

ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY



FORTY-SECOND REGULAR SESSION
Cochabamba, Bolivia
June 3 – 5, 2012

PROCEEDINGS

VOLUME I

AG/DEC. 69 - AG/DEC. 70 (XLII-O/12)
AG/RES. 2699 - AG/RES. 2764 (XLII-O/12)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006

AG

ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY



OEA/Ser.P/XLII-O.2
1 February 2013
Volume 1

FORTY-SECOND REGULAR SESSION
Cochabamba, Bolivia
June 3 – 5, 2012

PROCEEDINGS

VOLUME I

AG/DEC. 69 - AG/DEC. 70 (XLII-O/12)
AG/RES. 2699 - AG/RES. 2764 (XLII-O/12)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 20006

AG

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-second regular session, held in Cochabamba, Bolivia, from June 3 to 5, 2012.



José Miguel Insulza
Secretary General
Organization of American States

TABLE OF CONTENTS

		<u>Page</u>
AG/DEC. 69 (XLII-O/12)	Declaration of Cochabamba on “Food Security with Sovereignty in the Americas”	1
AG/DEC. 70 (XLII-O/12)	Declaration on the Question of the Malvinas Islands	8
AG/RES. 2699 (XLII-O/12)	Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Poverty in the Region	10
AG/RES. 2700 (XLII-O/12)	Amendments to the Statute of the Administrative Tribunal.....	12
AG/RES. 2701 (XLII-O/12)	Free Trade and Investment in the Hemisphere.....	24
AG/RES. 2702 (XLII-O/12)	Use of Telecommunications/Information and Communication Technologies to Build an Inclusive Information Society.....	25
AG/RES. 2703 (XLII-O/12)	Strengthening the Activities of the Inter-American Program of Judicial Facilitators	27
AG/RES. 2704 (XLII-O/12)	Coordination of Volunteers in the Hemisphere in Response to Disasters and the Fight against Hunger and Poverty – White Helmets Initiative.....	28
AG/RES. 2705 (XLII-O/12)	Promotion and Strengthening of Democracy: Follow-Up to the Inter-American Democratic Charter	32
AG/RES. 2706 (XLII-O/12)	Traditional Use and Chewing of the Coca Leaf.....	37
AG/RES. 2707 (XLII-O/12)	Prevention and Eradication of Sexual Exploitation and Smuggling of and Trafficking in Minors	39
AG/RES. 2708 (XLII-O/12)	Recognition and Promotion of the Rights of People of African Descent in the Americas	44
AG/RES. 2709 (XLII-O/12)	Promotion of Women’s Human Rights and Gender Equity and Equality.....	46
AG/RES. 2710 (XLII-O/12)	Strengthening the Inter-American Commission of Women.....	49

AG/RES. 2711 (XLII-O/12)	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”.....	51
AG/RES. 2712 (XLII-O/12)	Network for Consumer Safety and Health and Inter-American Rapid Product-Safety Warning System.....	53
AG/RES. 2713 (XLII-O/12)	Adoption of Progress Indicators for Measuring Rights under the Protocol of San Salvador.....	56
AG/RES. 2714 (XLII-O/12)	Official Public Defenders as a Guarantee of Access to Justice for Persons in Situations of Vulnerability	59
AG/RES. 2715 (XLII-O/12)	Human Rights Defenders: Support for Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas.....	62
AG/RES. 2716 (XLII-O/12)	Internally Displaced Persons.....	66
AG/RES. 2717 (XLII-O/12)	Persons Who Have Disappeared and Assistance to Members of Their Families.....	69
AG/RES. 2718 (XLII-O/12)	Draft Legally Binding Inter-American Instruments against Racism and Racial Discrimination and against All Forms of Discrimination and Intolerance	72
AG/RES. 2719 (XLII-O/12)	Follow-Up to the Inter-American Program for Universal Civil Registry and the “Right to Identity”.....	75
AG/RES. 2720 (XLII-O/12)	Strengthening the Activities of the Justice Studies Center of the Americas	79
AG/RES. 2721 (XLII-O/12)	Human Rights, Sexual Orientation, and Gender Identity.....	81
AG/RES. 2722 (XLII-O/12)	Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee.....	83
AG/RES. 2723 (XLII-O/12)	Inter-American Program for the Development of International Law	85
AG/RES. 2724 (XLII-O/12)	Draft American Declaration on the Rights of Indigenous Peoples	87
AG/RES. 2725 (XLII-O/12)	Right to the Truth.....	89
AG/RES. 2726 (XLII-O/12)	Protecting the Human Rights of Older Persons	92

