization of the Third Meeting of the Conference of States Parties to the MESICIC, held in Brasilia, Brazil, on December 9 and 10, 2010.

7. To endorse the Recommendations of the Third Meeting of the Conference of States Parties to the MESICIC (MESICIC/CEP-III/doc.4/10 rev. 1), which are a valuable contribution to the continued strengthening of the Mechanism, and, in that regard, to express its support for the measures necessary to implement them, including the holding of on-site visits as of the Fourth Round of Review of the Committee of Experts of the MESICIC, with the prior consent of the respective state, in accordance with the methodology that the Committee adopted by consensus at its last meeting, held in Washington, D.C., in March 2011, the text of which is contained in document SG/MESICIC/doc.276/11 rev. 2.

8. To invite the States Parties to the MESICIC to express their consent for holding on-site visits during the Committee’s Fourth Round of Review, in keeping with provision 5 of the Methodology for Conducting On-site Visits adopted by the MESICIC Committee of Experts.

9. To recognize the contributions made by civil society organizations in the implementation process of the MESICIC recommendations, in accordance with provision 8 of the Report of Buenos Aires and Article 34 of the Rules of Procedure of the Committee, as well as in the new opportunities for participation set out for these organizations in provisions 26 and 27 of the methodology adopted by the Committee for on-site visits, which advance the objectives of the pertinent recommendations of the Third Meeting of the Conference of States Parties to the MESICIC.

10. To express its satisfaction with the approval, at the Third Meeting of the Conference of States Parties to the MESICIC, of the strategy in relation to the United Nations Convention against Corruption (MESICIC/CEP-III/doc.4/10 rev. 1), in accordance with the provisions contained in Chapter VII of the Inter-American Program of Cooperation to Fight Corruption (MESICIC/CEP-II/doc.5/06 rev. 2).

11. 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 of Cooperation to Fight Corruption, the technical support needed to implement that program within the resources allocated in the program-budget of the Organization and other resources.

12. 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 IACC and the MESICIC country report recommendations and to support operations of the MESICIC itself, including on-site visits.
13. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2656 (XLI-O/11)

GUARANTEES FOR ACCESS TO JUSTICE: THE ROLE OF OFFICIAL PUBLIC DEFENDERS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING that, pursuant to the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, and the American Convention on Human Rights, and bearing in mind all applicable provisions of international human rights law within their respective spheres of application, human rights and fundamental freedoms must be respected, without distinction of any kind;

RECALLING ALSO that the International Covenant on Civil and Political Rights establishes the obligation of the States Parties to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the Covenant. Article 14 provides that everyone charged with a criminal offense shall be entitled to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

UNDERSCORING that Article 8.2.e of the American Convention on Human Rights establishes the inalienable right to be assisted by counsel provided by the State, paid or not, as the domestic law provides, if the accused does not defend himself personally or engage his own counsel within the time period established by law;

AFFIRMING the universal, indivisible, and interdependent nature of human rights;

AFFIRMING ALSO that the member states have the obligation to respect and guarantee the exercise of the rights recognized in the international treaties to which they are party and in their domestic legislation, removing the obstacles that may impair or limit access to a public defender, in such a way as to ensure full and free access to justice;

CONSIDERING that access to justice, as a fundamental right, is also the means of restoring the exercise of rights that have been disregarded or violated and underscores that access to justice is not limited to ensuring admission to a court but applies to the entire process, which must be conducted in conformity with the principles of the rule of law, such as a fair trial, right through to execution of the sentence;

BEARING IN MIND:

United Nations Human Rights Committee General Comment No. 32, para. 9, which states that access to the administration of justice must be effectively guaranteed in all cases; and
The Brasilia Regulations Regarding Access to Justice for Vulnerable People (XIV Ibero-American Judicial Summit, Brasilia, Brazil, 2008), which are designed to guarantee effective access to justice for vulnerable people, without any discrimination, so that said persons can make full use of judicial system services, and which, moreover, promote the implementation of public policies designed to assist people with technical-legal counsel;

UNDERSCORING the work done by official public defenders in a number of countries in the region to defend the fundamental rights of individuals, especially cost-free legal counsel services, which provide simple and timely access to justice for everyone, in particular to people who are especially vulnerable;

TAKING INTO ACCOUNT that it is vital that said services operate independently; and

NOTING WITH IMMENSE SATISFACTION the implementation of the position of “inter-American public defender” and of the Memorandum of Understanding between the Court and the Inter-American Association of Public Defender Offices (AIDEF) for the motu proprio appointment of a public defender and ensuring free legal counsel services to alleged victims of human rights violations, as required, in the processing of contentious cases,

RESOLVES:

1. To affirm that access to justice, as a fundamental right, is also the means of restoring the exercise of rights that have been disregarded or violated.

2. To support the work being done by official public defenders in the states of the Hemisphere, as this constitutes a core aspect for strengthening access to justice and to consolidate democracy.

3. To affirm the fundamental importance of cost-free legal counsel services for promoting and protecting the right of access to justice for everyone, particularly those who are especially vulnerable.

4. To recommend to member states that already provide free legal counsel to take steps to ensure that official public defenders operate independently.

5. To encourage member states that do not yet have the institution of free legal counsel to consider the possibility of establishing it within the framework of their legal order.

6. To urge states to foster international cooperation opportunities for sharing experience and best practices in this field.

7. To encourage states and the organs of the inter-American system to promote agreements regarding courses and training for official public defenders.

8. To support the work of the Inter-American Association of Public Defender Offices (AIDEF) in strengthening public defender services in member states.
9. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2657 (XLI-O/11)

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

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular as it pertains to the implementation of resolution AG/RES. 2581 (XL-O/10), “Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas”;

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 (REMJA) and the implementation of their conclusions and recommendations;

BEARING IN MIND that in the Declaration on Security in the Americas, adopted in Mexico City in 2003, 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 resolution AG/RES. 2581 (XL-O/10) instructed the Permanent Council to duly follow up on the “Conclusions and Recommendations of REMJA-VIII” and, pursuant thereto, to convene the meetings referred to therein, to be held within the resources allocated in the program-budget of the Organization and other resources; and

TAKING INTO ACCOUNT ALSO that resolution AG/RES. 2581 (XL-O/10) ordered the acceptance with appreciation of “the offer of the Government of El Salvador to host REMJA-IX, which is to be held in 2012,” and the acceptance with appreciation of “the offer of the Government of Paraguay to host the Fifth Meeting of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition,”

RESOLVES:

1. To note its satisfaction with the progress made with implementing the recommendations of the Eighth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VIII), which may be seen, inter alia, in:

   a. The holding of the technical meeting on the usefulness of the Network for Legal Cooperation in the Area of Family and Child Law and the interest expressed by states in establishing a working group on that topic,
coordinated by Brazil and held in Washington, D.C., from November 11 to 13, 2010, the recommendations of which may be seen in document REDFN/RT/doc.06/10 rev. 1;

b. The holding of regional training workshops on cybercrime in Mexico City from June 23 to 25, 2010; in Lima, Peru, from August 31 to September 2, 2010; and in Antigua and Barbuda, from December 13 to 16, 2010;

c. The joint holding, by the Inter-American Committee against Terrorism (CICTE) and the Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), of a workshop on regional coordination and exchanges of information related to cybersecurity and cybercrime in Miami, United States, in May 2011; and

d. The updating, maintenance, and expansion of the public, private, and secure electronic communications components of the OAS Network on Criminal Matters, along with the launch of a pilot phase of the tool for using secure videoconferencing among central authorities and for legal cooperation on criminal matters among the competent authorities.

2. To instruct the Permanent Council to duly follow up on the Conclusions and Recommendations of REMJA-VIII and, pursuant thereto, to convene the following meetings, which will be held before REMJA-IX is held and within the resources allocated in the program-budget of the Organization and other resources:

a. The Fifth Meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition, to be held in Paraguay;

b. The Third Meeting of the Working Group on Penitentiary and Prison Policies;

c. Seventh Meeting of the Working Group on Cybercrime, and

d. A technical meeting of the authorities directly responsible for assisting and protecting victims and witnesses in the OAS member states, in order to identify priority areas for work.

3. To convene the Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-IX), which is to be held in El Salvador in 2012, in accordance with the resources assigned in the Organization’s program-budget and other resources, and to instruct the Permanent Council to set a date for that meeting and, with the technical support of the Department of Legal Cooperation of the Secretariat for Legal Affairs of the General Secretariat, to carry out the corresponding preparatory work.
4. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2658 (XLI-O/11)

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 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), as it pertains to this topic, and resolution AG/RES. 2579 (XL-O/10), “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 “everyone 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 resolution 2005/67 of the former Commission on Human Rights of the United Nations, as well as United Nations General Assembly resolution 64/163, 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 frequently face threats and harassment and suffer 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 (OAS) 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, people with disabilities, 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 erstwhile 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;

NOTING the decision of the IACHR to prepare a follow-up report on its Report on the Situation of Human Rights Defenders in the Americas of 2006, which will enable it to identify progress and challenges in this area;

EXPRESSING GRATITUDE for the information provided to the IACHR by states and by civil society on the current situation faced by human rights defenders and the measures adopted to implement the recommendations set out in the Report on the Situation of Human Rights Defenders in the Americas;

URGING the IACHR Rapporteurship on Human Rights Defenders 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, protection, and observance of 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 empowered in order to be 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 to contribute 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 continue to be carried out, and appropriate punishments are applied, in all cases of human rights violations against human rights defenders.

7. To urge states to take appropriate measures, in accordance with their domestic laws and their international obligations, or to continue to adopt them, as applicable, 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 Rapporteurship on 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 those member states that have not yet done so 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, with a view to preparing a follow-up report.

13. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2659 (XLI-O/11)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT¹²/

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING its resolution AG/RES. 2577 (XL-O/10) and all its previous relevant resolutions;

RECALLING ALSO 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), AG/RES. 2364 (XXXVIII-O/08), AG/RES. 2505 (XXXIX-O/09), and AG/RES. 2577 (XL-O/10);

FURTHER RECALLING the recommendation of the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.102, doc. 6 rev., of April 16, 1999, Chapter VII, 21.3.B), as well as its resolution No. 1/03 on the prosecution of international crimes and the Framework for OAS Action on the International Criminal Court (AG/INF.248/00);

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 basic duty of investigating, prosecuting, and, when there is sufficient evidence to convict, punishing such violations, so as to prevent their recurrence and avoid the impunity of their perpetrators;

REAFFIRMING the primary responsibility of states, through their national jurisdictions, to investigate and prosecute the perpetrators of the most serious crimes of concern to the international community in a way consistent with international law, and bearing in mind the complementary nature of the jurisdiction of the International Criminal Court in respect of the crimes for which they have competence;

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;

CONVINCED ALSO that the Rome Statute and the International Criminal Court are effective instruments for consolidating international criminal law and for guaranteeing that international justice can help consolidate lasting peace;

¹ Nicaragua is aware that there are still systematic violations of international humanitarian law and of the standards and principles of international … (the text of this footnote continues on page 178.)

² The United States remains steadfastly committed to promoting the rule of law and helping to bring violators of international humanitarian law … (the text of this footnote continues on page 178.)
WELCOMING WITH SATISFACTION the fact that 114 states have now ratified or acceded to the Rome Statute, among them 26 members of the Organization of American States (OAS), with Saint Lucia the most recent state to ratify it, on August 18, 2010, and that 14 member states have ratified or acceded to the Agreement on Privileges and Immunities of the International Criminal Court, Costa Rica being the most recent state to ratify it, having done so on April 28, 2011;

WELCOMING the outcome of the Review Conference of the Rome Statute, held in Kampala, Uganda, from May 31 to June 11, 2010;

MINDFUL of the importance of full and effective cooperation from the states, from the United Nations, including the Security Council, other international and regional organizations, and civil society, to the effective functioning of the International Criminal Court, as recognized in the Rome Statute, and taking note of United Nations General Assembly resolution 65/12, which invites regional organizations to consider the possibility of concluding cooperation agreements with the Court;

UNDERSCORING the importance of the “Exchange of Letters for the establishment of a cooperation agreement with the International Criminal Court” signed by the General Secretariat of the OAS and the International Criminal Court on April 18, 2011;

EMPHASIZING the important work of the Coalition for the International Criminal Court in promoting the Rome Statute with the member states;

EXPRESSING its satisfaction with the holding, at OAS headquarters, on March 10, 2011, 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 Department 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 meeting report (CP/CAJP-2978/11); and

TAKING NOTE of the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1),

RESOLVES:

1. To renew its appeal to those member states 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 and its Agreement on Privileges and Immunities.

2. To remind those member states that are parties to said instruments that it is important to promote their universal adoption and to continue to adopt the necessary measures to achieve its full and effective implementation, including measures to adjust their national legislation, in particular regarding the definition of the crimes within the jurisdiction of the International Criminal Court, as well as international cooperation and judicial assistance.
3. To welcome with satisfaction the cooperation and assistance provided to date to the International Criminal Court by those member states that are parties to the Rome Statute, by those member states that are not, and by international and regional organizations, and to urge them to continue their efforts to ensure cooperation and assistance with the International Criminal Court in accordance with their respective international obligations, particularly as regards arrest and delivery, presentation of evidence, protection and movement of victims and witnesses, and serving of sentences, so as to avoid the impunity of the perpetrators of crimes over which it has jurisdiction.

4. To draw attention to the importance of the cooperation that states that are not parties to the Rome Statute can render to the International Criminal Court.

5. To urge those member states that are parties to the Rome Statute to promote and defend the work of the International Criminal Court and to conduct thorough and transparent processes to identify the best candidates for judges and for the prosecutor of the International Criminal Court and to elect from among the latter those that are most highly qualified in accordance with the Rome Statute.

6. To encourage those member states that are able to do so to contribute to the Trust Fund for Victims of crimes within the jurisdiction of the International Criminal Court, and of the families of such victims; to the Special Trust Fund for Relocation, and to the Trust Fund to enable the participation of least developed countries and other developing countries, with a view to facilitating their participation at the Assembly of States Parties.

7. To encourage those member states that are parties to the Rome Statute to follow up specifically on the results of the Review Conference, in particular the ratification of the amendments adopted, and to deliver on the pledges made during the Review Conference.

8. To request the Inter-American Juridical Committee (CJI), with collaboration from the General Secretariat, through its Secretariat for Legal Affairs, to continue providing support for and promoting in member states the training of administrative and judicial officials and academics on cooperation with the International Criminal Court and adoption of national legislation in that regard.

9. To thank the CJI for its recent work in preparing model legislation on implementation of the Rome Statute and, in particular, its reports on criminalization of offenses within the jurisdiction of the International Criminal Court: the Report on the Activities on Promotion of the International Criminal Court and Preliminary Draft of Model Texts for Crimes Contemplated in the Rome Statute (CJI/doc.360/11 rev. 1) and its supplemental report (CJI/doc.374/11), and to request those states that have not yet criminalized those offenses to consider implementing the suggestions of the Committee, where appropriate.

10. To request the General Secretariat to report on implementation of the cooperation measures set forth in the “Exchange of Letters for the establishment of a cooperation agreement with the International Criminal Court” signed by the General Secretariat of the Organization of American States (OAS) and the International Criminal Court.
11. To request the Permanent Council to hold, prior to the forty-third regular session of the General Assembly, a working meeting with support from the Department of International Law, which should include a high-level dialogue session among the permanent representatives of all member states to discuss, among other matters, measures that would strengthen cooperation with the International Criminal Court. The International Criminal Court, international organizations and institutions, and civil society will be invited to cooperate and participate in this working meeting.

12. To request the Secretary General to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTES

1. … human rights law which is why it attaches special importance to this issue, establishing these crimes in Title XXII of Law No. 641 of 2007 (Criminal Code). These norms are only to be applied by the Nicaraguan judiciary. Article 158 of the Constitution establishes that justice emanates from the people and shall be imparted on their behalf by the Judicial Branch made up of the courts of justice established by law.” As regards the exhortation to states to consider acceding to or ratifying the Rome Statute of the International Criminal Court, the Government of Nicaragua cannot for the time being accede to the Rome Statute as conditions in our country do not favor our adhering to this international instrument.

Nicaragua bases its international relations on friendship and solidarity among peoples and reciprocity between States. It therefore refrains from and prohibits any kind of political, military, economic, cultural, and religious action and intervention in the affairs of other States. It recognizes the principle of peaceful settlement of international disputes through the mechanisms provided by international law and prohibits any means of mass destruction in domestic and international conflicts. Nicaragua observes with concern the increase in violations of international humanitarian law, as well as of international human rights law in various parts of the world, especially in the Arab Republic of Libya, where the situation is being exacerbated by NATO’s intervention, which is carrying out acts of aggression against the Libyan population, killing civilians and engaging in actions to overthrow the authorities in that country, under a biased and egregious interpretation of United Nations Security Council resolution 1973.

2. … to justice, and will continue to play a leadership role in righting those wrongs. As the United States has emphasized, we cannot ignore the terrible crimes that have been perpetrated, wherever they may occur, and the massive human suffering that the world has witnessed. The United States recognizes that the International Criminal Court can play a key role in bringing perpetrators of the worst atrocities to justice. As a non-party to the Rome Statute, the United States can be a valuable partner and ally in the cause of advancing international justice. The United States continues to have reservations with respect to particular elements of this resolution. In this connection, with respect to the amendments adopted at the Review Conference, the United States notes the differences between the crime of aggression and the crimes defined in Articles 6, 7, and 8 of the Rome Statute, and believes that it was wise for the States Parties to subject the Court’s exercise of jurisdiction over the crime of aggression to a decision to be taken after January 1, 2017. Among other things, this will provide breathing space in which measures that require attention can be considered, and in which progress on other issues facing the international community – the effort to ensure accountability for perpetrators of war crimes, genocide, and crimes against humanity– can be consolidated. The United States understands that any OAS support rendered to the ICC, including under any arrangements agreed to under the “Exchange of Letters for the establishment of a Framework Cooperation Agreement,” will be drawn from specific fund contributions rather than the OAS regular budget.
AG/RES. 2660 (XLI-O/11)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), in particular as it pertains to the implementation of resolution AG/RES. 2590 (XL-O/10), “Inter-American Program for the Development of International Law”;

CONSIDERING that in 1996 the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], and that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), it adopted the Inter-American Program for the Development of International Law;

CONSIDERING ALSO that the General Assembly has reaffirmed its support for said Program through resolutions AG/RES. 1557 (XXVIII-O/98), AG/RES. 1617 (XXIX-O/99), AG/RES. 1705 (XXX-O/00), AG/RES. 1766 (XXXI-O/01), AG/RES. 1845 (XXXII-O/02), AG/RES. 1921 (XXXIII-O/03), AG/RES. 2032 (XXXIV-O/04), AG/RES. 2070 (XXXV-O/05), AG/RES. 2174 (XXXVI-O/06), AG/RES. 2264 (XXXVII-O/07), AG/RES. 2405 (XXXVIII-O/08), AG/RES. 2503 (XXXIX-O/09), and AG/RES. 2590 (XL-O/10);

UNDERSCORING the importance and ongoing validity of the principles of international law set forth in the Charter of the Organization of American States (OAS), as a standard to govern the conduct of states in their relations with one another;

TAKING NOTE of the “Report on the Inter-American Program for the Development of International Law. Activities Conducted by the Department of International Law of the Secretariat for Legal Affairs in 2010” (CP/CAJP/INF.136/11) and of the oral report given by the Director of that Department to the Committee on Juridical and Political Affairs on April 7, 2011; and

RECALLING that, since the adoption of the Inter-American Program for the Development of International Law by the General Assembly at its twenty-seventh regular session, in 1997, important progress has been made in the area; and recognizing the need to update the Program,

RESOLVES:

1. To thank the Department of International Law for presenting the Report on the Inter-American Program for the Development of International Law and to urge its continued presentation of that report.