AG/RES. 2727 (XLII-O/12)	Access to Public Information and Protection of Personal Data	96
AG/RES. 2728 (XLII-O/12)	Promotion of the International Criminal Court	99
AG/RES. 2729 (XLII-O/12)	The Human Rights of Migrants, Including Migrant Workers and Their Families	104
AG/RES. 2730 (XLII-O/12)	Follow-Up on the Inter-American Convention against Corruption and on the Inter-American Program of Cooperation to Fight Corruption	112
AG/RES. 2731 (XLII-O/12)	Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities and Its Technical Secretariat	117
AG/RES. 2732 (XLII-O/12)	Human Rights Education in Formal Education in the Americas	120
AG/RES. 2733 (XLII-O/12)	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)	121
AG/RES. 2734 (XLII-O/12)	Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas	124
AG/RES. 2735 (XLII-O/12)	Advancing Hemispheric Security: A Multidimensional Approach	126
	I. Activities of the Committee on Hemispheric Security and Member States	128
	- Declaration of San Salvador on Citizen Security in the Americas	128
	- Follow-up to the Special Conference on Security	128
	- Special Security Concerns of the Small Island States of the Caribbean	128
	- Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	129
	- Confidence- and Security-Building in the Americas	129

	- Support for the Central American Security Strategy	130
	- Follow-up to the Meetings of Ministers Responsible for Public Security in the Americas.....	130
	II. Legal Instruments	133
	- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA)	133
	- Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC).....	134
	III. Observations and Recommendations on the Annual Reports of the Organs, Agencies, and Entities of the Organization (Article 91.F of the Charter of the Organization of American States)	135
	- Inter-American Committee against Terrorism (CICTE)	135
	- Inter-American Drug Abuse Control Commission (CICAD)	135
	- Inter-American Defense Board (IADB).....	136
	- Future of the Mission and Functions of the Instruments and Components of the Inter-American Defense System	137
	IV. Follow-Up and Reports	137
AG/RES. 2736 (XLII-O/12)	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	139
AG/RES. 2737 (XLII-O/12)	Support for and Follow-Up to the Summits of the Americas Process	144
AG/RES. 2738 (XLII-O/12)	Strengthening the Topic of Migration in the OAS: Establishment of the Committee on Migration Issues	149
AG/RES. 2739 (XLII-O/12)	Optimization of the Structure of the Inter-American Council for Integral Development	152
AG/RES. 2740 (XLII-O/12)	Extension of the Mandate of the CEPCIDI Working Group to Strengthen CIDI and Its Organs.....	154

AG/RES. 2741 (XLII-O/12)	Extension of the Term of the Strategic Plan for Partnership for Integral Development 2006-2009.....	157
AG/RES. 2742 (XLII-O/12)	Report of the Fifth Inter-American Meeting of Ministers and Highest Authorities of Culture in the Framework of CIDI and on the Celebration of the Inter-American Year of Culture	161
AG/RES. 2743 (XLII-O/12)	Report of the XIX Inter-American Travel Congress and Holding of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism.....	163
AG/RES. 2744 (XLII-O/12)	Seventh Regular Meeting of the Inter-American Committee On Ports.....	166
AG/RES. 2745 (XLII-O/12)	Inter-American Program on Education for Democratic Values and Practices	168
AG/RES. 2746 (XLII-O/12)	Strengthening Partnership for Integral Development.....	173
AG/RES. 2747 (XLII-O/12)	Report of the Seventeenth Inter-American Conference of Ministers of Labor and Support for the Inter-American Network for Labor Administration	175
AG/RES. 2748 (XLII-O/12)	Report of the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI.....	179
AG/RES. 2749 (XLII-O/12)	International Year of Quinoa, 2013	182
AG/RES. 2750 (XLII-O/12)	Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States.....	184
AG/RES. 2751 (XLII-O/12)	Promotion and Incorporation of New Forms of Cooperation for Integral Development	187
AG/RES. 2752 (XLII-O/12)	Report of the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI.....	189
AG/RES. 2753 (XLII-O/12)	Promotion of Corporate Social Responsibility in the Hemisphere	193
AG/RES. 2754 (XLII-O/12)	Amendments to Chapters VIII And IX of the General Standards to Govern the Operations of the General Secretariat: The Inspector General.....	197