2. To reaffirm the importance of, and its support for, that Program and to request the Department of International Law to continue carrying out the activities listed therein.
3. To request the Permanent Council to report to the General Assembly at its forty-third regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

4. To adopt the update to the Inter-American Program for the Development of International Law as follows:

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

The member states of the Organization of American States (OAS), within the framework of the principles and purposes set forth in the Charter of the Organization; bearing in mind the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], as well as the Inter-American Program for the Development of International Law, adopted in 1997 by resolution AG/RES. 1471 (XXVII-O/97); and in response to new developments in the promotion of international law and the results achieved to date in the implementation of that Program, have decided to update the Program by carrying out the following measures:

Treaties in the Inter-American Context

   a. To continue maintaining and periodically updating the website of the Department of International Law with information on new legal developments on the inter-American agenda and on inter-American treaties and agreements, publishing them in such a way as to provide access to the complete texts of inter-American treaties of which the OAS is the depository and data on the current status of signatures, ratifications and/or accessions, reservations, objections, declarations, the dates of their entry into force, background information, preparatory documentation on those inter-American treaties, and similar information on cooperation agreements concluded by the OAS.

Legal Development within the Organs of the OAS

   b. To request the General Secretariat to maintain close coordination among the various areas and offices and other bodies of the OAS in terms of systematizing data on resolutions, declarations, programs of action, and other legal developments arising from the various organs of the Organization.

Teaching of Inter-American International Law

   c. To strengthen the Course on International Law conducted each year in Rio de Janeiro by the Inter-American Juridical Committee and the Secretariat for Legal Affairs by
including sessions on the latest developments in international law and the hemispheric agenda.

d. To organize, in cooperation with institutions in the various member states and other entities, whether in the territories of member states or at OAS headquarters, courses at the subregional and national levels on the various aspects of inter-American law, in particular, on the latest thematic developments within the Organization, so as to give legal advisers of foreign ministries, diplomatic staff, members of parliament, judges, members of the armed forces, and other senior public and institutional officials an opportunity to learn about and discuss legal and political developments within the OAS.

e. To hold periodic meetings of professors of public and private international law from the member states and other regions so as to enhance the study, development, and teaching of legal topics in the inter-American system; and to strengthen ties with various academic institutions with a view to achieving the systematic incorporation of inter-American law into the curricula of the various faculties of law.

f. To take into account the need to include topics and representatives from the various legal systems in the Hemisphere in all the activities mentioned above.

Promoting Awareness

g. To promote awareness of inter-American legal instruments, such as the amended OAS Charter and inter-American treaties, through publications and other media.

h. To promote awareness of the major OAS activities in the legal area, on a periodic basis, through the newsletter of the Department of International Law.

i. To continue to promote awareness of the legal publications arising from activities such as the Course on International Law and its thematic series, the Workshops on International Law, and other academic activities in the area of international law.

Cooperation in the Development, Dissemination, and Teaching of International Law in the Hemisphere

j. To promote agreements with various entities for the teaching and dissemination of inter-American law, including universities, institutes of international studies, and diplomatic academies, to encourage greater awareness of the legal heritage of the inter-American system and of the latest political and legal developments in the OAS framework.

k. To promote cooperation with international organizations such as the United Nations, in particular the Sixth Committee of its General Assembly and the International Law Commission, as well as The Hague Academy of International Law and The Hague Conference on Private International Law, as a means of further publicizing inter-American international law.
1. To promote the conclusion of cooperation agreements with various international financial agencies, such as the Inter-American Development Bank and the World Bank, and with foundations and other public and private entities that are in a position to provide financial support for the dissemination, development, and teaching of international law.
AG/RES. 2661 (XLI-O/11)

ACCESS TO PUBLIC INFORMATION AND PROTECTION OF PERSONAL DATA

(Adopted at the fourth plenary session, held on June 7, 2011)

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), AG/RES. 2418 (XXXVIII-O/08), and AG/RES. 2514 (XXXIX-O/09), “Access to Public Information: Strengthening Democracy,” and resolution AG/RES. 2607 (XL-O/10), “Model Inter-American Law on Access to Public Information,” and reiterating all the mandates and historical, procedural, legal, political, and substantive considerations contained therein;

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), as it pertains to the status of compliance with resolutions AG/RES. 2514 (XXXIX-O/09) and AG/RES. 2607 (XL-O/10);

RECALLING the essential role of access to public information in electoral and democratic processes; in state governance, transparency, and anticorruption efforts; in the protection and promotion of human rights, especially the right to freedom of thought and expression; and in the freedom of the press;

REITERATING the vital role of international instruments, including the American Convention on Human Rights, the Universal Declaration of Human Rights, and the Inter-American Democratic Charter; the mandates of the Summits of the Americas; the judgments of the Inter-American Court of Human Rights; and the invaluable work of the General Secretariat, of the Inter-American Juridical Committee, of the Inter-American Commission on Human Rights, including the office of its Rapporteur for Freedom of Thought and Expression, and of civil society, in the promotion and protection of the right to seek, impart, and receive information; as well as the importance of access to public information, and bearing in mind the valuable instruments, jurisprudence, reports, meetings, and documents that have been prepared to this end;

NOTING WITH INTEREST the Model Inter-American Law on Access to Public Information and its Implementation Guide, contained in resolution AG/RES. 2607 (XL-O/10), and taking note of the report of the special meeting of the Committee on Juridical and Political Affairs (CAJP) for examining the member states’ comments on the Model Law and the possibility of designing an Inter-American Program on Access to Public Information with the participation of the member states, the General Secretariat, and representatives of civil society, held at the headquarters of the Organization of American States (OAS), on December 13, 2010, contained in document CP/CAJP-2938/11;

FURTHER NOTING the International Seminar for the application of the Model Inter-American Law on Access to Public Information in Mexico and the region, held in Mexico City on March 10 and 11, 2011, under the joint organization of the OAS, the Mexican Institute for Access to
Information and Data Protection, the Legal Research Institute of the National Autonomous University of Mexico, and the Mexican Ministry of Foreign Affairs, among others, and having seen its report on conclusions and recommendations contained in document CP/CAJP/doc.3014/11;

CONSIDERING that access to public information, on one hand, and protection of personal data, on the other, are fundamental values that must operate in harmony at all times;

CONSIDERING ALSO the growing importance of privacy and the protection of personal data, and the need to encourage and protect cross-border flows of information in the Americas;

BEARING IN MIND the efforts made by states to ensure access to public information and the protection of personal data;

ALSO BEARING IN MIND the efforts of other international and regional bodies working in the area of protection of personal data, such as the Organisation for Economic Co-operation and Development (OECD), Asia-Pacific Economic Cooperation (APEC), the European Union (EU), and the Council of Europe; and

TAKING NOTE of the Draft Preliminary Principles and Recommendations on Data Protection (CP/CAJP-2921/10) prepared by the Department of International Law, and the comments offered thereon by member states,

RESOLVES:

1. To reaffirm the importance of access to information as an indispensable requirement for democracy as well as the commitment of the member states to respect and uphold the principle of providing access to governmental information.

2. To encourage states, in designing, executing, and evaluating their regulations and policies on access to public information, to consider embracing and implementing the Model Inter-American Law on Access to Public Information contained in resolution AG/RES. 2607 (XL-O/10) and its Implementation Guide.

3. To instruct the General Secretariat, through the Department of International Law, to support, with the assistance of civil society, member states’ efforts to adopt the legislative and other appropriate measures needed to guarantee access to public information, in particular for the implementation of the Model Law or for continuing to bring themselves into line with it; and the promotion of contacts and exchanges of best practices among the national authorities (Commissioners, Ombudsmen, etc.) responsible for implementing access to public information.

4. To thank the members of the Group of Experts who participated in drafting the Model Law and its Implementation Guide under the coordination and at the invitation of the Department of International Law, and to instruct them to continue assisting with activities for member states’ adoption and implementation of the Model Law.
5. To instruct the Permanent Council to have the Committee on Juridical and Political Affairs (CAJP), prior to the forty-second regular session, consider the preparation of an Inter-American Program on Access to Public Information, based on the contributions made at the special meeting of the CAJP held on December 13, 2010.

6. To encourage member states to hold domestic and regional seminars on the implementation of the Model Inter-American Law on Access to Public Information in their national contexts and to provide conclusions and recommendations as a means to help incorporate the standards of said Model Law in the legal, judicial, and administrative practices of the member states.

7. To instruct the General Secretariat to develop an internal policy and prepare a directive for access to public information within the Organization, in line with the standards followed in other multilateral organizations, and to put it into effect prior to the forty-second session of the General Assembly.

8. To instruct the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) to continue including in the Annual Report of the IACHR a report on the situation/state of access to public information in the region and its effect on the exercise of the right to freedom of expression.

9. To invite member states to consider attending the International Conference of Data Protection and Privacy Commissioners to be held in Mexico City from October 31 to November 2, 2011.

10. To thank the Department of International Law for presenting the Draft Preliminary Principles and Recommendations on Data Protection (CP/CAJP-2921/10), and instruct it to prepare a comparative study of different existing legal regimes, policies, and enforcement mechanisms for protection of personal data, including domestic legislation, regulation, and self-regulation, with a view to exploring the possibility of a regional framework in the area.

11. To instruct the Inter-American Juridical Committee to present, prior to the forty-second regular session, a document of principles on privacy and personal data protection in the Americas, taking into account both documents described in the preceding paragraph.

12. To instruct the General Secretariat to establish channels of information with other international and regional organizations currently undertaking efforts on the matter of data protection, in order to facilitate the exchange of information and cooperation.

13. To instruct the General Secretariat to identify new resources to support member states’ efforts to facilitate access to public information and the protection of personal data and to encourage other donors to make contributions toward that goal.

14. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2662 (XLI-O/11)

RIGHT TO THE TRUTH

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2175 (XXXVI-O/06), AG/RES. 2267 (XXXVII-O/07), AG/RES. 2406 (XXXVIII-O/08), AG/RES. 2509 (XXXIX-O/09), and AG/RES 2595 (XL-O/10), “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 ensure 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;

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 latest Report of the Office of the United Nations High Commissioner for Human Rights on the Right to the Truth (A/HRC/12/19) and its findings on the importance of the protection of witnesses during criminal proceedings related to serious violations of human rights and
violations of international humanitarian law, as well as issues relating to the development and management of file systems to ensure the effective fulfillment of the right to truth;

BEARING IN MIND the Report of the Office of the United Nations High Commissioner for Human Rights on Forensic Genetics and Human Rights (A/HRC/15/26), which recognizes the important role that forensic genetics plays in ensuring the effective exercise of the right to truth;

EMPHASIZING the commitment the regional community should make toward recognizing 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 member states to provide appropriate and effective mechanisms for society as a whole and, in particular, for members of the victims’ families to learn the truth regarding gross human rights violations and serious violations of international humanitarian law; and

CONVINCED that member states, within the framework of their own internal legal systems, should preserve records and other evidence concerning gross human rights violations and serious violations of international humanitarian law so as to facilitate knowledge thereof, investigate allegations, and provide victims with access to an effective remedy in accordance with international law, in order to prevent these incidents from occurring again in the future, among other reasons,

RESOLVES:

1. To recognize the importance of respecting and ensuring the right to the truth in order to contribute to ending impunity and to promoting and protecting human rights.

2. To welcome the establishment in several member states of specific judicial mechanisms, and to respect their decisions; as well as the creation of other non-judicial or ad hoc mechanisms, such as truth and reconciliation commissions, that contribute to the work of the justice system and to the investigation of violations of human rights and international humanitarian law; and to express appreciation for the preparation and publication of their reports.

3. To encourage the member 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 member 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 member states and the Inter-American Commission on Human Rights (IACHR), within its sphere of competence, to provide member 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 member states that have not already done so to consider signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

7. Once again to request the IACHR to continue working on the preparation of a report, for presentation to the Permanent Council prior to the forty-second regular session of the General Assembly of the Organization of American States (OAS), on the evolution of the right to the truth in the Hemisphere, which report shall include national mechanisms and experiences in this regard as well as best practices to ensure effective fulfillment of the right to the truth. This will be done with a view to the Permanent Council’s holding, in the first half of 2012, a special meeting on the right to the truth to discuss the IACHR report and exchange national experiences.

8. To encourage all member states to take appropriate measures to establish mechanisms or institutions for disseminating 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 forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2663 (XLI-O/11)

SUPPORT FOR THE COMMITTEE FOR THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST PERSONS WITH DISABILITIES AND ITS TECHNICAL SECRETARIAT

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING:

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 18 member states; and

Resolution AG/RES. 2596 (XL-O/10), “Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities”;


BEARING IN MIND:

The Committee’s general observation on the exercise of legal capacity by persons with disabilities, adopted in resolution CEDDIS/RES. 1 (I-E/11); and

The formation of a working group to evaluate the operations 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 (SEDISCAP) and to draw up recommendations to ensure its sustainability, through resolution CEDDIS/RES. 2 (I-E/11); and

RECOGNIZING:

The significant advances made by the Committee in defining parameters for measuring progress in the implementation of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities as well as in establishing model national goals by sector;
The work carried out by the Technical Secretariat of the Committee to promote and disseminate the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities and of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities 2006-2016, by publishing copies in the four official languages of the Organization of American States (OAS);

The meeting held on February 3, 2011, by the Chair of the Committee, the Chair of the Permanent Council, the Assistant Secretary General, the Technical Secretariat of the Committee, and representatives of the permanent missions and permanent observers to the Organization, on the work of the Committee and its Technical Secretariat and to reiterate the importance of their support for attainment of the Convention’s objectives;

The outcome of the II International Meeting on Successful Inclusive Projects, convened by CONADIS Peru and the OAS Department of Special Legal Programs, in December 2010; and

The contributions by civil society during the dialogue with the Committee at its first special meeting, as well as the recommendations that were submitted on that occasion and will be considered at the next meeting of CEDDIS, in keeping with Article 23 of the Rules of Procedure of the Committee,

RESOLVES:

1. To thank the people and Government of El Salvador for their generous hospitality and for their steadfast and effective support, which contributed to the success of the First Special Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities.

2. To encourage the Committee to convene its fourth meeting for the second half of 2012 to review the progress made in implementing the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities and to exchange experiences among the states parties, in accordance with Article VI of the Convention and Article 20 of the Committee’s Rules of Procedure.

3. To urge the states parties to the Convention to formally begin preparatory work for the second report on implementation of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, which will be discussed at the Committee’s fourth meeting.

4. To reaffirm the importance of voluntary contributions to the Specific Fund for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities [CP/RES. 947 (1683/09)], created to supplement the financing of the activities of the Committee and its Technical Secretariat; to invite member states and permanent observers, as well as individuals and institutions, both public and private, national and international, to make contributions to the Fund; and to request the Secretary General to take steps to raise new resources for the Fund.
5. To request the Permanent Council to convene in the second half of 2011 a special meeting of government representatives and experts from national councils on disability, academia, civil society organizations representing persons with disabilities, and international organizations in the region, for the purpose of exchanging information and best practices and identifying specific needs and appropriate public policies to bring about inclusion of persons with disabilities in all spheres of society.

6. To request the Secretary General:
   a. To disseminate as widely as possible the Committee’s general observations on the need to interpret Article I. 2, section B) in fine of the Inter-American Convention for the Elimination of All Forms of Discrimination against Persons with Disabilities, within the framework of Article 12 of the United Nations Convention on the Rights of Persons with Disabilities;
   b. To take steps to bring about progressive advancement toward accessibility to persons with disabilities of the facilities of the Organization of American States (OAS), as well as of its information dissemination tools, such as its documents, communications, website, etc., in accordance with the principle of nondiscrimination enshrined in the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities; and
   c. To provide the broadest support to the Working Group of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) created to evaluate the operations of the SEDISCAP and to issue recommendations for its sustainability.

7. To instruct the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2664 (XLI-O/11)

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 7, 2011)

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 objective of which is the recognition and full exercise of the rights and dignity of persons with disabilities and of 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 secondary or further disabilities and provide persons with disabilities access to rehabilitation services and programs, on an equal basis with others;
HAVING SEEN the final report of the Second Meeting of the Directors of Disability Institutions and Public Disability Policy Makers, held in Buenos Aires, Argentina, in August 2010, to note the progress made by OAS member states in their implementation of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016) and to establish the order of importance of the actions contained in the Program of Action, on the basis of the authorities’ dialogue on policy priorities;

WELCOMING the initiative taken by the participants in the Second Meeting of the Directors of Disability Institutions and Public Disability Policy Makers to dedicate each year to a separate aspect of the Program of Action in order to strengthen the dissemination and implementation of this instrument, with 2011 being the year to commemorate increased public awareness of human rights and persons with disabilities;

RECALLING:

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;

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;

That, thanks to financial resources generously provided by the Government of Panama, SEDISCAP has been able to function over the past two years, and will be able to ensure an additional year of operations given the large contribution made by the Government of Panama in the first quarter of 2011, thus contributing to the Decade of the Americas for the Rights and Dignity of Persons with Disabilities 2006-2016; and

That with the exception of the contributions made by the Government of Panama, no new contributions have been received from other member states to the Specific Fund for Voluntary Contributions, as a result of which urgent steps must be taken to ensure the continuity of SEDISCAP for the remainder of the 2006-2016 decade; and

CONSIDERING the deliberations of the members of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities at the first meeting of its Working Group, in October 2010, and at its first special meeting, on May 4 and 5, 2011, in response to the mandate assigned to it to conduct an exhaustive evaluation of the operations of SEDISCAP and to draw up recommendations to ensure its sustainability during the remainder of the Decade of the Americas [AG/RES. 2598 (XL-O/10)],
RESOLVES:

1. To thank the Government of Panama for its steadfast and effective support for the Program of Action and for the installation in Panama City of the Technical Secretariat (SEDISCAP).