AG/RES. 2755 (XLII-O/12)	Human Resource Policy of the General Secretariat of the Organization of American States	202
AG/RES. 2756 (XLII-O/12)	Indirect Cost Recovery.....	206
AG/RES. 2757 (XLII-O/12)	Excessive Volatility of Commodity Prices and Its Consequences for Food Security and Sustainable Development in the Americas	209
AG/RES. 2758 (XLII-O/12)	Protection of Asylum Seekers and Refugees in the Americas	211
AG/RES. 2759 (XLII-O/12)	Observations and Recommendations on the Annual Report of the Inter-American Court of Human Rights	214
AG/RES. 2760 (XLII-O/12)	The Human Right to Safe Drinking Water and Sanitation.....	219
AG/RES. 2761 (XLII-O/12)	Follow-Up on the Recommendations Contained in the Report of the Special Working Group to Reflect on the Workings of the Inter-American Commission on Human Rights with a View to Strengthening the Inter-American Human Rights System.....	222
AG/RES. 2762 (XLII-O/12)	Financing of the 2013 Program-Budget of the Organization.....	224
AG/RES. 2763 (XLII-O/12)	Vote of Appreciation to the People and Government of the Plurinational State of Bolivia	228
AG/RES. 2764 (XLII-O/12)	Place and Date of the Forty-Third Regular Session of the General Assembly	229

AG/DEC. 69 (XLII-O/12)

DECLARATION OF COCHABAMBA ON “FOOD SECURITY
WITH SOVEREIGNTY IN THE AMERICAS”

(Adopted at the fourth plenary session, held on June 5, 2012)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS), gathered in Cochabamba, Plurinational State of Bolivia, on the occasion of the forty-second regular session of the OAS General Assembly,

CONSIDERING that in order to live well it is required that food and nutrition security be promoted in harmony with nature, generating conditions for individuals and society to develop their full potential;

BEARING IN MIND that a healthy and nutritious diet is a fundamental prerequisite for human development, well-being, and therefore, in order to live well it is necessary to strengthen food access, availability, stability of supply, and utilization, taking into account the diverse dietary knowledge, customs, and practices of the peoples of the Americas;

RECOGNIZING that Mother Earth is a common expression for the planet earth in a number of countries and regions, which reflects the interdependence that exists among human beings, other living species, and the planet that we all inhabit;

RECOGNIZING FURTHER that the constitutional legislative principles and jurisprudence of the member states reflect the view of each country on the relationship between human beings and nature;

RECOGNIZING ALSO the importance of boosting and improving the production, access and utilization of food, which is a gift from nature that allows the commencement of life, its regeneration, and the perpetuation of humankind;

RECOGNIZING, TOO, the pivotal importance of increasing and improving investment in food research and production in order to achieve food and nutrition security for all;

BEARING IN MIND that some 925 million people in the world are suffering from undernourishment or chronic hunger, approximately 53 million of them in Latin America and the Caribbean, 9 percent of that region's population;

BEARING IN MIND ALSO that a healthy and nutritious diet helps to prevent malnutrition and non communicable chronic diseases and medical conditions that can cause premature death, such as obesity, undernourishment, diabetes, and high blood pressure, which are increasingly affecting the countries of the Americas;

RECOGNIZING that there are major disparities among the countries of the region with respect to nutrition, given that while some have made significant progress toward eliminating hunger and malnutrition there are also those where such problems remain manifestations of the poverty of their populations, affecting the most vulnerable segments;

RECOGNIZING ALSO that the countries of the Americas are affected or could be affected by crises of diverse nature—energy, financial, and climatic, among others—that may occur simultaneously and undermine food and nutrition security;

TAKING INTO ACCOUNT that recent years have seen excessive volatility of commodity prices, associated with multiple factors, which poses challenges for food security and sustainable development in the Americas;

RECOGNIZING that demand for food is growing and that the Americas region has great potential for producing large quantities of food, which could benefit food exporting countries and those that need to import it, within a framework of a universal, rules-based, open, non-discriminatory, and equitable multilateral trading system that will promote agriculture and rural development in developing countries and contribute to world food security; as well as the importance of adopting national, regional, and international strategies to promote the participation of farmers, especially smallholders, including women, in community, domestic, regional, and international markets;

BEARING IN MIND that in developing countries in the Hemisphere there are numerous small farmers, cooperatives, and communities devoted to producing food in a sustainable manner, it is of vital importance to increase government and private investment in the farming sector and to implement policies that encourage their modernization and technological innovation, improving market access for small farmers and taking into account their needs and visions of development;

AFFIRMING that family farming and small farmers are an important basis for sustainable food production aimed at achieving food and nutrition security, and recognizing the important contribution that family farming can play in eradicating poverty in the attainment of the internationally agreed development goals, including the Millennium Development Goals;

ACKNOWLEDGING that there are environmental threats and diverse problems in the region to do with food production, access, and consumption, which are exacerbated by extreme weather conditions, water shortage, and climate change that can or do adversely affect agriculture production and the poorest populations;

BEARING IN MIND that food security exists when all people, at all times, have physical and economic access to sufficient, safe, and nutritious food that meets their dietary needs and food preferences for an active and healthy life;

CONSIDERING that “food sovereignty” is under discussion at specialized international forums, that some countries have incorporated it into their national laws, and that it is related to food security and the realization of the right to food of the peoples of the Americas;^{1/ 2/ 3/ 4/ 5/ 6/ 7/ 8/}

1. United States: We believe that a Declaration focused on food security and nutrition is important and timely. However, the United States reserves ... *(The text of this footnote continues on page 7.)*

CONSIDERING the importance that developing countries determine their own food security strategies, that the adoption of food security policies is a national responsibility, and that plans for confronting the challenges of food security and eradicating poverty in relation to food security should be devised, formulated, adopted, and directed by each country, as well as be based on consultations with all the principal stakeholders at the domestic level, as well as the need for states, in particular for those affected by food insecurity, that food security be made a high priority and that this be reflected in their programs and national budgets;

BEARING IN MIND the commitments regarding the right to adequate food contained in international instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights;

UNDERSCORING the importance of the contributions of the Inter-American Institute for Cooperation on Agriculture, the Pan American Health Organization, and the Inter-American Development Bank for strengthening food and nutrition security and partnership for development in that area;

CONSIDERING that agricultural innovation is a catalyst for growth and positive change, and that its advancement is vital to increase and intensify production and productivity, improve incomes, reduce poverty and inequality, decrease the environmental impacts of the agrifood sector, respond to natural disasters, increase access to new technologies, adapt to climate change, and, consequently, achieve food security and a better quality of life for all the peoples of the Americas;

DECLARE:

1. Their decision to promote agricultural development with the goal of strengthening food security in the context of national, regional, and international development policies, taking into account the importance of modernization and technological innovation for increasing output and productivity as well as synergies between sustainable agriculture, conservation and sustainable use of biodiversity, food security, nutrition, and development policies, among others.

-
2. Canada attaches great importance to the efforts by OAS member states to achieve food and nutrition security for all, which ... *(The text of this footnote continues on page 7.)*
 3. Bolivarian Republic of Venezuela: Food sovereignty is a concept that we progressive governments use to ensure our people's right to an adequate, ... *(The text of this footnote continues on page 7.)*
 4. For the Government of Nicaragua, the concept of food sovereignty, pursuant to Article 2.1 of Law No. 693 of 2009, the Law of Food and Nutritional ... *(The text of this footnote continues on page 7.)*
 5. Chile: Until there is an international definition of the concept of "food sovereignty," Chile believes that the concept cannot be linked ... *(The text of this footnote continues on page 7.)*
 6. Barbados continues to support efforts at achieving food and nutrition security at the local, regional, hemispheric and global levels. It is, however, ... *(The text of this footnote continues on page 7.)*
 7. The Plurinational State of Bolivia fully recognizes Food Sovereignty as a right of peoples to food, and since food is a fundamental right ... *(The text of this footnote continues on page 7.)*
 8. Ecuador understands, pursuant to Article 13 of its Constitution, that food sovereignty is the right of people and communities to safe and ... *(The text of this footnote continues on page 7.)*

2. Their commitment to the goal of eradicating hunger and malnutrition in the Americas through initiatives and public policies taking into account the principles of the World Summit on Food Security held at the Food and Agriculture Organization (FAO) of the United Nations in 2009 and, for those countries that recognize the concept of “Knowing how to Eat in order to Live Well.”