2. To express its appreciation to the people and Government of Argentina for their generous hospitality and for their steadfast and effective support, which contributed to the success of the Second Meeting of the Directors of Disability Institutions and Public Disability Policy Makers in August 2010.

3. To support the efforts of the Working Group established by the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities through resolution CEDDIS/RES. 2 (I-E/11) to conduct an exhaustive evaluation and draw up recommendations to ensure its sustainability over the remainder of the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016), in order to carry out its mandate under resolution AG/RES. 2598 (XL-O/10).

4. 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; to invite 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; and to request the Secretary General to take steps to raise new funds for said Specific Fund.

5. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2665 (XLI-O/11)

PREVENTION AND REDUCTION OF STATELESSNESS AND PROTECTION OF STATELESS PERSONS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


CONSIDERING that in the Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas of November 11, 2010, it was resolved to “urge countries in the Americas to consider acceding to the international instruments on statelessness, reviewing their national legislation to prevent and reduce situations of statelessness, and strengthening national mechanisms for comprehensive birth registration”;

CONVINCED that statelessness is a serious global problem that calls for broad international cooperation and the development of related programs;

RECOGNIZING that it is essentially the responsibility of states to prevent and reduce statelessness;

EMPHASIZING the tradition in the countries of the Americas to prevent and reduce statelessness by granting nationality through the combined application of the principles of \textit{ius soli}, for children born in their territories, and of \textit{ius sanguinis}, for those born in other countries;

RECOGNIZING that some countries of the region have recently introduced legislative amendments or practices to determine the status of, or to provide protection to, stateless persons;

RECOGNIZING ALSO that 13 member states of the Organization of American States (OAS) have acceded to the 1954 Convention Relating to the Status of Stateless Persons and that six are parties to the 1961 Convention on the Reduction of Statelessness;
EMPHASIZING the importance of the right to nationality in the Americas, recognized in Article XIX of the American Declaration of the Rights and Duties of Man and in Article 20 of the American Convention on Human Rights, as well as the relevance of promoting accession to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

UNDERSCORING the importance of the Inter-American Program for Universal Civil Registry and the Right to Identity, given that recognition of the identity of persons is one of the means through which observance of the rights to legal personhood, a name, a nationality, civil registration, and family relationships is facilitated, among other rights recognized in international and inter-American instruments; and

EMPHASIZING that this year marks the 50th anniversary of the adoption of the 1961 Convention on the Reduction of Statelessness, and expressing its appreciation to the Office of the United Nations High Commissioner for Refugees (UNHCR) for its technical and financial cooperation and for its efforts in the Americas to help states prevent and reduce statelessness and to extend its protection to stateless persons,

RESOLVES:


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

3. To urge member states, without prejudice to their ratification of, or accession to, the international instruments on statelessness, to consider adoption of domestic legal provisions to prevent and reduce statelessness and protect stateless persons.

4. To urge those member states that have not yet done so, in accordance with the international instruments on statelessness to which they are party, to review their national legislation with a view to preventing and reducing statelessness and to strengthening national mechanisms for universal birth registration.

5. To urge the member states and the international community to collaborate on and support strengthening and consolidation of the programs of the United Nations High Commissioner for Refugees (UNHCR) in the area of identification, prevention, and reduction of statelessness and international protection of stateless persons.

6. To reaffirm the importance of international cooperation in the provision of appropriate technical and advisory services to prepare and implement legislation regarding nationality and effective protection to stateless persons.
7. To instruct the Permanent Council, through the Committee on Juridical and Political Affairs and with support from the Department of International Law of the General Secretariat and technical and financial cooperation as may be provided by the UNHCR, to emphasize the topic of statelessness in its promotional and training activities, particularly in view of the fact that this year marks the 50th anniversary of the adoption of the 1961 Convention on the Reduction of Statelessness.

8. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2666 (XLI-O/11)

PROTOCOL OF SAN SALVADOR: PRESENTATION OF PROGRESS INDICATORS FOR MEASURING RIGHTS UNDER THE PROTOCOL OF SAN SALVADOR

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), as well as resolutions AG/RES. 2074 (XXXV-O/05), AG/RES. 2178 (XXXVI-O/06), AG/RES. 2262 (XXXVII-O/07), AG/RES. 2430 (XXXVIII-O/08), AG/RES. 2506 (XXXIX-O/09), and AG/RES. 2582 (XL-O/10);

CONSIDERING the provisions of the American Convention on Human Rights, Chapter III of which refers to economic, social, and cultural rights;

UNDERSCORING the entry into force, in November 1999, of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador,” and its ratification by 15 member states of the Organization of American States (OAS);

RECALLING 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 “Guidelines for Preparation of Progress Indicators in the Area of Economic, Social, and Cultural Rights” (CP/doc.4250/07 corr. 1), 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);

BEARING IN MIND that, by resolution AG/RES. 2582 (XL-O/10), the General Assembly entrusted the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador with the task of preparing progress indicators to be used for each group of protected rights on which national reports are to be provided;
RECOGNIZING that the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, on November 5, 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;

TAKING INTO ACCOUNT that the Working Group is with its full complement of regular members and has been operative, therefore, since June 2010, and that it has prepared draft progress indicators for the group of protected social rights, based on the document “Guidelines for Preparation of Progress Indicators in the Area of Economic, Social, and Cultural Rights” (CP/doc.4250/07 corr. 1) and in accordance with the Standards for the Preparation of Periodic Reports Pursuant to the Protocol of San Salvador; and

TAKING INTO ACCOUNT ALSO that said draft was presented to the Permanent Council’s Committee on Juridical and Political Affairs on April 5, 2011,

RESOLVES:

1. To thank and commend the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador for its preparation and presentation of the Progress Indicators for Measuring Rights under the Protocol of San Salvador.

2. To submit said document to a process of revision for the approval of indicators at the forty-second regular session of the General Assembly. To that end, to invite the member states to offer their comments by September 30, 2011.

3. To hold a technical meeting in the framework of the Committee on Juridical and Political Affairs (CAJP) in the fourth quarter of 2011 in order to analyze the periodic reports of the states parties to the Protocol of San Salvador and conduct a comprehensive examination of the evaluation process, taking particular note of the Progress Indicators for Measuring Rights under the Protocol of San Salvador.

4. To request the Working Group to move forward with the definition of progress indicators for measuring the economic and cultural rights corresponding to the second group in the Guidelines for Preparation of Progress Indicators in the Area of Economic, Social, and Cultural Rights prepared by the Inter-American Commission on Human Rights (IACHR) (CP/doc.4250/07 corr. 1).

5. To extend, for two additional years, the mandate of the Working Group’s independent expert and government expert whose functions, in accordance with the rules set out in resolution AG/RES. 2262 (XXXVII-O/07), are to conclude in June 2012, in order to finish the work of preparing the indicators.

6. To again entrust the Permanent Council with the election of the alternate government expert; and also to authorize the Secretary General to appoint the alternate independent expert on that same occasion.
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 renew the invitation to contribute to the Specific Fund for the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador [CP/RES. 972 (1761/10)] to all the states parties to the Protocol of San Salvador, the member states and permanent observers to the OAS, as well as national or international, public or private persons or entities, as defined in Article 74 of the General Standards to Govern the Operations of the General Secretariat and other provisions and regulations of the Organization.

9. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2667 (XLI-O/11)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 7, 2011)

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”;

BEARING IN MIND the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, which was adopted by the General Assembly of the Organization of American States (OAS) at its thirtieth regular session, held in Windsor, Canada, and endorsed by the heads of state and government at the Third Summit of the Americas, in Quebec City in 2007;

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 and comprehensive 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 the importance of taking a multidisciplinary approach to internal displacement and 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;

EMPHASIZING the importance of implementing effective measures for preventing and avoiding forced internal displacement and for protecting and assisting persons affected by displacement, including the communities of origin and reception, 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

RECALLING 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, in order to provide practical guidance to national authorities in their development and enactment of domestic legislation and policies on internal 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 and communities affected by internal displacement, in particular in the preparation of programs on prevention of the diverse causes and consequences of that displacement, including programs to foster development, fight poverty, and 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 Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons as a basis for their plans, policies, and programs in support of displaced persons, and, in compliance with international law, in support of, inter alia, indigenous communities and communities of African descent, and also in support of the specific needs of children, women, the elderly, farm workers, and persons with disabilities.

3. To suggest that member states assess positively the usefulness of incorporating the Guiding Principles on Internal Displacement into their national laws in order to promote their implementation and transparency in policies for the protection of internally displaced persons.
4. In order to avert the internal displacement of persons, to encourage member states to address the factors that cause it and to establish preventive measures, such as early-warning systems and policies that mitigate the threat and the risk of displacement, bearing in mind that dialogue with all the actors involved is essential to the achievement of lasting solutions.

5. 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 and the communities affected by internal displacement, including in the prevention of internal displacement.

6. To urge member states, in keeping with their responsibility to internally displaced persons, based on comprehensive strategies and from a human rights and gender perspective, to commit to providing them with protection and assistance during displacement, through competent 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.

7. To urge member states, in the care they provide to internally displaced persons, to protect their human rights through a comprehensive approach to disaster relief, particularly in disasters and for reconstruction of the communities affected by natural disasters, consistent with international human rights law and domestic law, taking into account the Guiding Principles on Internal Displacement. The member states may use different systems to address internal displacement.

8. To urge member 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.


10. To encourage the member states and competent authorities to seek, as necessary, 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.

11. To urge the member states to respond effectively to the needs of internally displaced persons in the event of natural disasters, including needs related to risk reduction and mitigation, through their domestic efforts, international cooperation, and, to the extent possible, in dialogue with the internally displaced persons and the communities affected by internal displacement.
12. 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 member 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.

13. To instruct the Permanent Council to follow up as it sees appropriate on this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2668 (XLI-O/11)

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 7, 2011)

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), AG/RES. 2403 (XXXVIII-O/08), AG/RES. 2510 (XXXIX-O/09), and AG/RES. 2592 (XL/O/10);

TAKING INTO ACCOUNT:

That in the inter-American system the member states of the Organization of American States (OAS) 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 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.b and 4.d); and

The conclusions and recommendations of the Second Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.8/08 rev. 2, paragraph 2.L.ii.), held in Valdivia, Chile, from August 26 to 28, 2008, and the recommendations of the Eighth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VIII/doc.4/10 rev. 1, paragraph VI.2.), held in Brasilia, Brazil, from February 24 to 26, 2010, to hold the Third Meeting of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States for the purpose of continuing the exchange of information and experiences and strengthening mutual cooperation among them;

RECALLING 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 to convene the Third Meeting of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States for the purpose of continuing the exchange of information and experiences and strengthening mutual cooperation among them, taking into account the conclusions and recommendations of the Second Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.8/08 rev. 2, paragraph 2.L.ii) and the recommendations of the Eighth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-VIII/doc.4/10 rev. 1, paragraph VI.2.).

3. To request the Inter-American Commission on Human Rights (IACHR), through its 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 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 the 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 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 forty-third regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1) on this issue;

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), AG/RES. 2289 (XXXVII-O/07), AG/RES. 2502 (XXXIX-O/09), and AG/RES. 2593 (XL-O/10);

REAFFIRMING that the American Declaration of the Rights and Duties of Man proclaims that all persons are equal before the law and have the rights and duties enshrined in that 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 both documents take on special relevance with regard to 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 to 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 of Avena and Other Mexican Nationals, and the decision of the Court of January 19, 2009, reaffirming the obligations set forth in the Avena judgment; and

The special meetings of the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council, held on January 14, 2008, and 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 (OAS);

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 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 commencement 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);

TAKING INTO ACCOUNT resolution AG/RES. 2141 (XXXV-O/05), “Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families,” and 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 (CEAM) 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

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 positive contributions of migrants to both countries of origin and countries of transit or 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;

The need to identify appropriate means of maximizing development benefits and responding to the challenges which migration poses to countries of origin, transit, and destination, especially in the light of the current economic and financial crisis, and committing to ensuring dignified, humane treatment with applicable protections and to strengthening mechanisms for international cooperation;

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; and

The obligations of the countries of origin, transit, and destination under international human rights law;

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;

EMPHASIZING the global nature of international migration and, therefore, the importance of international, regional, and bilateral cooperation, as appropriate, of stimulating dialogue on migration, and of the need to protect the human rights of migrants, particularly at a time when migration flows have increased in the globalized economies in a context marked by new security and safety concerns;
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;

TAKING INTO ACCOUNT the obligations of States under international law to act with due diligence to prevent and investigate crimes against migrants, and to punish perpetrators, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims;

AFFIRMING that certain crimes against migrants, including human trafficking and the smuggling of migrants, remain a serious problem and that it has been shown that an assessment and a concerted international response are called for, through effective multilateral cooperation between the countries of origin, transit, and destination to eradicate them;

REITERATING the call to the OAS to continue to ensure strict observance of the human rights of migrants and for the fight against unlawful discrimination against them to continue;

WARNING that the increasing feminization of migration, driven in large part by socioeconomic factors, 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 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 member 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 and to address the issue of international migration through international, regional, or bilateral cooperation and dialogue through a holistic and balanced approach, recognizing responsibilities of the countries of origin, transit, and destination in promoting and protecting the human rights of all migrants and avoiding approaches that could heighten their vulnerability.

2. To express its concern about the impact of the economic and financial crisis on international migration and migrants, and therefore urge governments to fight the unjust and discriminatory treatment of migrants.

3. To express its concern about the legislation, interpretation, practices, and other measures and initiatives 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, 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.

4. 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.

5. To request member states to guarantee that their laws and policies fully respect the human rights of migrants in the exercise of their sovereign right to enact and enforce measures dealing with migration and border security, especially in regard to fighting terrorism and transnational organized crime, as well as against human trafficking and the smuggling of migrants.

6. To encourage those states that have not already done so to enact national laws and adopt more effective measures to combat international human trafficking and the smuggling of migrants, bearing in mind that said crimes can endanger the lives of migrants or expose them to harm or servitude, including debt bondage, slavery, sexual exploitation, or forced labor, and request states to strengthen international cooperation to combat that trafficking and smuggling.

7. To urge member states to avoid enacting laws that unlawfully discriminate against migrants and to encourage states to continue their efforts to fulfill their international obligations in connection with the treatment of migrants.

8. 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.

9. To request states to adopt concrete measures to prevent violations of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints; to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, such as arbitrary detention, torture and violations of
the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa.

10. 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, including those related to their remuneration, workplace health and safety, and right to freedom of association.

11. To encourage states to facilitate the safe and expeditious transfer without restrictions of remittances, earnings, goods, and pensions 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.

12. 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.

13. To express its concern at the increasing activities of transnational and national organized crime and other activities or other actors that profit from crimes against migrants, especially migrant women and children, without regard for the dangerous and inhumane conditions to which they subject their victims and in flagrant violation of domestic and international laws; at the high level of impunity enjoyed by traffickers, smugglers, and their accomplices, as well as other members of organized crime; and, in this context, at the denial of rights and justice to migrants who have suffered from abuse.

14. 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.

15. 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.

16. 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 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 the attention of states to
Advisory Opinion OC-16/99, issued by the Inter-American Court of Human Rights, and the ruling of
the International Court of Justice, as well as the jurisprudence of other international courts in the area.

17. To call the attention of states to 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.”

18. To encourage 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.

19. 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.

20. To urge 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.

21. To urge 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 as a priority.

22. 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 Office of the United Nations Special Rapporteur on the Human Rights of Migrants as
well as those of the International Organization for Migration (IOM).

23. To encourage 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) of the Organization of American
States (OAS), in order to better coordinate and align positions on migration issues.

24. 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) in order to ensure that the distribution of activities
is consistent with the new structure of the Organization, and to present the updated Program to the
Committee on Juridical and Political Affairs (CAJP).
25. To request the organs, agencies, and entities of the OAS to report to the CAJP, in the last 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.

26. To arrange for regulations to be developed to govern the fund of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families; and to request the Permanent Council to consider and adopt rules of procedure for it at the proposal of the General Secretariat.

27. 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.

28. To entrust the Inter-American Commission on Human Rights (IACHR) with:
   a. Considering the advisability of participating in joint cooperation projects implemented by the Executive Secretariat for Integral Development (SEDI) in this area;
   b. providing its Special 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 forty-second regular session of the General Assembly.

29. 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 Special Rapporteurship on Migrant Workers and Their Families of the IACHR.

30. To urge the member states to consider the possibility of inviting the Special Rapporteur on Migrant Workers and Their Families to visit their countries to enable the Rapporteur to fulfill his or her mandate effectively.

31. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2670 (XLI-O/11)

STRENGTHENING THE ACTIVITIES OF THE JUSTICE STUDIES CENTER OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the mandates assigned by the Third and the Fourth Summits of the Americas; resolution AG/RES. 1 (XXVI-E/99), establishing the Justice Studies Center of the Americas (JSCA); resolution AG/RES. 2228 (XXXVI-O/06), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas”; resolution AG/RES. 2603 (XL-O/10), “Strengthening the Activities of the Justice Studies Center of the Americas,” and prior resolutions;

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;

TAKING INTO ACCOUNT the 2010 annual report on the JSCA’s activities (CP/doc.4551/11) and the report on projects and actions with impact, presented to the Committee on Juridical and Political Affairs of the Permanent Council of the Organization of American States (OAS) (CP/CAJP/INF.138/11) on April 14, 2011, which reflect specific training, research, and dissemination activities undertaken by the JSCA over the past year to strengthen justice systems in member states;

RECALLING that Article 17 of the JSCA’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; and

THANKING Canada and Chile for their voluntary contributions,

RESOLVES:

1. To congratulate the Justice Studies Center of the Americas (JSCA) on the work it has continued to undertake in the Americas, especially in researching innovations and new information technologies that make it possible to improve the management and operations of justice systems and the performance of comparative studies and new lines of work to support civil justice reform in the region, knowing that this task represents a contribution to strengthening governance, economic development, and democracy in the region.