3. Their commitment to promoting, at the Rio+20 United Nations Conference on Sustainable Development, the incorporation of food and nutrition security and, as appropriate, the right to an adequate diet as one of the key objectives of sustainable development.

4. Their readiness to support inter-American and regional efforts to advance a joint agenda on food and nutrition security, taking into account progress and contexts at the national level.

5. Their commitment to fostering diversification of output and of food products on the market and in homes, as well as the preservation of local food traditions, varieties, and cultures.

6. Their readiness to move forward, as each member state deems appropriate in their respective domestic context and in a manner consistent with international agreements and obligations, with public policies on:

- a. Support for family farming, as appropriate, promoting efficient land use and sustainable agricultural activities, taking into account the degree of vulnerability of smallholders to hunger and poverty;
- b. Fostering regional humanitarian cooperation and the promotion of food transfers and donations, strengthening solidarity among states and peoples in emergencies, in keeping with international agreements, according to the needs of the beneficiaries and the will of states;
- c. Promoting public-private investment in the agriculture sector, with particular attention given to smallholders;
- d. Establishing, where appropriate, strategies and mechanisms to respond to food crises, in the framework of national legislation; and
- e. Fostering an open, transparent, equitable, rules-based, and non-discriminatory system of international trade in agricultural commodities, in accordance with the agricultural mandate of the World Trade Organization Doha Round.

7. Their readiness to develop or strengthen comprehensive national strategies on food and nutrition security, as each member state deems appropriate in their respective domestic context, taking the following elements into account:

- a. Food and nutrition education initiatives and programs;

- b. Agricultural development research and its funding, supporting national research systems, universities, and other research entities, and promoting technology transfer under mutually agreed on terms and the sharing of knowledge and good practices; and
- c. The challenges to food security and sustainable development posed by excessive volatility in commodity prices.

8. Their decision to promote and strengthen public policies to stimulate sustainable farming and access to technologies, as well as measures for the management of risks associated with natural disasters and climate change adaptation.

9. Their decision to strengthen the capacity of smallholder and women farmers as a strategy to enhance agricultural development and food security by promoting equitable access to land, water, financial resources, and technologies in accordance with national legislation, as well as improving smallholder farmers' participation in and access to sustainable agriculture value chains and markets.

10. Their commitment to promoting programs aimed at broadening access to safe water and sanitation.

11. Their commitment to advancing biodiversity protection in the region in the framework of national laws.

12. Their decision to promote the sustainable increase of agricultural production and productivity with a view to increasing food supply.

13. Their commitment to moving forward with combating desertification, drought, and land degradation, and to expanding areas of cultivable land in arid and semi-arid zones in the context of integrated land-use planning, in order to contribute to food and nutrition security, while protecting biological diversity and the environment.

14. Their decision to develop legal and institutional frameworks, where appropriate, for the effective realization of the right to adequate food, within the context of food and nutrition security, in particular for poor and vulnerable individuals and groups, and with gender equity.

15. Their decision to instruct the OAS General Secretariat to strengthen coordination with the Inter-American Institute for Cooperation on Agriculture, under the aegis of existing agreements and subject to the resources available, in order to promote and link the following aspects:

- a. Support for the design and implementation of multilateral efforts in the area of food and nutrition security in the region;
- b. As part of the follow-up on the Plan of Action of Panama, "Translational Science, Technology and Innovation: Knowledge for Competitiveness and Prosperity," the creation and strengthening of cooperation programs,

projects, and activities, in order to share knowledge and encourage development of MSMEs, universities, communities, and other production units, in the area of food security;

- c. Research, agricultural development, and their funding through international cooperation, particularly of a South-South, horizontal, and triangular nature; public-private partnerships; and applied science and technology networks; and
- d. Promoting the strengthening of national and local capacities to create and analyze information and to execute and monitor policies, programs, and projects on food issues.