2. To reiterate its appeal to member states, and invite the permanent observers, to make voluntary contributions to the JSCA.
3. To urge organs and institutions associated with the inter-American system to deepen their working relations with the JSCA within their areas of competence.

4. 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 member states and the Center.

5. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.
AG/RES. 2671 (XLI-O/11)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN JURIDICAL COMMITTEE

( Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee (CP/CAJP-2993/11);


BEARING IN MIND the 77th and 78th regular sessions of the Committee, held at its headquarters in Rio de Janeiro, Brazil; 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 April 7, 2011, 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 take note of the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee (CP/CAJP-2993/11) and to forward them to the Juridical Committee.

2. To thank the Inter-American Juridical Committee (CJI) for including in its annual report resolution CJI/RES. 170 (LXXVII-O/10), “Protection of the Rights of Migrants,” as well as the reports on democracy, the International Criminal Court, international humanitarian law, refugees, cultural diversity, innovative forms of access to justice, topics of private international law, and freedom of thought and expression.

3. To request the CJI to present to the General Assembly a final report on the topic of cultural diversity in the development of international law.
4. To request the CJI to report on progress made on the 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.

5. To request the CJI to report on progress made on the comparative analysis of the principal legal instruments of the inter-American system related to peace, security, and cooperation.

6. To request the CJI to report on progress made on the legal study of the mechanisms of participatory democracy and citizen participation contained in the legislation of some countries in the region.

7. 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 funding for 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.

8. 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 Committee on Juridical and Political Affairs; 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.

9. 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.

10. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2672 (XLI-O/11)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 7, 2011)

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) to the General Assembly (CP/CAJP-3003/11);

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;

TAKING NOTE:

Of the open and permanent invitations for the IACHR to visit extended by Argentina, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Paraguay, Peru, and Uruguay;

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1. The Government of Nicaragua reaffirms its commitment to the promotion and protection of human rights, which are upheld in the Political Constitution … (the text of this footnote continues on page 225.)

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, … (the text of this footnote continues on page 225.)
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 April 14, 2011, on the importance of transparency in the use of information sources;

Of the appeal made by the member states in resolution CP/RES. 981 (1791/11) for sufficient resources to be allocated for the work of the IACHR;

Of the financial strengthening initiative carried out by the IACHR since 2010 and of the presentation made by the Commission’s President, including the strategic plan for the 2011-2015 period; and

Of the interest expressed by the member states, and embraced by the IACHR, in the friendly settlement procedure, in order for the IACHR to continue developing capabilities in this area and to play an active role in the search for solutions. This procedure is considered of the highest importance to the system of individual petitions and cases;

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;

The readiness shown by the IACHR to continue a broad dialogue with the member 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;

The holding of three sessions of the IACHR in 2010, in the course of which 88 hearings and 47 working meetings were held; and

The working visits by IACHR members to Argentina, Brazil, Ecuador, El Salvador, Honduras, Mexico, Panama, and Paraguay; and

AWARE of the need of the IACHR for financial resources to fulfill its functions and mandates and exercise its powers, especially in processing individual petitions and cases,

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-3003/11) and to forward them to that organ.
2. To reaffirm the essential value of the functions 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; and
   b. Continue to follow up on the recommendations of the IACHR.

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 member states to continue inviting the IACHR to hold special sessions away from its headquarters.

6. To urge the IACHR, 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 recommend that the IACHR place the highest priority on the strengthening and 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 IACHR.

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. To that end, to thank the Secretary General for his work and to urge him to continue his efforts and to present 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;
   c. Suggest to donors that 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 regular activities and projects; and
   d. Invite the IACHR to inform the member states of the results of the additional initiatives for its funding.
9. To reaffirm that it is important for 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 website, 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 IACHR, in the dialogue with member states in the context of the Committee on Juridical and Political Affairs (CAJP), in order to follow up on the observations and comments of the member states contained in the reports of 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), March 20, 2009 (CP/CAJP-2769/09), May 14, 2010 (CP/CAJP-2604/10), and March 17 and April 14, 2011 (CP/CAJP-3002/11);

e. Examine the possibility of functioning on a permanent basis, in consideration of available resources and other factors; and

f. Continue consultations on its proposed regulatory amendments prior to their adoption, providing grounds for them based on their origin and purposes.

10. To reiterate that it is important for 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 the Results of the Process of Reflection on the Inter-American System for the Promotion and Protection of Human Rights (2008-2009) (CP/CAJP-2665/08 rev. 8 corr. 3) which was officially presented on that occasion to the presidencies of the two organs of the system as a contribution by the member 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 and other actors, 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 call upon the IACHR to continue the dialogue with the member states and other users of the system on the methodology used to develop the information presented in Chapter IV of its annual report, inviting joint reflection on how to improve the efficacy of this mechanism.

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 forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTES

1. … of Nicaragua and in the international instruments it has signed. As regards the important work that the Inter-American Commission on Human Rights (IACHR) is called upon to perform, we consider it necessary that said Commission refrain from applying a double standard in its analyses of the human rights situation in the region. Transparency, the veracity of the sources of information, impartiality and universality are the elements that will contribute to greater objectivity in the documents of the Committee, so that its recommendations should not be used as a tool for exerting political pressure on some states.

2. … 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.
AG/RES. 2673 (XLI-O/11)

HUMAN RIGHTS EDUCATION IN FORMAL EDUCATION IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2066 (XXXV-O/05), in which the General Assembly of the Organization of American States (OAS) suggested including human rights content and basic activities in the academic curricula of educational institutions, and resolutions AG/RES. 2321 (XXXVII-O/07), AG/RES. 2404 (XXXVIII-O/08), AG/RES. 2466 (XXXIX-O/09), and AG/RES. 2604 (XL-O/10);

CONSIDERING that in the Plan of Action of the First Summit of the Americas the heads of state and government, gathered in Miami in 1994, 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”;

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 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, uninterruptedly since 2002, Inter-American Reports on Human Rights Education, currently nine of them, which record progress made by the States Parties to the “Protocol of San Salvador” with respect to human rights education;

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;

FURTHER CONSIDERING that the right to human rights education from the very first years at school is an essential element in ensuring respect for human rights and basic freedoms;
REAFFIRMING that the Inter-American Democratic Charter regards the promotion and protection of human rights as a basic 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 from May 31 to June 2, 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 member 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 technical and 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 human rights education 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 board of experts 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 to incorporate human rights education at different levels in their formal education systems, bearing in mind the educational policies and guidelines of each member state.

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 and evaluate its applicability, bearing in mind the national contexts and education systems of member states, in accordance with Article 13.2 of the Protocol of San Salvador Additional to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, “Protocol of San Salvador,” and, in that regard, to recommend to those member states that have not already done so that they adopt, sign, and ratify the latter 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 experiences 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, especially through an initiative entitled the Inter-American Covenant on Human Rights Education, the initial implementation of which enjoys firm support from the Ministry of Education of El Salvador and the Ministry of Education and Culture of the Eastern Republic of Uruguay, and which comprises the promotion of inclusive education, the provision of infrastructure to ensure quality education, teacher training, curriculum development, the preparation and distribution of teaching materials, and the implementation of proposals for preventing, addressing, and overcoming manifestations of violence affecting the school environment.

6. To congratulate the signatory states of the Protocol of San Salvador that have made substantial progress in including in textbooks exercises related explicitly to human rights, as well as instructional designs for their implementation, as indicated in section IV of the IX Inter-American Report on Human Rights Education, entitled “Development of the Human Rights Education Methodology in School Textbooks: 10 to 14 Years of Age.”
AG/RES. 2674 (XLI-O/11)

DRAFT AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the fourth plenary session, held on June 7, 2011)

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), AG/RES. 2368 (XXXVIII-O/08), AG/RES. 2498 (XXXIX-O/09), and AG/RES. 2565 (XL-O/10);

HAVING SEEN 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 2010-2011 (GT/DADIN/doc.409/11), including the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus, and the report on that meeting (GT/DADIN/doc.406/11);

UNDERSCORING the results of the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus on the Draft American Declaration on the Rights of Indigenous Peoples, held in Washington, D.C., from January 18 to 20, 2011, and, in particular, the concerted efforts of the member states and the Indigenous Caucus to move forward in their quest for points of consensus;

ACKNOWLEDGING WITH SATISFACTION the outstanding performance of the chair of the Working Group during this period; and

RECOGNIZING the importance of contributions to the Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples, which enable effective participation by indigenous representatives in the meetings of negotiation,

RESOLVES:

1. To reaffirm the will and the commitment of the OAS member states to the process surrounding 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 (GT/DADIN/doc.334/08 rev. 6 corr. 1), and taking into consideration the Compendium of Proposals of Negotiations in the Quest for Points of Consensus Held by the Working Group (GT/DADIN/doc.255/06 add. 4), issued by the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus, and other pertinent documents of the Working Group.
3. To request the Permanent Council to instruct the Working Group to:
   a. Hold up to two three-day Meetings of Negotiations in the Quest for Points of Consensus prior to the forty-second regular session of the General Assembly;
   b. Convene the Meetings of Negotiations in the Quest for Points of Consensus on the Draft American Declaration on the Rights of Indigenous Peoples three months in advance; and
   c. Take the appropriate measures to ensure the effective participation in these meetings of member states and representatives of the indigenous peoples.

4. To invite member states to conduct consultations or dialogues on the Draft American Declaration on the Rights of Indigenous Peoples with the respective indigenous peoples.

5. To request the Selection Board of the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples 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 the states and institutions to continue supporting 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 forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2675 (XLI-O/11)

STRENGTHENING OF THE INTER-AMERICAN HUMAN RIGHTS SYSTEM PURSUANT TO THE MANDATES ARISING FROM THE SUMMITS OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), as it pertains to this topic;

REAFFIRMING the importance of the inter-American system for the promotion and protection of human rights, whose organs have competence to promote the observance of human rights in all member states of the Organization of American States (OAS), in accordance with the commitments undertaken by each state, and operate in a manner subsidiary to national jurisdictional systems;

REITERATING the 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”; recognizing 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”; and recognizing the principles set forth 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;

EXPRESSING that strengthening the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (IACHR), in the context of the applicable instruments adopted by the member states, will lead to improvements in the inter-American human rights system;

RECALLING the Meeting on the Strengthening of the Inter-American Human Rights System, held in Mexico City, on June 25 and 26, 2008, at 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;

RECOGNIZING the need to encourage, in the domestic systems of the member states, mechanisms and legal provisions that promote compliance with the decisions of the Inter-American Court of Human Rights, as applicable, and follow-up on the recommendations of the IACHR, based on the rules that respectively govern them, as factors that contribute to strengthening national human rights systems; and the efforts of the member states that are developing, or have developed, mechanisms and legal provisions to that end;
BEARING IN MIND the Declarations and Plans of Action of the Third and Fourth Summits of the Americas held in Quebec City, Canada, and Mar del Plata, Argentina, respectively; and the Fifth Summit of the Americas held in Port of Spain, Trinidad and Tobago, and, in particular, paragraphs 1, 82, and 83 of the Declaration of Commitment of Port of Spain;¹ and

TAKING NOTE of the processes of strengthening the finances of the inter-American human rights system initiated by the Inter-American Court of Human Rights and the IACHR in 2010, and of the summary given by the Chair of the technical meeting for coordination and support to the inter-American human rights system—to which an open invitation was issued and in which a number of OAS member states participated—held in Ottawa, Canada, on March 1 and 2, 2011,

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:

   a. Universalization of the inter-American human rights system by considering the signature and ratification or ratification of, 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 decisions 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 IACHR, including the encouragement of voluntary contributions, so that they may continue to address their activities and responsibilities; and

   e. Examination of the possibility of the Inter-American Court of Human Rights and the IACHR operating on a permanent basis.

2. To recognize the progress made in the context of 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

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, … (the text of this footnote continues on page 235.)
March 20, 2009, to the presidencies of the two organs of the system, as a contribution by the member 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.

3. To recognize the progress made to date and to instruct the Permanent Council to meet the objectives mentioned in operative paragraph 1 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. Supporting the financial strengthening initiatives taken by the Inter-American Court of Human Rights and the IACHR 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. In this context, to express appreciation for the efforts of the OAS Secretary General and to urge him to prepare and submit a proposal in support of the aforementioned initiatives, putting forward measures for effectively increasing the economic resources assigned to the Inter-American Court of Human Rights and to the IACHR in the OAS program-budget;

c. 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 for strengthening the inter-American human rights system, established by resolution AG/RES. 2329 (XXXVII-O/07);

d. Continuing to consider ways to promote compliance with the decisions of the Inter-American Court of Human Rights and implementation of the recommendations of the IACHR by member states; and, to that end, requesting the Inter-American Juridical Committee to give priority to the preparation of a study on ways to strengthen the inter-American human rights system;
Continuing to analyze the priorities for improvement of the inter-American system for the promotion and protection of human rights, including consideration of the possibility that the Inter-American Court of Human Rights and the IACHR may come to operate on a permanent basis;

Holding each year, within the CAJP, the dialogue between the member states and the members of the IACHR 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

Requesting the Inter-American Court of Human Rights and the IACHR to continue to report on the impact and practical significance of their regulatory reforms for the work of both organs and for the strengthening of the system.

To express its appreciation to the member states (Chile, Colombia, Costa Rica, and Mexico) and permanent observers (Spain and Norway) for their voluntary contributions in 2010 to the Inter-American Court of Human Rights. To thank also the Office of the United Nations High Commissioner for Refugees (UNHCR) for the contributions it made to this organ during the same period.

To express its appreciation to Canada, Chile, Colombia, Costa Rica, Mexico, and the United States, and to the permanent observers of the European Union, Finland, France, Luxembourg, Spain, Sweden, Switzerland, and the United Kingdom of Great Britain and Northern Ireland for their voluntary contributions to the IACHR in 2010. To also thank the Canadian International Development Agency, the United Nations Children’s Fund, the United Nations Population Fund, the Swedish Foundation for Human Rights, Save the Children/Sweden, and the University of Notre Dame, which made contributions to this organ during the same period.

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 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.

To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … 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.
AG/RES. 2676 (XLI-O/11)
PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Adopted at the fourth plenary session, held on June 7, 2011)

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), AG/RES. 2415 (XXXVIII-O/08), AG/RES. 2512 (XXXIX-O/09), and AG/RES. 2580 (XL-O/10), as well as 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 corr.);

REAFFIRMING the principles and purposes of the Charter of the Organization of American States (OAS), the Charter of the United Nations, and the Universal Declaration of Human Rights;

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;

RECOGNIZING that respect for all human rights, respect for democracy, and respect for the rule of law are interrelated and mutually reinforcing;

REAFFIRMING the principles and purposes of the Charter of the Organization of American States (OAS), the Charter of the United Nations, and the Universal Declaration of Human Rights;

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;

RECOGNIZING that respect for all human rights, respect for democracy, and respect for the rule of law are interrelated and mutually reinforcing;

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; and reiterating that counterterrorism measures should be implemented in full consideration of the human rights of all persons, including those belonging to national or ethnic, religious, and linguistic minorities, and, according to international law, must not be discriminatory on grounds such as race, color, sex, language, religion, or social origin;

RECALLING 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;

RECALLING ALSO the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on June 25, 1993;

REAFFIRMING that states are under the obligation to protect all human rights and fundamental freedoms of all persons, and reiterating in this regard that counterterrorism measures should be implemented in full consideration of the human rights of all persons, including those belonging to national or ethnic, religious, and linguistic minorities, and, according to international
law, must not be discriminatory on grounds such as race, color, sex, language, religion, or social origin;

INSISTING 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;

REITERATING the important contribution of measures taken at all levels against terrorism, consistent with international law, including international human rights law, international refugee law, and international humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights;

CONFIRMING 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 its unequivocal condemnation of all acts, methods, and practices of terrorism in all its forms and manifestations, wherever and by whomever 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 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 strengthening assistance and support for them;

TAKING INTO ACCOUNT:

That, in the Declaration on Renewed Hemispheric Commitment to Enhance Cooperation to Prevent, Combat and Eliminate Terrorism, adopted in Washington, D.C., on March 17, 2011, the member states reiterated their most vehement condemnation of terrorism in all its forms and manifestations, whatever its origin or motivation, which has no justification whatsoever and constitutes a grave threat to the lives, well-being and fundamental freedoms of all people, threatens international peace and security, and undermines the values and principles underlying the inter-American system, democratic institutions, the rule of law, and the freedoms enshrined in and promoted by the OAS Charter, the Inter-American Democratic Charter, and other international instruments;

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 Commitment of Port of Spain of the Fifth Summit of the Americas\(^1\) 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;

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 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 (OEA/Ser.L/V/II.116, doc. 5 rev. 1 corr.) of October 22, 2002;

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;

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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, … (the text of this footnote continues on page 242.)
NOTING WITH CONCERN and reiterating the need to avoid all measures that could 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; and

STRESSING that all measures used in fighting terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding, and other types of transfer agreements or arrangements, must be in compliance with the obligations of states under international law, including international human rights, refugee and humanitarian law,

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 any grounds of discrimination prohibited by international law.

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 ensure that all forms of deprivation of liberty in all places of detention keep the detained person under the protection of the law and respect the safeguards concerning the liberty, security, safety, and dignity of the person in keeping with the provisions of international law, including human rights law and humanitarian law.

8. 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, ensuring that no form of deprivation of liberty places a detained person outside the protection of the law.

9. To respect the right of persons to equality before the law, courts, and tribunals, and to a fair trial as provided in international law, including international human rights law, such as the International Covenant on Civil and Political Rights, international humanitarian law, and refugee law.

10. To invite all member states, with a view to fulfilling the commitments undertaken in this resolution, to consider signing and ratifying, as soon as possible and as the case may be, 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.

11. To urge the competent organs, agencies, and entities of the Organization of American States (OAS), in accordance with their mandates, to provide, upon request, technical assistance to strengthen the capacity of member states to develop and implement programs to assist and support victims of terrorism in accordance with their domestic laws.

12. 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.

13. To reiterate to the Inter-American Commission on Human Rights (IACHR) that it should 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.

14. To reiterate to the Permanent Council that, 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, it should consider drafting 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.
15. To reaffirm the importance of intensifying dialogue among the CICTE Secretariat, the Executive Secretariat of 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.