16. Their decision to instruct the Permanent Council, the Inter-American Council for Integral Development (CIDI), 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 and other social actors in OAS activities in the area of food and nutrition security.

17. Their decision to request CIDI to consider including food and nutrition security in the new Strategic Plan for Partnership for Development as a cross-cutting component of intersectoral public policies.

18. Their decision to request the Permanent Council of the Organization of American States to convene a special meeting on food and nutrition security in the Americas, with the participation and input of specialized agencies, such as the Inter-American Institute for Cooperation on Agriculture, the Pan American Health Organization, the World Food Program, the United Nations Food and Agriculture Organization, the Inter-American Development Bank, the “Latin America and the Caribbean without Hunger 2025” initiative, and the Caribbean Food and Nutrition Institute, among others.

19. The need to further examine various concepts such as, *inter alia*, “food sovereignty” and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times.

20. Their commitment to making institutional strengthening efforts and to encouraging greater private investment for the issues established in this declaration, and their intention to invite regional and international agencies working in the region to promote cooperation mechanisms and programs that support this effort.

FOOTNOTES

1. ... with regard to all references to “food sovereignty”. Food sovereignty is not a well-understood term. There is no single or widely shared definition of this concept. The United States is concerned that this concept could be used to justify protectionism and other restrictive import or export policies with negative consequences for food security, sustainability, and income growth that the Declaration seeks to promote. Improved access to local, regional, and global markets helps get food to the people that need it most and also helps to smooth price volatility. Food security depends on appropriate domestic actions that are consistent with international commitments.

This Declaration uses several different names for the human right concerning food or nutrition. The United States interprets all of them as references to the food related right named in the Universal Declaration of Human Rights and the Covenant on Economic, Social and Cultural Rights. As an economic, social and cultural right, this right is to be progressively realized. Although the United States has not ratified the Covenant, as a strong supporter of the Universal Declaration we have endorsed this human right.

2. remains a significant challenge in the Hemisphere. We welcome the Declaration’s attention to food and nutrition security, but disassociate from the specific references to the concept of “food sovereignty.” Canada understands that there is no clear consensus on the concept of “food sovereignty” and is concerned the concept may be used to promote protectionist interests.

3. ... nutritional, and timely supply of food. The Government of the Bolivarian Republic of Venezuela understands that “Food sovereignty is a concept used by some countries to refer to peoples’ right to define their own policies and strategies for the sustainable production, distribution, and consumption of food that guarantee the right to food for the entire population, respecting their own cultures and the diversity of peasant, fishing, and indigenous forms of agricultural production, of marketing, and of management of rural areas, in which women play a fundamental role.”

4. Sovereignty and Security, is “the right of peoples to define their own sustainable policies and strategies for the production, distribution, and consumption of food that guarantee the right to food for the entire population, based on small- and medium-scale production, respecting their own cultures and the diversity of peasant, fishing, and indigenous forms of agricultural production, of marketing, and of management of rural areas, in which women play a fundamental role. Food sovereignty guarantees food and nutritional security.”

5. to food security or to the right to food.

6. unable to support calls for the promotion of a concept, namely food sovereignty, which has technical, legal and political implications without an agreed articulation of its definition and scope.

7. for living well, it endorses the definition given by the 2001 World Forum on Food Sovereignty, held in Havana, Cuba, taking Food Sovereignty to be peoples’ right to define their own policies and strategies for the sustainable production, distribution, and consumption of food that guarantee the right to food for the entire population, based on small- and medium-scale production, respecting their own cultures and the diversity of peasant, fishing, and indigenous forms of agricultural production, of marketing, and of management of rural areas, in which women play a fundamental role.

8. permanent access to healthy, adequate, and nutritional food, preferably produced locally in accordance with their different identities and cultural traditions. Article 13 of the Constitution of Ecuador addresses the concept of food sovereignty.

AG/DEC. 70 (XLII-O/12)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 5, 2012)

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. 665 (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 forums;

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, 37/9, 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 the delegation of the Argentine Republic,

WELCOMES the reaffirmation of the will of the Argentine Government to continue exploring all possible avenues towards a peaceful settlement of the dispute and its constructive approach towards the inhabitants of the Malvinas Islands.