16. To request the Permanent Council to report to the General Assembly at its forty-third regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
1. … 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.
AG/RES. 2677 (XLI-O/11)

DRAFT INTER-AMERICAN CONVENTION AGAINST RACISM AND ALL FORMS OF DISCRIMINATION AND INTOLERANCE

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1);

RECALLING the content of resolutions 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”; AG/RES. 2276 (XXXVII-O/07), AG/RES. 2367 (XXXVIII-O/08), AG/RES. 2501 (XXXIX-O/09), and AG/RES. 2606 (XI-O/10), “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”;

REAFFIRMING the principles of equality and nondiscrimination and recognizing that human diversity is a cherished asset for the advancement and welfare of humanity at large;

FIRMLY REITERATING the most resolute commitment of the Organization of American States (OAS) to the eradication of racism and of all forms of discrimination and intolerance and their conviction that such discriminatory attitudes are a negation of such universal values as the inalienable and infrangible rights of the human person and the purposes, principles, and guarantees enshrined in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Universal Declaration of Human Rights, the Inter-American Democratic Charter, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Universal Declaration on the Human Genome and Human Rights;

TAKING NOTE of the commemoration in 2010 of the International Year for People of African Descent in accordance with United Nations General Assembly resolution 64/169 “International Year for People of African Descent,” as well as of the mandate of the OAS General Assembly contained in resolution AG/RES. 2550 (XL-O/10), “Recognition of the International Year

1. Canada recalls its previous decision to formally withdraw from the negotiations of a Draft Inter-American Convention against Racism and … (the text of this footnote continues on page 246.)

2. The United States reserves on all references in the resolution to the negotiation of any legally binding instrument to combat racism, racial discrimination … (the text of this footnote continues on page 246.)

3. Ecuador, as it has already stated formally, reiterates its permanent, firm, and definite commitment toward combating racism and all forms of … (the text of this footnote continues on page 246.)
for People of African Descent,” and, in keeping with the latter, of the holding on March 15, 2011, of the Special Meeting of the Permanent Council of the Organization to celebrate the International Year for People of African Descent, as well as of other associated activities in the framework of the OAS;

OBSERVING with concern that even today a considerable number of human beings in our Hemisphere are still victims of longstanding and contemporary manifestations of racism, discrimination, and intolerance;

ACKNOWLEDGING the significant contributions made by member states, OAS organs, agencies, and entities, other agencies of the United Nations, civil society organizations and other organizations, in regards to the ongoing process of negotiations; and

HAVING PARTICULAR REGARD to the report on activities during the 2010-2011 period, presented by the Chair of the Working Group to Prepare a Draft Inter-American Convention Against Racism and all Forms of Discrimination and Intolerance to the Committee on Juridical and Political Affairs (CAJP/GT/RDI-175/11 rev. 5),

RESOLVES:

1. To reaffirm the will and the most resolute commitment of the member states to continue making efforts in the preparation and negotiation of such legally binding instruments as may be necessary to address the scourges of racism, racial discrimination, and all other forms of discrimination and intolerance.

2. To instruct the Permanent Council to extend the mandate of the Working Group of the Committee on Juridical and Political Affairs and to entrust it with the preparation of legally binding instruments with due consideration of a convention against racism and racial discrimination, as well as an optional protocol or protocols that would, in addition, address all other forms of discrimination and intolerance, in accordance with the work plan and methodology that is adopted, taking into account, where possible, the progress set forth in the “Consolidated Document: Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” (CAJP/GT/RDI-57/07 rev. 13), and to continue the negotiations based on said instruments. For such purposes and in order to receive additional contributions, the Working Group will consider convening a special meeting, at an appropriate time during the 2011-2012 term, with the participation of government experts and representatives of member states, specialized organizations of the inter-American system and other regional systems, United Nations specialized agencies, and nongovernmental organizations.

3. To instruct that the preparation, negotiation, and approval of the final drafts of said legal instruments be done simultaneously and concurrently, so as to ensure a comprehensive and coherent treatment of the scourges of racism, discrimination, and intolerance in the Hemisphere.

4. To instruct that this process continue to promote contributions from member states, organs, agencies, and entities of the Organization of American States (OAS), taking into account the Inter-American Institute of Human Rights, 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), to request the Working Group to continue to receive contributions from groups in vulnerable situations and from interested civil society organizations.

5. To renew the mandates to the Justice Studies Center of the Americas (JSCA) and the Inter-American Commission on Human Rights (IACHR) set forth in paragraphs 5, 7, and 8 of resolution AG/RES. 2168 (XXXVI-O/06).

6. 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.

7. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implement of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTES

1. … all Forms of Discrimination and Intolerance as outlined in its communication of November 30, 2010 (CAJP/GT/RDI/INF.21/10). Canada remains concerned that a new Inter-American Convention could confuse or weaken already existing international standards, as well as overburden the Inter-American human rights system. Canada will nonetheless continue to work in practical ways with the OAS and its member states towards addressing racism and promoting tolerance and non-discrimination in the Hemisphere.

2. … and other forms of discrimination or intolerance because of its longstanding position that the Working Group should not negotiate a new convention against racism, racial discrimination and other forms of discrimination or intolerance. The International Convention on the Elimination of All Forms of Racial Discrimination, to which some 170 countries are States Parties, including 33 members of this organization, prohibits discrimination on the basis of race, color, descent, or national or ethnic origin, and obliges States Parties to “undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms.” As this robust global treaty regime already provides comprehensive protections in this area, a regional instrument is not necessary and runs the risk of creating inconsistencies with this global regime. As early as 2002, the Inter-American Juridical Committee articulated similar concerns, concluding that it was not advisable to negotiate a new convention in this area. The United States believes that the resources of the OAS and of its member states would be better utilized at identifying practical steps that governments in the Americas might adopt to combat racism, racial discrimination and other forms of discrimination and intolerance, including best practices in the form of national legislation and enhanced implementation of existing international instruments. Such efforts should be aimed at bringing immediate and real-world protection against discrimination.

3. … discrimination and intolerance. Similarly, it has also reiterated its complete willingness to continue working immediately, constructively, and proactively on negotiating the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, in accordance with the repeated mandate of the resolutions adopted by the OAS General Assembly over the past decade and as has also been set down in several final Declarations of the Summits of the Americas, most recently in the Declaration of Port of Spain.

For Ecuador, the draft Convention that we have been negotiating for several years is of great importance, in that it represents the objective expression of the states’ willingness to make qualitative progress in combating racism and, in addition, all forms of discrimination and intolerance, since only through the integrated, comprehensive, and equal treatment of those scourges will the Hemisphere be able to truly promote qualitative progress in the fight against racism, discrimination, and intolerance and to make clear progress under the 1965 International Convention on the Elimination of all Forms of Racial Discrimination.

In Ecuador’s opinion, the fight against the scourges of discrimination and intolerance, however they are expressed, warrants the same attention, and so all forms of discrimination and intolerance must be equally repudiated, combated, and punished.

For that reason, Ecuador cannot subscribe to this resolution, which represents the dismantling of the draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance in order to address those scourges through different instruments, possibly of different hierarchical levels, which could mean granting preeminence to one form of discrimination over another, thus violating the principles of equality, interdependence, and indivisibility of human rights enshrined in international human rights law, in the Constitution of Ecuador, in the National Plan for Good Living (Sumak Kawsay), and in the other national laws of Ecuador.
Accordingly, Ecuador will closely follow the developments that take place in connection with the hierarchy and number of the legal instruments that are determined to be a part of the new negotiation process arising from this resolution.
AG/RES. 2678 (XLI-O/11)

PROTECTION OF ASYLUM SEEKERS AND REFUGEES IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

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

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

NOTING THAT 2011 marks the 60th anniversary of the 1951 Convention Relating to the Status of Refugees, which sets forth the essential principles and concepts for the international protection of refugees; and noting the commemoration initiated by the Office of the United Nations High Commissioner for Refugees (UNHCR), which will culminate with a meeting at the ministerial level in the framework of the United Nations to be held in Geneva on December 7 and 8, 2011;

WELCOMING that 28 member states of the Organization of American States (OAS) have acceded to the 1951 Convention Relating to the Status of Refugees, and 30 to its 1967 Protocol; that most of those countries have incorporated the provisions of those instruments into their domestic laws and regulations; that over the past year Costa Rica, Colombia, and Chile have adopted new legal and regulatory provisions for the protection of refugees; that Jamaica adopted a new policy on refugees in March 2009; and that, at the beginning of 2011, Mexico promulgated the Law on Refugees and Complementary Protection;

UNDERSCORING the importance of the Cooperation Agreement signed on November 12, 2007, by the OAS 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 OAS member states to continue extending protection to asylum seekers and refugees on the basis of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and to seek durable solutions to their situation;

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

WELCOMING the International Meeting on Refugee Protection, Statelessness, and Mixed Migration Movements in the Americas, organized by the Ministry of Justice of Brazil and held in Brasilia on November 11, 2010, in the context of the celebration of the UNHCR’s 60th anniversary,
as well as the commemorations of the 60th anniversary of the 1951 Convention Relating to the Status of Refugees and the 50th anniversary of the 1961 Convention on the Reduction of Statelessness;

NOTING that the aforementioned International Meeting adopted the Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas, the recommendations of which seek to revitalize the lasting solutions component of the 2004 Mexico Plan of Action to Strengthen the International Protection of Refugees in Latin America, to strengthen its application as a regional approach to the new challenges of refugee identification and protection in the context of mixed migration movements, and to promote ratification of the conventions on statelessness and the protection of stateless persons;

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

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

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

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

RESOLVES:

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

2. To recognize and reaffirm, on the occasion of its 60th anniversary, the full effect and fundamental importance of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol as the principal instruments for refugee protection; and to reaffirm the commitment of the states parties to those instruments to implement fully and effectively the obligations set forth therein, in accordance with their object and purpose.

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

4. To continue to support, with assistance from the international community and from the Office of the United Nations High Commissioner for Refugees (UNHCR), the Mexico

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1. The delegation of the Republic of Colombia wishes to state and place on record that, while it supports international cooperation as a matter of principle, … (the text of this footnote continues on page 251.)
Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America and, considering the recommendations of the Brasilia Declaration, to revitalize the application of its principles so as to meet, under a regional approach, the new challenges of refugee identification and protection in the context of mixed migration movements.

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

6. To urge all member states to participate actively in the commemorations initiated by the UNHCR and to consider, should they see fit, undertaking voluntary commitments, individually or collectively, that strengthen the protection of asylum seekers and refugees in the Hemisphere and that reflect specific national and regional circumstances, with a view to presenting them to the December 2011 ministerial meeting.

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

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

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

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

11. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

1. … as well as the implementation of international cooperation mechanisms to seek and consolidate lasting solutions in this matter, it has reservations to the contents of this paragraph, inasmuch as the delegation of Colombia understands that the concept of shared responsibility is still being developed. It is a concept regarding which there is no uniform position in the international community and it is not supported by obligations or commitments undertaken by Colombia in this matter in accordance with international law currently in force and applicable in Colombia.
RIGHT TO FREEDOM OF THOUGHT AND EXPRESSION
AND THE IMPORTANCE OF THE MEDIA

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1);

TAKING INTO ACCOUNT resolutions AG/RES. 2237 (XXXVI-O/06), AG/RES. 2287 (XXXVII-O/07), AG/RES. 2434 (XXXVIII-O/08), and AG/RES. 2523 (XXXIX-O/09), “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”;

FURTHER RECALLING 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;

RECALLING the principles set forth in the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) of October 2000;

RECALLING ALSO the relevant volumes of the annual reports of the IACHR for 2006, 2007, 2008, 2009 and 2010 on freedom of expression, as well as the comments by member states during the 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 applicable international human rights instruments, including the American Convention on Human Rights and the International Covenant on Civil and Political Rights, among others.

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 applicable international instruments, 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 with a pluralist approach and taking into account democratic criteria that provide equal opportunities of access to them for all individuals.

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 for 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 2006, 2007, 2008, 2009, and 2010 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 made by the Office of the Special Rapporteur for Freedom of Expression of the IACHR.
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, moreover, include members of the Inter-American Court of Human Rights and of the IACHR, 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 2008 and 2009 special meetings on freedom of thought and expression, held in the framework of the Committee on Juridical and Political Affairs.

15. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2680 (XLI-O/11)

PROMOTION OF THE RIGHTS TO FREEDOM OF ASSEMBLY
AND OF ASSOCIATION IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

BEARING IN MIND the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, which establish that all persons shall be entitled to freedom of peaceful assembly and association;


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;

REAFFIRMING ALSO that every state has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American states shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems;

CONSIDERING that the freedom of peaceful assembly and association, and to seek, receive, and impart information and ideas of all kinds by any medium whatsoever, is provided for in the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Inter-American Democratic Charter, as well as in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
REAFFIRMING: That each state has the right to develop its cultural, political, and economic life freely and naturally. In this free development, the state shall respect the rights of the individual and the principles of universal morality;

That everyone has the rights to freedom of peaceful assembly and of association and that no one may be compelled to belong to an association;

That the elimination of all forms of discrimination, particularly gender, ethnic, and racial discrimination and the different forms of intolerance, and the promotion of the human rights of indigenous peoples and migrants and of respect for ethnic, cultural, and religious diversity in the Americas contribute to strengthening democracy and citizen participation; and

The recognition made at the 1993 World Conference on Human Rights that all human rights are universal, indivisible, interdependent, and interrelated, and the call it made on all governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and including the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression, and religion;


CONCERNED that situations exist in the Americas that directly or indirectly prevent or hinder the work of governments, individuals, or independent democratic groups, or organizations working to promote and protect human rights and fundamental freedoms;

RENEWING its trust in the commitment of all the countries to find ways to achieve the well-being of their peoples and to reinforce the universal values of sovereignty, liberty, independence, peace, solidarity, the common good, peaceful coexistence and the rule of law, and respect for human rights for this and for future generations; as well as to ensure social justice and equality before the law without any kind of discrimination;

CONCERNED about the increase in new restrictive legislation regulating the creation and operation of nongovernmental organizations and any abuse of civil or criminal proceedings against them because of their activities for the promotion and protection of human rights and fundamental freedoms;

REAFFIRMING that every American state has the duty to respect the rights enjoyed by every other state in accordance with international law;

STRESSING that the fundamental rights of states may not be impaired in any manner whatsoever; and
RECOGNIZING:

The importance of participation by civil society organizations and other social actors in consolidating democracy in all member states;

That all social actors, including civil society organizations, can contribute to the work of the bodies and organizations of the inter-American system; and

That exercising the rights to freedom of peaceful assembly and of association, in line with the parameters set by international law, in particular international human rights law, is indispensable to the full enjoyment of these rights, particularly where individuals may espouse minority or dissenting religious or political beliefs,

RESOLVES:

1. To urge member states to adhere to or ratify, or both, as applicable, the American Convention on Human Rights and the other instruments of the universal inter-American system for the protection of human rights.

2. To urge member states to promote and foster various forms of community citizen participation in decision-making processes related to integral development, thus helping to resolve problems affecting them, to ensure that the benefits of democracy are shared by society as a whole, and to strengthen and consolidate democracy and human rights.

3. To call upon member states to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are within the framework of national constitutions and laws and in accordance with their obligations under international human rights law and agreements.

4. To recommend that member states promote and strengthen alternative methods of communication and information.

5. To recommend to member states that they develop and, as the case may be, expand networks of information on public policies and programs in order to enable citizens to play a much more effective role in decision-making in government.

6. To encourage member states to ensure that applicable national law allows human rights defenders and their organizations to carry out their work in a free, transparent, and open political environment and in a manner consistent with applicable international human rights and humanitarian law.

7. To encourage all social actors, including civil society, to promote the enjoyment of the rights to freedom of peaceful assembly and of association, recognizing that civil society can contribute to the fulfillment of the principles and purposes of the Charter of the Organization of American States (OAS).
To invite 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, when appropriate, input and advocacy of all social actors, if possible through the use of information and communication technologies.

To instruct the Permanent Council to prepare and convene a special meeting to exchange experiences, views, and best practices that serve to promote the rights to freedom of assembly and of association.

To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2681 (XLI-O/11)

INCREASING ACCESS TO TELECOMMUNICATIONS AND INFORMATION AND COMMUNICATION TECHNOLOGIES THROUGH STRENGTHENING OF THE INTER-AMERICAN TELECOMMUNICATION COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

CONSIDERING that broad access to telecommunications and information and communication technologies (ICTs) is essential for promoting sustainable development, poverty alleviation, and job creation;

BEARING IN MIND resolution AG/RES. 2545 (XL-O/10), “Promotion by the Inter-American Telecommunication Commission (CITEL) of Cooperation for the Development and Dissemination of Information and Communication Technologies in the Americas,” which “urges CITEL to continue coordinating efforts to harmonize, develop, and improve telecommunication/ICTs and to continue to provide a platform where policymakers, regulators, private sector representatives, researchers, academics, and other interested parties can exchange views, experiences, and best practices in this area that contribute to promoting the inclusion of the countries of the region in the Information and Knowledge-based Society”; and

EMPHASIZING that the International Telecommunication Union (ITU) World Telecommunication Development Conference 2010 included “among the high priorities of ITU support for initiatives under the ‘Agenda for Connectivity in the Americas,’ recommending the use of mechanisms to help to achieve the necessary results for each country and region, and promote the exchange of information on the development of connectivity activities globally”; and

RECOGNIZING:

That the Inter-American Telecommunication Commission (CITEL) is the principal platform in the Americas where member states and the private sector meet to discuss key telecommunication and ICT issues and to develop Inter-American Proposals (IAPs) for their submission at key conferences of the ITU;

That the harmonious and balanced development of telecommunications infrastructure is beneficial for both developed and developing countries;

That it is necessary to coordinate efforts and develop partnerships with diverse stakeholders, including the private sector, in order to ensure harmonious and balanced development of telecommunications infrastructure at the national and regional level in the Hemisphere;

That there is a need to continue promoting training programs at the national and regional level to generate expertise on new telecommunication technologies and the corresponding policy and strategy matters; and
That, in the context of the financial situation of the Organization of American States (OAS), member states commend the important efforts of CITEL to rationalize its operations in order to optimize the use of financial resources and encourage CITEL to continue these efforts, to the extent possible, without detriment to its mandates and core competencies, in accordance with resolutions AG/RES. 2545 (XL-O/10) and AG/RES. 2546 (XL-O/10),

RESOLVES:

1. To renew its call on the Inter-American Telecommunication Commission (CITEL) to continue to collaborate closely with member states in order to exchange best practices on policy, technologies, and national strategies on telecommunications/ICTs and to promote even more vigorously the use of all appropriate media to serve rural, isolated, and underserved areas.