REAFFIRMS the need for the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume, as soon as possible, negotiations on the sovereignty dispute, in order to find a peaceful solution to this protracted controversy.

DECIDES to continue to examine the question of the Malvinas Islands at its subsequent sessions until a definitive settlement has been reached thereon.

AG/RES. 2699 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions AG/RES. 2056 (XXXIV-O/04) and AG/RES. 2139 (XXXV-O/05), “Draft Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”; AG/RES. 2241 (XXXVI-O/06), “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”; AG/RES. 2278 (XXXVII-O/07), AG/RES. 2363 (XXXVIII-O/08), AG/RES. 2449 (XXXIX-O/09), AG/RES. 2542 (XL-O/10), and AG/RES. 2695 (XLI-O/11), “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Poverty in the Region”;

The Report on implementation of resolution AG/RES. 2695 (XLI-O/11), contained in document CP/doc.4720/12; and

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; and

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;

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;

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

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

CONSIDERING:

That the General Assembly instructed the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (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 American States on democracy, integral development, and the fight against poverty, and to present the results of their work to the General Assembly for consideration at its next session;

That the Joint Working Group of the Permanent Council and CEPCIDI was established in September 2005 to comply with that mandate; and

That in October 2011 the Joint Working Group completed the negotiations on the preambular and operative sections of the draft Social Charter of the Americas (AG/doc.5242/12),

RESOLVES:

1. To welcome with satisfaction the completion of the negotiations on the preambular and operative sections of the draft Social Charter of the Americas.
2. To adopt the Social Charter of the Americas as set out in document AG/doc.5242/12.
3. To instruct the Joint Working Group of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to conclude negotiations on a draft Plan of Action of the Social Charter prior to the forty-third regular session of the General Assembly.
4. To instruct the Executive Secretariat for Integral Development to prepare the proposed draft Plan of Action, conceived for the attainment of specific, feasible goals, on the basis of the preambular and operative sections of the Social Charter of the Americas and taking into account the existing mandates related to its structure, with a view to its presentation to the member states for consideration no later than August 31, 2012.
5. To adopt the provisions and regulations established by the Permanent Council for its subsidiary organs, so as to enable the Joint Working Group to operate and elect its officers.
6. To request the Permanent Council and CEPCIDI to present the results of the work of the Joint Working Group to the General Assembly for consideration and adoption.

AG/RES. 2700 (XLII-O/12)

AMENDMENTS TO THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the “Observations of the Committee on Administrative and Budgetary Affairs concerning the ‘Report on the Costs Associated with the Proposed Amendments to the Statute of the Administrative Tribunal’” (CP/CAAP-3154/12);

CONSIDERING:

That, in the LIII regular session, held in October 2005, the members of the Administrative Tribunal recognized the need to amend some provisions in both the Statute and the Rules of Procedures of the Administrative Tribunal with a view to cutting expenses and expediting proceedings;

That, through resolution 358, the members of the Administrative Tribunal agreed to discuss and subsequently approve the preliminary draft amendments to Statute and Rules of Procedure submitted during the LVI regular session of this organ, held in April 2008;

That during the LVII regular session, held in November 2009, the members of the Administrative Tribunal, through resolution 362, approved and submitted for consideration by this Assembly the draft amendments to the Statute;

That Article XIV of the Statute of the Administrative Tribunal states, “The present Statute may be amended only by the General Assembly”; and

NOTING that the proposed amendments to the Statute will enable the members of the Administrative Tribunal subsequently to amend their own Rules of Procedure in order to establish new, simpler, and more expeditious procedures, without lacunae, and more attuned to the Organization’s austerity measures,

RESOLVES:

1. To adopt the amendments to the Statute of the Administrative Tribunal of the Organization of American States attached to this resolution.
2. To instruct the General Secretariat to publish the Statute of the Administrative Tribunal as here amended.