2. To invite CITEL to continue its efforts at rationalizing its operations in accordance with its mandate and core competencies.

3. To instruct CITEL to continue to promote human capacity building in the region in different aspects of the telecommunication/ICT sector, allocating the necessary budget funds for that purpose.

4. To urge member states to identify ways and means to support CITEL in fulfilling its mandates, including mechanisms to encourage their increased participation and that of all stakeholders, including the private sector.

5. To instruct the Secretary General to continue to support CITEL, in order to facilitate the comprehensive fulfillment of its mandates.
AG/RES. 2682 (XLI-O/11)

CONSUMER PROTECTION: CONSOLIDATION OF THE NETWORK FOR CONSUMER SAFETY AND HEALTH AND CREATION OF AN INTER-AMERICAN RAPID PRODUCT SAFETY WARNING SYSTEM

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

CONSIDERING:

That Article 39 of the Charter of the Organization of American States (OAS) 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 Monterrey, Nuevo León, Mexico, in 2004, the heads of state and government agreed to promote consumer protection, fair competition, and improved functioning of markets through clear, effective, and transparent regulatory frameworks;

CONSIDERING ALSO the importance of information sharing and the exchange and dissemination of best practices in consumer and health protection among competent organs and agencies, for better integration of public policies related to these areas, and the importance of strengthening the capacity of states to monitor and control the safety of products available on the market for consumption or use;

TAKING INTO ACCOUNT:

That resolution AG/RES. 2549 (XL-O/10), “Consumer Protection: Network for Consumer Safety and Health in the Americas,” established the creation of a Network for Consumer Safety and Health (RCSS) in the Americas, as a first step toward implementation of an Inter-American Rapid Product Safety Warning System (IAPWSWS);

That in resolution AG/RES. 2494 (XXXIX-O/09), “Consumer Protection,” the OAS General Assembly requested the General Secretariat to “support ... reinforcement of existing cooperation mechanisms and other kinds of joint activities among governmental consumer protection agencies” and to coordinate “its activities with those of national consumer protection agencies and other organizations”; and

That, consequently, the General Secretariat, in collaboration with the Pan American Health Organization (PAHO), carried out technical consultations on consumer product safety and its impact on health, where attention was called to the importance of effective means of information exchange among authorities in the region charged with monitoring the market;
RECOGNIZING WITH SATISFACTION:

The coordination performed previously by the Department of Special Legal Programs and at present by the Department of Social Development and Employment to implement the RCSS; and the efforts by the Department of Information Technology Services to build the RCSS electronic portal, officially launched at the meeting of the Permanent Council of November 23, 2010;

That, in pursuance of the mandate to train competent authorities set forth in resolution AG/RES. 2549 (XL-O/10), the first postgraduate training course for national authorities was carried out successfully, as was a specialized workshop, and that information exchange activities in specialized areas will continue to be held; and

That, as reported by the General Secretariat to the Permanent Council on February 14, 2011, this is an example of effective coordination within and outside the Organization of American States (OAS), at both the inter-American and global levels; and that its implementation with the states has been multidisciplinary, involving authorities in the consumer protection, health, metrology, standardization, civil society, and other areas; and

AWARE:

Of the need to continue increasing efforts and to draw upon the enthusiasm with which the RCSS has been welcomed by the competent authorities, in order to continue helping to ensure adequate protection of consumers and of their right to safe and healthful consumer products; and

That the creation of an Inter-American Rapid Product Safety Warning System (IAPSWS) will help to protect consumer health through rapid detection and coordinated action to prevent the entry of unsafe consumer products into markets in the Americas,

RESOLVES:

1. To thank the General Secretariat—in particular the Department of Social Development and Employment and the Department of Information Technology Services—and the Pan American Health Organization (PAHO) for rapidly setting in motion the Network for Consumer Safety and Health (RCSS) and its Internet tools, and for coordinating their complementary training and information-exchange activities.

2. To request the General Secretariat to continue its coordination with PAHO and other international organizations to consolidate the RCSS in the region and to position the Organization of American States (OAS) as an important actor at the global level in the area of consumer product safety. Also to request the General Secretariat to design and implement the Inter-American Rapid Product Safety Warning System (IAPSWS).

3. To request the General Secretariat, for the purpose of consolidating the Network for Consumer Safety and Health, to promote and implement cooperation agreements with subregional agencies for the creation of the IAPSWS, so as to build upon the progress made by those organizations and not to duplicate efforts in the field of consumer product safety.
4. To request the General Secretariat, in collaboration with international consumer protection organizations, to design a plan for fostering participation by civil society and other stakeholders in building the IAPSWS.

5. To urge those member-state authorities that are not yet part of the RCSS to join it and to participate actively in the training activities, information exchange, and the planning of the IAPSWS.

6. To request the General Secretariat to establish a specific fund of voluntary contributions, to be called the “Consumer Safety and Health Fund,” that will support measures to consolidate the RCSS and be administered by the Department of Social Development and Employment.

7. To thank the governments that have made voluntary monetary and in-kind contributions, especially the governments of Brazil, Peru, and the United States of America and the Generalitat of Catalonia, and to invite member states, permanent observers, and other donors, once the aforementioned fund has been established, to support with voluntary contributions the activities undertaken by the General Secretariat to consolidate the RCSS and the establishment of the IAPSWS.

8. To request the General Secretariat to report on the implementation of the foregoing mandates to the Permanent Council before the next regular session of the General Assembly.
AG/RES. 2683 (XLI-O/11)

INTER-AMERICAN PROGRAM ON
EDUCATION FOR DEMOCRATIC VALUES AND PRACTICES

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


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 overall improvement of the individual, and as a foundation for democracy, social justice, and progress;

That 2011 marks the 10th anniversary of the adoption of the Inter-American Democratic Charter, which recognizes that education is key to strengthening democratic institutions, promoting the development of human potential, alleviating poverty, and fostering greater understanding among peoples; and that it is essential that a quality education be available to all, including girls and women, rural inhabitants, and minorities;

That the Inter-American Program on Education for Democratic Values and Practices is one of the tools with which the Organization of American States (OAS) can continue to carry out programs and activities to promote the principles and practices of democracy and strengthen a culture of democracy in the Hemisphere, paying special attention to the conduct of programs and activities for educating children and youth as a means of ensuring the persistence of democratic values, including fundamental freedoms and social justice;

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 non-violence 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 countries 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”;

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”;

That in the Declaration of Commitment of Port of Spain of 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 reaffirmed their “commitment to the 2008 Declaration of Medellin on Youth and Democratic Values”;¹

That in the Declaration of San Pedro Sula, “Toward a Culture of Non-Violence,” adopted at the thirty-ninth regular session of the General Assembly in June 2009, the ministers of foreign affairs of the OAS member states declared “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”;

That in the Declaration of Lima: Peace, Security, and Cooperation in the Americas, adopted at the fortieth regular session of the General Assembly, in June 2010, the ministers of foreign affairs of the member states declared “[t]heir decision to continue fostering a culture of peace and promoting education for peace among the countries of the region, reaffirming our goal of continuing to devote more resources to the well-being of our peoples”; and

That in the Declaration of Quito, adopted by the Sixth Inter-American Meeting of Ministers of Education, held in Quito, Ecuador, from August 12 to 14, 2009, the ministers entered a commitment to promote public policies and educational programs aimed at bringing about a cultural transformation geared to eradicating violence, particularly violence at school and in the home and violence against women, children, and youth, caused by cultural, economic, social, ethnic, political, and other factors;

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 the Inter-American Council for Integral Development (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 non-formal

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, … (the text of this footnote continues on page 270.)
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 a high-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”;

That the Declaration of Medellín, adopted at the fourth plenary session of the General Assembly, held in June 2008 in the city of Medellín, 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 OAS member states declared their commitment to promote formal and non-formal education in democratic values and practices in order to develop knowledge and skills among the youth to prepare them for life in a democratic society and the full enjoyment of their human rights and fundamental freedoms, and requested the OAS General Secretariat, in collaboration with the member states, to 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:

That in the Declaration of Quito, adopted by the Sixth Inter-American Meeting of Ministers of Education, held in Quito, Ecuador, from August 12 to 14, 2009, the ministers recognized with satisfaction the progress made in the implementation of the Inter-American Program on Education for Democratic Values and Practices, given its contribution to strengthening a democratic and non-violent culture; and they instructed the Inter-American Committee on Education (CIE), with the support of Executive Secretariat for Integral development (SEDI), to draw up a Work Plan for 2009-2012, paying special attention to lines of action such as strengthening strategies, mechanisms, and entities to promote the participation of youth; and

That the Seventh Inter-American Meeting of Ministers of Education will be held in Suriname, on March 1 and 2, 2012,
RESOLVES:

1. To underscore the importance of and recognize the progress made with implementing the Inter-American Program on Education for Democratic Values and Practices, which, through the actions undertaken in pursuit of its three components—research, professional development, and exchanges of information and experiences—helps bring about a greater understanding of the different dimensions of education for democracy in the Americas, supports capacity building in the member states, and promotes horizontal cooperation in formal and non-formal education through mechanisms and opportunities for dialogue and for the dissemination of information on education topics of key importance for democratic citizenship in the Americas.

2. To instruct the General Secretariat to continue carrying out activities under the Program, such as the project “Strengthening of Democratic Values and Principles for Maintaining and Consolidating Democracy in Peru and in Latin America,” currently under way in Colombia, Guatemala, and Peru; the Cooperation Fund for Technical Assistance Missions of the Program; the project “Education for Democratic Citizenship in the Caribbean: An Online Course for Educators”; the project “The Use of Arts and the Media to Promote Civic Democracy in Children and Youth,” executed in collaboration with the Inter-American Committee on Education (CIE) and the Inter-American Committee on Culture (CIC); the Inter-American Journal of Education for Democracy; the project “Armando Paz: Building a Culture of Peace with Youth in Central America through Arts, Media, and Social Dialogue”; online courses; and others included in the CIE Work Plan (2010-2012).

3. To request the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), to present to the Ministers of Education of the Americas a progress report on the Inter-American Program on Education for Democratic Values and Practices.

4. To welcome the offer of Panama to host the Forum “The Role of Education for Democratic Values and Practices in Sustainable Democracy in the Americas,” in the framework of the commemoration of the tenth anniversary of the Inter-American Democratic Charter.

5. To request that the General Secretariat, through SEDI and the Secretariat for Political Affairs, continue supporting the Permanent Council, the Inter-American Council for Integral Development (CIDI), and member states in the design and execution of the Inter-American Program on Education for Democratic Values and Practices, and report back regularly to CIDI and to the Permanent Council.

6. To instruct the CIE, in collaboration with SEDI, the Secretariat for Political Affairs, and other relevant bodies of the inter-American system, to follow up on the implementation of the Inter-American Program on Education for Democratic Values and Practices.

7. To thank those member states that have contributed financial, logistical, and human resources for the Program’s activities.

8. To invite the member states and permanent observers, as well as individuals and national or international organizations, whether public or private, to make voluntary contributions to support the development and implementation of the Program, taking into account the commitment established by the ministers of education at their sixth meeting, held in Quito, Ecuador, from August
12 to 14, 2009, to “urge cooperation, development, and financing agencies to work together in backing the multilateral activities of the CIE, contributing new funds which, coupled with the contributions of member states and other partners, would serve to implement the mandates” that they agreed on.

9. To request CIDI, with the support of SEDI, to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
… 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.
AG/RES. 2684 (XLI-O/11)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2011)

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 Inter-American Juridical Committee (CJI/RES. 11-14/96), 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), AG/RES. 2376 (XXXVIII-O/08), AG/RES. 2450 (XXXIX-O/09), and AG/RES. 2547 (XL-O/10); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/CG-1877/11),

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. 2547 (XL-O/10).

2. To request the Permanent Council to report to the General Assembly at its forty-second regular session on developments in this regard.

3. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2685 (XLI-O/11)

STRENGTHENING OF THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECOGNIZING the importance that has been assigned by the Secretary General to the issues of women and gender equality, as well as the support provided to the Inter-American Commission of Women (CIM);

RECALLING that the year 2010 was proclaimed the Inter-American Year of Women by resolution AG/RES. 2322 (XXXVII-O/07);

RECOGNIZING the results attained by the Thirty-fifth Assembly of Delegates of the Inter-American Commission of Women, held in Mexico City from November 3 to 5, 2010, in particular the adoption of the Declaration of the Inter-American Year of Women, “Women and Power: For a World of Equality” [CIM/DEC. 10 (XXXV-O/10)];

NOTING that the Hemispheric Forum on Women’s Leadership for a Citizens’ Democracy, was held at the headquarters of the Organization of American States (OAS) from April 4 to 6, 2011; and

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), AG/RES. 2323 (XXXVII-O/07), AG/RES. 2441 (XXXIX-O/09), and AG/RES. 2560 (XL-O/10) 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 in order to strengthen its capacity to meet its increasing mandates; and

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

RESOLVES:

Assembly of Delegates of the Inter-American Commission of Women (CIM), held in Mexico City from November 3 to 5, 2010, and to urge member states to pursue or continue to pursue, effectively, the commitments contained in this document.

2. To urge the Secretary General to support 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 capacity to carry out its growing number of mandates, in particular those recognized as priorities by the member states.

3. To urge the Secretary General to include in the request for resources 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.

4. To ask member states and permanent observers to identify ways and means of supporting the CIM in the fulfillment of its mandates, including through the provision of human resources.

5. To request the Secretary General, through the Permanent Council, to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2686 (XLI-O/11)

PREVENTION AND ERADICATION OF COMMERCIAL SEXUAL EXPLOITATION AND SMUGGLING OF AND TRAFFICKING IN MINORS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

BEARING IN MIND:


The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which arose from the Third World Congress against Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, Brazil, from November 25 to 28, 2008;

The outcomes of the XX Pan American Child Congress, held in Lima, Peru, from September 23 to 25, 2009, as well as of the First Pan American Forum of Children and Adolescents in the framework of the “Program to Promote and Defend the Human Rights of Children and Adolescents,” particularly as regards promoting the participation of children and adolescents as part of the strategy of capacity building to counter the commercial sexual exploitation of children and adolescents (CSEC) and other forms of sexual violence; and

The Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from April 12 to 19, 2010;

CONSIDERING:

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 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 them from dropping out, and of programs that support children who would otherwise be marginalized, discriminated against, and without access to school programs, including indigenous
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 Organization of American States (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”; and

That resolution AG/RES. 2348 (XXXVII-O/07), “Hemispheric Cooperation Efforts to Combat Trafficking in Persons and the 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”;

TAKING INTO ACCOUNT the conclusions and recommendations of the Second Meeting of National Authorities on Trafficking in Persons, co-sponsored by the governments of the Argentine Republic and the Eastern Republic of Uruguay and held in Buenos Aires, Argentina, from March 25 to 27, 2009, which underscored the need to call attention to the negative action of so-called clients or users of trafficking for sexual exploitation; and the Eighth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas, held on February 26, 2010, in Brasilia, Brazil, the final document of which encourages member states to consider, within the framework of their respective national legislation, sanctions or other measures for so-called clients, consumers, or users of trafficking for sexual exploitation and other forms of exploitation of persons;

WELCOMING the adoption of AG/RES. 2551 (XL-O/10), “Work Plan against Trafficking in Persons in the Western Hemisphere,” which includes suggested activities to be undertaken by member states to prevent child trafficking and provide protection and care for child victims;

BEARING IN MIND that the IIN adopted in Cartagena de Indias, Colombia, the Action Plan 2007-2011, which gives particular attention to its task of helping to strengthen the capacity of states to protect the rights of minors from different threats, including CSEC;

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 the 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; 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, to date, the IIN has been implementing an Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking, which involves three areas of work: Area 1. Gathering and updating information about the topic of CSEC in the region and making it available to the states parties; Area 2. Creating information and knowledge on the topic of the CSEC to help the states parties in the design and implementation of their policies and actions intended to deal with this problem; and Area 3. Human resource training and specialized technical assistance for the states parties,

RESOLVES:

1. To take note of the progress made in implementing the three components of the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking; and to urge the Inter-American Children’s Institute (IIN) to continue to implement and reinforce that program, in keeping with the schedule established therein.

2. To invite the IIN to consider updating the aforementioned program with a view to including prevention and eradication of all forms of sexual exploitation of minors.

3. To instruct the Secretary General to continue coordinating the implementation of this program directly with the IIN, the Secretariat for Multidimensional Security, and, where appropriate, the Executive Secretariat for Integral Development (SEDI), especially by promoting the implementation of a coordinated information system that includes technical data on which to base joint decision-making, and, furthermore, to receive support and advice from other competent organs and agencies of the Organization of American States (OAS).

4. To promote and strengthen horizontal cooperation in harmonizing legislation, methodology, projects, programs, and good practices.

5. To promote and strengthen technical cooperation and exchanges of information on methods, projects, programs, and good practices.

6. To request the IIN to work jointly with the Secretariat for Multidimensional Security to develop and implement the measures contained in the Work Plan against Trafficking in Persons in the Western Hemisphere, relying on the support and advisory services of other bodies of the inter-American system and international agencies.
7. To acknowledge the work carried out by the IIN to modernize the Observatory on Commercial Sexual Exploitation and Other Forms of Violence against Children and Adolescents included in Work Area 1 of the Inter-American Program, including the publication of a virtual newsletter titled ANNaobserva, which enables states to receive periodic updated news in this area. Similarly, as part of Work Area 3 of the program, the new approaches adopted by the IIN, in coordination with several states, for the development of trained human resources and the strengthening of institutional technical capacity, specifically in this area, are recognized and appreciated, and the IIN is urged to continue to develop these approaches.

8. To take note that, as part of the strategies for generating information and exchanging experiences, on August 23 and 24, 2010, the First Regional Meeting on “The Prevention, Protection, and Restitution of Rights in the Face of the Commercial Sexual Exploitation of Children (CSEC): Experiences for Reflection,” was held in San José, Costa Rica, with the assistance and support of the National Children’s Trust (PANI), which resulted in the bilingual publication Best Practices for the Prevention, Protection, and Restitution of Rights in the Face of Commercial Sexual Exploitation of Children (CSEC).

9. To promote regional and hemispheric meetings for sharing good practices in the areas of comprehensive assistance, prevention, and legislation.

10. To applaud the continuation and updating of the website Our Voice in Colors, which is intended to encourage the participation of children and adolescents in matters of public policy that concern them, in accordance with the recommendations of the Third World Congress against the Sexual Exploitation of Children and Adolescents. This website is a novel tool within the framework of the OAS, which for the first time opens up an exclusive and permanent forum for the participation of children.

11. To take note of the IIN’s cooperative ties with the national commissions against sexual exploitation of the different member states of the inter-American system, with technical liaisons to date in 20 of the 33 active OAS member states, and to urge the IIN to continue strengthening that relationship and broaden it to include technical relationships with all OAS member states.

12. To request the IIN to continue to provide advice to member states, when requested, to support 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, as well as in training and technical assistance to national committees and to other entities that seek to prevent and eradicate this crime, protect victims, and enforce the law.

13. To express its concern at the new manifestations of CSEC, in particular the use of new technologies, and to welcome, in this regard, the findings of the thematic discussion at the Twentieth Session of the Commission on Crime Prevention and Criminal Justice, held in Vienna, Austria, from April 11 to 15, 2011, the main theme of which was “Protecting Children in a Digital Age: The Misuse of Technology in the Abuse and Exploitation of Children”; and the contribution made by the IIN in its Tenth Report to the Secretary General, which contains a rigorous study on the
topic and offers recommendations for the member states. That study is a part of Work Area 2 of the Inter-American Program, dealing with the creation of information and knowledge.

14. To urge member states, permanent observers, international financial institutions, regional and subregional organizations, and civil society organizations to contribute to financing this program and to the Specific Fund of the Inter-American Observatory on Commercial Sexual Exploitation and Other Forms of Violence against Children and Adolescents.

15. To urge member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the international instruments relating to the fight against commercial sexual exploitation and smuggling of and trafficking in minors, including the United Nations Convention against Transnational Organized Crime (Palermo Convention), adopted in 2000, the Protocol thereto to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted in 2000, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, adopted in 2000; the Convention on the Rights of the Child, adopted in 1989, and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, adopted in 2000; the Convention on the Civil Aspects of International Child Abduction, adopted in 1980; the Inter-American Convention on International Traffic in Minors, adopted in 1994; and the Inter-American Convention on the International Return of Children, adopted in 1989; and to urge the states parties to take the necessary measures to fulfill in due course their obligations under these instruments.

16. To promote among member states the adoption and implementation of protocols for the repatriation, under safe conditions, of minors who are victims of trafficking, defining the procedures to be followed by governments as guarantors of the best interest of children, based on principles enshrined in domestic and applicable international law.

17. To urge member states to establish and, where appropriate, strengthen, programs for comprehensive and inter-disciplinary care for child and adolescent victims of commercial sexual exploitation and trafficking, in particular those who have contracted HIV/AIDS, and children involved in smuggling, as well as measures to be considered to ensure full respect for their rights.

18. To request the IIN to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2687 (XLI-O/11)

PROMOTION OF CORPORATE SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolution AG/RES. 2336 (XXXVII-O/07), “Promotion of Corporate Social Responsibility in the Hemisphere”;

RECALLING previous resolutions adopted by the General Assembly on the subject of promotion of corporate social responsibility in the Hemisphere, AG/RES. 1871 (XXXII-O/02), AG/RES. 1953 (XXXIII-O/03), AG/RES. 2013 (XXXIV-O/04), AG/RES. 2123 (XXXV-O/05), AG/RES. 2194 (XXXVI-O/06), AG/RES. 2483 (XXXIX-O/09), and AG/RES. 2554 (XL-O/10);

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, organized local communities, and academic institutions, among others, play a central part in and may benefit from efforts by member states to promote and encourage 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, civil society, and other social actors play an important part in and share responsibilities for promoting and respecting the observance of human rights within the context of their activities, governments have the ultimate responsibility for upholding the rule of law and implementing their human rights obligations;

FURTHER RECOGNIZING that support for human rights, respect for the principles of labor and environmental standards, and the fight against corruption, among others, as outlined in the United Nations Global Compact, are principles that businesses, governments, and civil society, among others, should promote jointly;

TAKING INTO ACCOUNT the role that public-private partnerships can play in the eradication of poverty and hunger in vulnerable populations, as well as in the implementation of national strategies and government action plans for the improvement of social services, and that both sectors should work towards strengthening sustainable practices to fulfill those objectives;
TAKING INTO CONSIDERATION that a number of multilateral forums, including the Group of Eight (G8), the Asia-Pacific Economic Cooperation (APEC), the Organization 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 AS WELL the ongoing efforts of the Inter-American Development Bank (IDB) and the World Bank to encourage and advance good corporate practices with stakeholders and governments;

EMPHASIZING that responsible and transparent business conduct, as embodied in adherence to applicable domestic law and regulations and observance of internationally recognized guidelines and principles of corporate social responsibility (CSR), such as those identified in operative paragraph 8 of this resolution, among others, reinforces the positive effects of local and foreign investment on sustainable development;

BEARING IN MIND that responsible and transparent corporate conduct is increasingly recognized by consumers, investors, and business partners, and that these good corporate policies and practices will remain an important aspect of doing business in the twenty-first century for businesses of all sizes, engaged in any activity; and

TAKING INTO CONSIDERATION the implementation by the Organization of American States (OAS) through the Executive Secretariat for Integral Development of CSR programs for small and medium-sized enterprise (SMEs) and other participating stakeholders,

RESOLVES:

1. To take note of the holding of the VIII Inter-American Conference on Corporate Social Responsibility by the Inter-American Development Bank (IDB) in Asuncion, Paraguay, from May 24 to 26, 2011.

2. To take note also of the holding of the regional workshops and roundtable dialogues on corporate social responsibility organized by Executive Secretariat for Integral Development (SEDI) of the Organization of American States (OAS), including the workshop “Tools for Achieving an Environmentally Responsible Business Management: From Diagnosis to Evaluation” and the roundtable discussion “The Role of Various Stakeholders in Implementing Corporate Social Responsibility” held, respectively, in Lima, Peru, on June 4, 2010, and in Santiago, Chile, on July 27 and 28, 2010.

3. To encourage member states to support OAS/SEDI programs and initiatives for the promotion of CSR that contribute to information exchange and capacity-building in private-sector communities, including local organizations dedicated to corporate social responsibility (CSR).

4. To further encourage member states to consider training and mentoring opportunities for small and medium-sized enterprises to engage in CSR initiatives, through events such as the regional workshop on “Promoting Corporate Social Responsibility in Small and Medium Enterprises
in the Tourism Industry in the Caribbean,” held in St. George’s, Grenada, on September 8 and 9, 2010.

5. To instruct the General Secretariat, through SEDI, to report to the member states, in advance, on programs and initiatives on CSR that it seeks to develop for the implementation of this resolution, thereby contributing to the exchange of information on the subject.

6. To encourage dialogue between legislative bodies and the private sector on the subject of corporate social responsibility through events such as “Social Responsibility and Parliamentary Management in Latin America,” held in Costa Rica, on December 8 and 9, 2010.

7. To urge member state governments to promote corporate social responsibility programs and initiatives with special emphasis on value chains and on community engagement; 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.

8. To further urge member states to promote the use of applicable corporate social responsibility initiatives, tools, and best practices, including, as appropriate the Organization for 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, the principles contained in the ILO Resolution on the Promotion of Sustainable Enterprises, and all those in fulfillment of the United Nations Millennium Development Goals (MDG).

9. To invite member states to promote, as appropriate, best corporate practices in environmental stewardship and social responsibility with stakeholder engagement, particularly in the natural-resource extraction and manufacturing sectors; to promote the Voluntary Principles on Security and Human Rights; and to consider their participation in the Extractive Industries Transparency Initiative (EITI).

10. To invite member states to support initiatives aimed at strengthening their capacity to manage and develop natural resources in an ecologically sustainable and socially responsible manner.

11. To encourage member states and the private sector to continue to promote corporate social responsibility in the context of international economic crises.

12. To request the Secretary General to work through SEDI to join the efforts of the IDB, the Economic Commission for Latin America and the Caribbean (ECLAC), the ILO, the World Bank, and other regional and international organizations, such as the Latin American Mining Association (OLAMI) and the Regional Association of Oil, Gas and Biofuels Sector Companies in Latin America and the Caribbean (ARPEL), which contribute to exchange of information and capacity-building on existing internationally recognized principles and guidelines to enable member states to be in a position to promote CSR initiatives among their own private-sector communities.

1. The delegation of the United States notes that for greater certainty, this principle applies only prospectively and does not address the conduct of states or the private sector in prior economic crises.
13. To request CIDI, with the support of SEDI, to report to the General Assembly at its forty-second regular session, on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2688 (XLI-O/11)

SUPPORT FOR THE REGIONAL COLLOQUIUM FOR FEMALE LEADERS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Agreements Reached by the Executive Committee of the CIM 2010-2012 at its first regular session (CIM/CD/doc.8/11), in particular as they pertain to the Regional Colloquium for Female Leaders;

AFFIRMING that gender equality is a core component of democracy and that the Inter-American Democratic Charter establishes that “states shall promote the full and equal participation of women in the political structures of their countries as a fundamental element in the promotion and exercise of a democratic culture”;

CONSIDERING:

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 undertook to “encourage the full and equal participation of women in the political life and decision-making structures of our countries at all levels through laws and public policies that promote respect for women’s human rights and fundamental freedoms, as well as gender equality, equity and parity”; and

That also at the Fifth Summit of the Americas, the heads of state and government “recognize[d] the importance of considering the differentiated needs of women and men in promoting and ensuring the integration of the gender perspective as a cross cutting issue in national and hemispheric policies, plans and programmes to be implemented in the political, economic, labour, social and cultural spheres”;

RECALLING its resolution AG/RES. 2561 (XL-O/10), “Promotion of Women’s Human Rights and Gender Equity and Equality,” in which member states were urged to “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”;

BEARING IN MIND:

That the First Hemispheric Forum on Women’s Leadership for a Citizens’ Democracy, organized by the Secretariat of the Inter-American Commission of Women (CIM) in Washington, D.C., from April 4 to 6, 2011, recognized the progress made in advancing women’s human rights and leadership in the Americas and the need to ensure increased participation by women in decision making in political bodies; and
That the CIM Biennial Program of Work 2011-2012 includes dedicating efforts towards training and skills development for professionals in member states on the exercise of leadership in dialogue processes, consensus-building and policy design, and identifying areas for collaboration, networking and building partnerships with international cooperation agencies that address the issue of women’s rights and gender equality;

AWARE of the importance of going beyond numerical increases in women’s participation in political office to also addressing the qualitative representation of women’s issues in all aspects of public life, including representation of the rights and interests of women in the national political agenda;

TAKING INTO ACCOUNT:

That the 2011-2016 Strategic Plan of the CIM identifies as one of its desired outcomes the establishment of the CIM as a “hemispheric forum for dialogue, debate, exchange and generation of agendas on gender equality and women’s rights in the construction of citizen democracy as well as to build intra-hemispheric bridges that create synergies and drive actions for change in the political arena”; and

That in the 2011-2016 Strategic Plan the CIM also expresses its aim to strengthen the capacity of women to exercise democratic leadership, and in so doing, advocate for public policies with gender perspectives;

WELCOMING the decision by Trinidad and Tobago to host the three-day Regional Colloquium for Female Leaders in Port of Spain, in June 2011, with the objective of building the capacity of female leaders in the Americas to advocate for political reform, including greater representation of women in decision making in political bodies and the adoption and implementation of effective quota laws; and

NOTING that the Colloquium will comprise a training program to empower women in leadership positions to advocate for gender equality in various spheres and that this training program will be a collaborative venture among the Organization of American States (OAS), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the Caribbean Institute for Women in Leadership (CIWIL), and the Commonwealth Secretariat,

RESOLVES:

1. To congratulate the Inter-American Commission of Women (CIM) for the successful hosting of the First Hemispheric Forum on Women’s Leadership for a Citizens’ Democracy and encourage the CIM to continue in its efforts to advocate for women’s human rights and gender equality.

2. To thank the CIM for agreeing to provide technical support for the Regional Colloquium for Female Leaders to be held in June 2011 in Trinidad and Tobago.
3. To encourage the participation of all member states in the Regional Colloquium, in order to continue addressing the challenges that hinder women’s leadership at all levels in the Americas.

4. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2689 (XLI-O/11)

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

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The report of the Secretary General on implementation of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP) (CP/CG-1856/11 corr. 1); and

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), AG/RES. 2425 (XXXVIII-O/08), AG/RES. 2454 (XXXIX-O/09), and AG/RES. 2561 (XL-O/10), which took note of the reports presented by the Secretary General on implementation of 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 Organization;

RECALLING:

That, through the adoption of the 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; and

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

CONSIDERING:

The efforts that have been made by the Secretary General, with the support of the Inter-American Commission of Women (CIM), to launch the OAS Gender Program and ensure that all OAS staff, especially senior staff in management positions and new staff members who work in priority areas, are given the opportunity to raise their awareness and build their capacity on gender issues; and

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1 The Republic of Panama wishes to place on record that, in accordance with its system of laws, when reference is made to women’s rights, … (the text of this footnote continues on page 289.)
The role of the CIM as the technical advisory body of the Summit Implementation Review Group (SIRG) on all aspects of gender equity and equality, as well as the importance of the CIM for follow-up on pertinent recommendations of the Summit and in preparation for the Sixth Summit of the Americas,

RESOLVES:

1. To take note with appreciation of the Secretary General’s tenth report on 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. 2561 (XL-O/10); and to urge him to continue with its dissemination and 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 equality and women’s rights; and to continue to support the CIM’s efforts at follow-up and implementation of the IAP, including measures and recommendations for continued gender mainstreaming in the ministerial meetings on labor, justice, education, social development, science and technology, and sustainable development; in matters related to leadership, migration, violence and peacebuilding, and natural disasters, among others, as well as in follow-up on the mandates of the Summits of the Americas process.

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, working groups, 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 urge 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, as appropriate and in accordance with their domestic law, the compilation of statistics and analysis of data broken down by gender 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, young women, adult women, the elderly, people with disabilities, indigenous people, and Afro-descendants;

   c. Support the CIM in the identification of new and emerging areas to be included in the IAP, within the framework of the four pillars of the OAS, subject to the availability of financial resources, and collaborate with the CIM in developing approaches to address them; and
d. Continue to implement the commitments undertaken in the Declaration of the Inter-American Year of Women, “Women and Power: For a World of Equality” [CIM/DEC. 10 (XXXV-O/10)], adopted at the Thirty-fifth Assembly of Delegates of the CIM, held in Mexico from November 3 to 5, 2010.

5. To urge the Secretary General to:

   a. Convene the Fourth Meeting of Ministers or Highest-Ranking Authorities Responsible for the Advancement of Women (REMIM IV), to be held in the last quarter of 2011 at OAS headquarters;

   b. 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 OAS programs, activities, and policies;

   c. 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; and

   d. To continue to implement, with the support of the CIM, the OAS Gender Program and to give priority, when allocating external resources, to activities that facilitate its expansion.

6. To request the Permanent Council to report to the General Assembly at its forty-second regular session, in coordination with the CIM, on the implementation of the IAP and of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
1. … emphasis should be accorded to promotion and protection of the family, motherhood, and marriage; by the same token, references made to gender equity and equality apply specifically to men and women.
AG/RES. 2690 (XLI-O/11)
ATTENTION TO MIGRATORY FLOWS IN THE AMERICAS
WITH A HUMAN RIGHTS PERSPECTIVE
(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECOGNIZING the importance of an holistic approach to the issue of migration that enables
the establishment of national migration policies founded on full respect for the human rights of
migrants and their families and on the principles of tolerance, solidarity, gender equality, justice,
inclusion, social equity, and others;

EMPHASIZING that the American Convention on Human Rights recognizes that the
essential rights of all persons are not derived from their being nationals of a certain state, but are
based upon attributes of the human personality; and

TAKING INTO ACCOUNT the recommendations of the Forum “Extracontinental Migration
in the Americas,” held under the aegis of the Special Committee on Migration Issues (CEAM) on
April 6, 2010, with the support of the Migration and Development Program (MIDE) of the
Department of Social Development and Employment of the Organization of American States (OAS),
which recognize that migratory flows must be analyzed from an integrated perspective, taking into
account the relevant provisions of international law, particularly international human rights law, and
with a view to fostering international cooperation,

RESOLVES:

1. To support those consultation mechanisms among the Organization of American
States (OAS), other international agencies, and the subregional consultation processes, to analyze
migratory flows comprehensively, at all times from the perspective of international human rights law,
to enhance cooperation in dealing with the topic.

2. To invite the International Organization for Migration (IOM) to hold subregional
workshops to train national authorities, in particular officials responsible for managing migration, and
to continue cooperating with interested OAS member states.

3. To instruct the Permanent Council to organize in the framework of the Special
Committee on Migration Issues (CEAM), before the forty-second regular session of the OAS General
Assembly, with support from the Migration and Development Program (MIDE) of the Department of
Social Development and Employment of the OAS, a seminar and workshop on migration issues,
which shall include follow-up on the recommendations of the Forum “Extracontinental Migration in
the Americas,” held on April 6, 2010.
4. To request the Permanent Council to report to the General Assembly, at its forty-second regular session, on the implementation of this resolution.

5. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
SUPPORT FOR THE WORK OF THE CARIBBEAN SEA COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,


RECOGNIZING that the Caribbean Sea has unique biodiversity and highly fragile ecosystems;

BEARING IN MIND the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development goals;

RECOGNIZING the efforts of the Association of Caribbean States in developing and implementing regional initiatives to promote the sustainable conservation and management of coastal and marine resources;

RECALLING the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, on March 24, 1983, and the protocols thereto, which, inter alia, provide a framework for contracting parties to take all appropriate measures, in conformity with international law and in accordance with this Convention and those of its protocols in force to which they are parties, to prevent, reduce and control pollution of the Convention area and to ensure sound environmental management, using for this purpose the best practicable means at their disposal and in accordance with their capabilities;

RECALLING ALSO the creation by the Association of Caribbean States of the Caribbean Sea Commission to promote and oversee the sustainable use of the Caribbean Sea; and

TAKING NOTE that the work of the Caribbean Sea Commission includes scientific, technical, governance, and outreach components, all with a focus on living marine resources of the Wider Caribbean Sea, including linkages with the productive sectors, such as fisheries, tourism, and transportation, and considering the threats posed by climate change as well as the role of the seas as a carbon sink,

RESOLVES:

1. To encourage member states to support, to the extent possible, the Caribbean Sea Commission in its work.
2. To invite the Inter-American Council for Integral Development (CIDI) and the Secretariat for Legal Affairs, as appropriate, to support the Caribbean Sea Commission, in the mobilization of financial resources, capacity-building, the development of technical and technological cooperation, and the exchange of experiences in the field in which the Commission is actively engaged.

3. To invite the Association of Caribbean States to submit to the Secretary General a report on the progress made in the implementation of this resolution for consideration by the General Assembly at its forty-third regular session.

4. To request the Permanent Council and the Secretary General to report to the General Assembly at its forty-third regular session on the implementation of this resolution.

5. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
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 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2162 (XXXVI-O/06), AG/RES. 2330 (XXXVII-O/07), AG/RES. 2371 (XXXVIII-O/08), AG/RES. 2451 (XXXIX-O/09), and AG/RES. 2544 (XL-O/10), “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’”;

TAKING NOTE of the Permanent Council report on the implementation 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) (CP/CG-1855/11 corr. 1) and addendum 1 thereto, on the results of the Third Conference of States Parties to the MESECVI;

RECALLING that the Convention of Belém do Pará, adopted in 1994 and ratified, to date, by 32 member states of the Organization of American States (OAS), is the first binding international legal instrument that specifically addresses gender-based violence, whereby the states parties undertake to implement policies, laws, and programs of action to eradicate violence against women;

RECALLING ALSO that the Statute of the MESECVI establishes that the Mechanism consists of the Conference of States Parties and the Committee of Experts (CEVI), and that the Secretariat of both is the General Secretariat of the OAS, through the Permanent Secretariat of the Inter-American Commission of Women, with advisory services provided, as appropriate, by the Inter-American Commission on Human Rights;

BEARING IN MIND that during the Third Conference of States Parties to the MESECVI, held in Antigua, Guatemala, on March 24 and 25, 2011, the states parties formally concluded the First Multilateral Evaluation Round, and adopted the follow-up report on the recommendations made by the CEVI to governments (MESECVI-III/doc.57/11), which was referred to the OAS General Assembly in addendum 1 to the Permanent Council report on the implementation of the MESECVI;

BEARING IN MIND ALSO that the Conference agreed on measures to strengthen the Mechanism, which are contained in addendum 2 to the aforementioned Permanent Council report on the implementation of the MESECVI; and

NOTING WITH CONCERN that the human and financial resources at the disposal of the Technical Secretariat of the MESECVI have not, since its inception, been sufficient to ensure its stable, full, and effective operation, 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,

RESOLVES:

1. To take note of the Permanent Council’s report on the activities undertaken by 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) (CP/CG-1855/11 corr. 1) and addenda 1 and 2 thereto, which contain the most noteworthy results of the Third Conference of States Parties to the MESECVI.

2. To endorse the agreements reached at the Third Conference of States Parties to the MESECVI as well as the follow-up report on the recommendations made by the CEVI to governments (MESECVI-III/doc.57/11); and to reiterate its commitment to strengthening the MESECVI and to making progress with the second multilateral evaluation round.

3. To urge member states that have not already done so to give prompt consideration to ratifying or, as appropriate, acceding to the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará.”

4. To renew its invitation to all states parties as well as states not party to the Convention; permanent observers, many of which have extensive legislation and programming to combat violence against women; international financial institutions; civil society, and the private sector, to contribute to the specific fund set up to finance the operation of the MESECVI, or to make other types of contributions, such as providing the Mechanism with human resources to enable it to meet its work schedule and ensure its optimal functioning, hosting international meetings as necessary, holding workshops, and sharing experiences and best practices.

5. To express appreciation to the Government of Mexico for its annual financial contribution to the Specific Fund of the Mechanism, as well as to the governments of Argentina, Trinidad and Tobago, and Venezuela, which contributed to the fund in 2010; to the Government of Costa Rica for hosting the Sixth Meeting of the Committee of Experts of the MESECVI, held in San José from August 22 to 24, 2010; and to the Government of Guatemala for hosting the Third Conference of States Parties to the MESECVI, held in Antigua on March 24 and 25, 2011.

6. To invite states parties to the Convention to facilitate the participation of experts in meetings of the CEVI; and to urge those states parties that have not yet done so to appoint their respective expert and competent national authority.

7. To urge states parties to disseminate widely, including in the media, the objectives and importance of the MESECVI and to continue disseminating the reports and recommendations of the CEVI resulting from the first multilateral evaluation round to public agencies and to civil society as a whole.

8. To request the Secretary General to allocate, in accordance with available financial resources, the necessary human, technical, and financial resources for the CIM to continue supporting the implementation of the MESECVI.
9. To reiterate its appreciation to the Permanent Secretariat of the Inter-American Commission of Women (CIM) for its support to states parties in the process of implementing the MESECVI; and to express appreciation for the invaluable role played by the Mechanism’s Technical Secretariat in helping to meet the objectives of the Convention of Belém do Pará.

10. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

11. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2693 (XLI-O/11)

RECOGNITION AND PROMOTION OF THE RIGHTS OF PEOPLE OF AFRICAN DESCENT IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2550 (XL-O/10), “Recognition of the International Year for People of African Descent,” which recognizes United Nations General Assembly resolution 64/169 that proclaims 2011 the International Year for People of African Descent; and the special meeting of the Permanent Council of the Organization of American States (OAS), held on March 15, 2011, to commemorate the International Year for People of African Descent;

BEARING IN MIND:

That the Charter of the Organization of American States establishes as one of the principles of the Organization recognition of the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

That the American Declaration of the Rights and Duties of Man establishes that all men are born free and equal, in dignity and in rights, without distinction as to race, sex, language, creed or any other;

That the Inter-American Democratic Charter proclaims that respect for ethnic, cultural, and religious diversity in the Americas contributes to strengthening democracy and citizen participation; and

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 (IACHR) established a Special Rapporteurship on the Rights of Persons of African Descent and against Racial Discrimination, in order to promote the recognition and the rights of those persons;

RECALLING the relevant provisions on people of African descent contained in the declarations of the Summits of the Americas, as well as in the Declaration of the Regional Conference of the Americas (Preparatory Meeting for the Third World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance), held in Santiago, Chile, in 2000; and the Regional Conference for Latin America and Caribbean Preparatory to the Durban Review Conference, held in Brasilia, Brazil, in 2008;

REAFFIRMING the steadfast commitment of the member states to confront, through various mechanisms, the scourge of racism, discrimination, and intolerance in their societies as a problem that affects society in general;

TAKING NOTE of the efforts of member states to move forward with the drafting of a “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”; and

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, the rule of law, and the eradication of poverty, hunger, inequality, and social exclusion through the exchange of experiences among their regional organizations and subregional organizations, including the African Union and the OAS, in matters of strengthening democracy and integral development at regional and interregional levels,

RESOLVES:

1. To reaffirm the importance of the full, free, and equal participation of people of African descent in all aspects of political, economic, social, and cultural life in the countries of the Americas.

2. To take note of the work of the Inter-American Commission on Human Rights (IACHR) and its Special Rapporteurship on the Rights of Persons of African Descent and against Racial Discrimination, as well as the work of the General Secretariat that seeks to promote and protect the rights of persons of African descent in the member states.

3. To condemn the practices of racism, discrimination, and intolerance, of which people of African descent in the Hemisphere are victims, and to urge states to take necessary measures to address and combat those practices.

4. To reiterate the instructions given to the Permanent Council through resolution AG/RES. 2550 (XL-O/10) 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 African Union Commission as well as Organization of American States (OAS) permanent representatives.

5. To instruct the Permanent Council to include on its agenda, prior to the forty-second regular session of the General Assembly, the issue of people of African descent in the Americas.

6. To request the Permanent Council to report to the General Assembly at its forty-second regular session on the implementation of this resolution.

7. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2694 (XLI-O/11)

PROMOTION AND STRENGTHENING OF DEMOCRACY:
FOLLOW-UP TO THE INTER-AMERICAN DEMOCRATIC CHARTER

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

REAFFIRMING the provisions and essential purposes and principles identified in the Charter of the Organization of American States;

SHARING the conviction expressed in the Declaration of the Latin American and Caribbean Unity Summit that democracy is one of our region’s most valued conquests and that the peaceful transmission of power through constitutional means and in strict compliance with the constitutional rules of each of our states is the product of a continuous and irreversible process in which the region admits no interruptions or setbacks;

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 non-intervention”;

AWARE ALSO that the Charter of the Organization of American States establishes that “[e]very State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems”;

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 “[c]entral 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 ballot 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”;

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;

RECOGNIZING ALSO the importance of the Organization of American States (OAS) continuing to develop programs and activities aimed at promoting democratic principles and practices and strengthening a democratic culture in the Hemisphere, as well as the advisability of the OAS consulting and cooperating on an ongoing basis with member states;

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) and AG/RES. 2045 (XXXIV-O/04) (CP/doc.4024/05 and CP/CISC-182/05, respectively), resolution AG/RES. 2119 (XXXV-O-05), 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 resolutions AG/RES. 2422 (XXXVIII-O/08) and AG/RES. 2555 (XL-O/10);
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; 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; and

TAKING INTO ACCOUNT the commencement of the dialogue on the effectiveness of the implementation of the Inter-American Democratic Charter, in accordance with paragraph 14 of resolution AG/RES. 2555 (XL-O/10), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,”

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.

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, … (the text of this footnote continues on page 304.)
3. 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.

4. To reaffirm, as applicable, the mandates contained in resolution AG/RES. 2555 (XL-O/10), “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 and the Inter-American Democratic Charter.

5. To highlight the substantive contribution made by the Organization of American States (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.

6. 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.

7. 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.

8. 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 among these institutions as a means to build capacity and share experiences, including in the field of information and communications technology (ICT) and e-government.

9. To request the General Secretariat and member states to continue to promote a hemispheric discussion of issues relating to democratic governance, through dialogue, forums, and seminars.

10. To recognize the important role of participation by all sectors of society, including civil society, in the consolidation of democracy, given that this participation constitutes one of the vital elements for the success of development policies; and, to instruct the Permanent Council to convene the special meeting, in accordance with paragraph 13 of resolution AG/RES. 2555 (XL-O/10), no later than November 2011.

11. To instruct the Permanent Council to continue the dialogue on the effectiveness of the implementation of the Inter-American Democratic Charter, in accordance with paragraph 14 of resolution AG/RES. 2555 (XL-O/10), and that in 2011, the year of the tenth anniversary of the adoption of said Charter, it prepare its final report on the results or progress of same.
12. To request the General Secretariat to report to the General Assembly at its forty-second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
FOOTNOTE

… 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.
AG/RES. 2695 (XLI-O/11)

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 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:


The report on the implementation of resolution AG/RES. 2542 (XL-O/10) [CP/doc.4649/11];

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;

TAKING INTO ACCOUNT:

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;

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 2011.

3. To renew 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.

4. To instruct the Executive Secretariat for Integral Development to prepare a proposed 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, with a view to its presentation to the member states for consideration.

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.

7. That execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.
AG/RES. 2696 (XLI-O/11)

FINANCING OF THE 2012 PROGRAM-BUDGET OF THE ORGANIZATION

(Adopted at the first plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Preparatory Committee to the General Assembly (AG/doc.5218/11);

The report of the chair of the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee of the General Assembly on the financing of the 2012 program-budget of the Organization (AG/CP/Sub.AAP-364/11);

The annual report of the Board of External Auditors (CP/doc.4555/11), presented to the Permanent Council on May 4, 2011; and

The report presented on May 13, 2011, by the Secretary General to the Permanent Council on the financial situation of the Organization of American States (OAS) with a view to the 2012 program-budget (CP/INF.6248/11);

TAKING INTO ACCOUNT:

That, in accordance with Articles 54.e and 55 of the Charter of the Organization of American States, the General Assembly approves the program-budget of the Organization and establishes the basis for setting the quota that each government is to contribute to the maintenance of the Organization, taking into account the respective countries’ ability to pay and their determination to contribute in an equitable manner;

That the General Assembly, at its thirtieth regular session, in resolution AG/RES. 1757 (XXX-O/00), approved measures intended to encourage the timely payment of quotas;

That the General Assembly, at its thirty-fourth special session, in resolution AG/RES. 1 (XXXIV-E/07), approved the method for calculating the scale of quotas for financing the Regular Fund of the Organization; and

That, according to the method established by resolution AG/RES. 1 (XXXIV-E/07), the quota percentages of the member states for the years 2012-2014 have been assigned; and

CONSIDERING:

That human rights, democracy and governance, integral development, and multidimensional security are pillars of the Organization;
That under resolution AG/RES. 1 (XL-E/10) rev. 1 the General Assembly instructed the Subcommittee on Administrative and Budgetary Matters to consider a proposal to be submitted to the General Assembly at its forty-first regular session, to be held in June 2011, to establish the overall budget level and the sources of financing for the 2012 program-budget, including quota income, interest and rental income, contributions for technical supervision and administrative support from FEMCIDI and from trust and specific funds, and all other miscellaneous income; and that the overall budget level would include a proposal to cover the cost-of-living and statutory increases;

That the General Assembly established in resolution AG/RES. 1 (XL-E/10) rev. 1 that the total expenditure on personnel (object 1) should not exceed 64.38 percent of the indicative figure for the 2012 Regular Fund program-budget, including any statutory increases that might be required; and

That it is necessary to establish the overall budget level and the sources of financing for the 2012 program-budget, which will be adopted by the General Assembly at a special session to be held no later than October 31, 2011,

RESOLVES:

1. To set the quotas through which the member states will finance the Regular Fund of the Organization for 2012 and the assessments for income tax reimbursements in keeping with the methods adopted in resolutions AG/RES. 1 (XXXIV-E/07) and AG/RES. 41 (I-O/71), respectively, using the scale and amounts that appear in Table A, Regular Fund, Quota Assessments for 2012.

2. To set the overall budget level of the program-budget of the Regular Fund for 2012 at US$85,350,800, and to finance it as follows:

   a. Net contributions of member states in the form of Regular Fund quota payments of US$80,685,150, apportioned according to the methodology for calculating the scale of quota assessments adopted in resolution AG/RES. 1 (XXXIV-E/07) and the measures intended to encourage the prompt payment of quotas adopted by means of resolution AG/RES. 1757 (XXX-O/00);

   b. Contribution of US$341,300 from FEMCIDI to the Regular Fund for technical supervision and administrative support, in keeping with Article 80 of the General Standards to Govern the Operations of the General Secretariat, which contribution, according to the FEMCIDI Statutes, will be up to 15% of the net amount approved in 2011 for execution in 2012;

   c. Income of US$2,500,000 for technical supervision and administrative support of the trust funds and specific funds; and

   d. Other income of US$1,824,350 for interest, rentals, and amortizations, inter alia.
<table>
<thead>
<tr>
<th>Member States</th>
<th>Assessed Percentage</th>
<th>Quota Assessment</th>
<th>Tax Reimbursement</th>
<th>Credits</th>
<th>Total Assessment</th>
</tr>
</thead>
<tbody>
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<td>Antigua and Barbuda</td>
<td>0.022%</td>
<td>17,900</td>
<td></td>
<td></td>
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<tr>
<td>Argentina</td>
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<td>Saint Vincent and the</td>
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<td>174,600</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>TOTAL</strong></td>
<td>100.000%</td>
<td>81,574,500</td>
<td>8,883,000</td>
<td>90,037,250</td>
<td>81,574,900</td>
</tr>
</tbody>
</table>

a. Represents 2% of 2011 quota assessment if full payment of 2011 quota was received by April 30, 2011, plus 3% of any payment received before January 31, 2011.
b. The amount shown is estimated and may differ from the actual amount billed.
c. Effective July 5, 2009, as per resolution AG/RES. 2 (XXXVII-E/09), Honduras has been suspended from the exercise of its right to participate in the Organization of American States, in accordance with Article 21 of the Inter-American Democratic Charter. Honduras shall continue fulfilling its financial obligations as a member state of the Organization, pursuant to the provisions of said article.
d. Shown only to establish the percentage corresponding to each member state.
e. Figure does not include prompt payment discounts or charges for income tax reimbursement.
AG/RES. 2697 (XLI-O/11)
CHANGÉ OF DATE OF THE FORTY-SECOND
REGULAR SESSION OF THE GENERAL ASSEMBLY
(Adopted at the fourth plenary session, held on June 7, 2011)

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 date and determination of the venue thereof; and

CONSIDERING:

That through resolution AG/RES. 2615 (XL-O/10) the General Assembly accepted the offer of the Plurinational State of Bolivia to host the forty-second regular session of the General Assembly and determined that it would begin on the first Monday of June 2012;

That the Plurinational State of Bolivia made this offer as a reaffirmation of its commitment to the purposes and principles of the Charter of the Organization of the American States; and

That the United Nations Summit on Sustainable Development – Rio + 20 will be held during the first week of June 2012, in Brazil, coinciding with the date originally set for the forty-second regular session of the General Assembly,

RESOLVES:

1. To change the date for holding the forty-second regular session of the General Assembly to July 8 to 10, 2012, in the city of Cochabamba, Bolivia.

2. To reiterate its appreciation to the Government of the Plurinational State of Bolivia for its generous offer to host the forty-second regular session of the General Assembly.
AG/RES. 2698 (XLI-O/11)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF EL SALVADOR

( Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the forty-first regular session of the General Assembly of the Organization of American States (OAS) was held in El Salvador from June 5 to 7, 2011; and

That during this regular session of the General Assembly, the delegations expressed their profound gratitude to His Excellency Hugo Martínez, Minister of Foreign Affairs of El Salvador, for the skill with which he steered the discussions, which led to the adoption of important declarations and resolutions on high-priority issues on the hemispheric agenda; and

UNDERSCORING the warm welcome extended by the people and Government of El Salvador,

RESOLVES:

1. To express its gratitude to His Excellency Mauricio Funes, President of El Salvador, and particularly to the citizens of San Salvador, for their warm and generous hospitality and the contribution that they have made to the success of the forty-first regular session of the General Assembly of the Organization of American States (OAS).

2. To recognize and commend His Excellency Hugo Martínez, Minister of Foreign Affairs of El Salvador, on his able leadership as President of the forty-first regular session of the General Assembly.

3. To express its appreciation and gratitude to Ambassador Joaquín Maza Martelli, Permanent Representative of El Salvador to the OAS, the members of the Permanent Mission of El Salvador to the OAS, and the officials from the Ministry of Foreign Affairs of El Salvador, whose efficiency, dedication, and professionalism contributed to the success of the forty-first 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 65 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.