STATUTE OF THE ADMINISTRATIVE TRIBUNAL
OF THE ORGANIZATION OF AMERICAN STATES

(As amended by resolution AG/RES. 2700 (XLII-O/12))

Article I

Establishment and General Principles

The Administrative Tribunal of the Organization of American States, established by resolution AG/RES. 35 (I-O/71), adopted by the General Assembly on April 22, 1971, shall be governed by the following principles and the other provisions of this Statute:

- i. As the supreme organ of the Organization of American States, the General Assembly has the final authority to determine the scope and meaning of its own resolutions as it applies them;
- ii. The Tribunal, like all other organs of the Organization, is subordinate to the General Assembly;
- iii. The function of the Tribunal is to adjudicate disputes between the Secretary General and the staff members of the General Secretariat arising out of the employment relationship;
- iv. Determining the general salary policy for the personnel of the General Secretariat is the exclusive responsibility of the General Assembly, and the General Assembly has not delegated that authority to any other organ;
- v. For the adjudication of any disputes involving the personnel of the General Secretariat, the internal legislation of the Organization shall take precedence over general principles of labor law and the laws of any member state; and, within that internal legislation, the Charter is the instrument of the highest legal order, followed by the resolutions of the General Assembly, and then by the resolutions of the Permanent Council, and finally by the norms adopted by the other organs under the Charter—each acting within its respective sphere of competence;
- vi. Any decision of an organ subordinate to the General Assembly which violates the basic principles set out in the foregoing provisions is ultra vires and not binding on the Organization, the General Secretariat, its personnel, or the member states.

Article II

Jurisdiction

1. The Tribunal shall be competent to hear those cases in which members of the staff of the General Secretariat of the Organization of American States allege nonobservance of the conditions established in their respective appointments or contracts or violation of the General Standards to Govern the Operations of the General Secretariat or other applicable provisions, including those concerning the Retirement and Pension Plan of the General Secretariat.

2. The Tribunal shall be open to:

- a. Any staff member of the General Secretariat of the Organization, even after his employment or duties have ceased, and to any person who has succeeded to the staff member's rights upon his death.
- b. Any other person who can show that he is entitled to rights derived from a contract of employment or an appointment or from a provision of the General Standards or of other administrative regulations upon which the staff member could have relied.

3. For the purposes of this Statute, anyone who is connected with the Secretariat by an appointment, a contract of employment, or some other employer-employee relationship, in accordance with provisions of the General Standards or other administrative regulations shall be considered to be a staff member of the General Secretariat.

4. The competence of the Tribunal may be extended to any inter-American specialized organization of the Organization of American States as defined in the Charter of the Organization, as well as to any interested American intergovernmental organization, in accordance with the terms established by a special agreement to be concluded for the purpose by the Secretary General with each such specialized organization or interested American intergovernmental organization. Each special agreement shall provide that the specialized organization or interested organization shall be bound by the judgments of the Tribunal and shall include, among others, provisions concerning participation by the organization in the administrative arrangements necessary for the functioning of the Tribunal and its sharing of the expenses of the Tribunal.

5. Any dispute as to the competence of the Tribunal shall be settled by the decision of the Administrative Tribunal, subject to the provisions of Article I of this Statute.

6. The Tribunal shall not be competent to hear a petition where the actions involved occurred prior to April 22, 1971.

Article III

Election, Qualification, and Service of Members

1. The Tribunal shall be composed of six members elected by the General Assembly to serve for terms of six years, such terms to be staggered so that one new member is elected each year.
2. Each member must be a national of an OAS member state, but no two members may be nationals of the same member state. All members shall be experienced lawyers, law professors, or judges by profession and shall serve strictly in their personal capacity.
3. A member's term shall begin on the first day of January following the member's election. If a member resigns or otherwise separates from the Tribunal before the expiration of his term, a substitute member shall be elected by the General Assembly, or the Permanent Council if the General Assembly is not in session, to serve for the remainder of that member's term, but the substitute member shall not assume the seniority of the member being replaced.
4. A member may be reelected, but may serve no more than two consecutive terms in office. A member so reelected will lose all the seniority accumulated in his prior term.
5. The Tribunal shall have a President and a Vice President. These offices shall be held successively for one year by each member of the Tribunal, beginning with the two members having the most and second most seniority, respectively.
6. The Tribunal will meet in sessions with panels of three members.
 - a. Two panels shall be chosen by lottery from amongst the six members. The most senior member of each panel shall act as the President of that panel.
 - b. After each panel has completed sitting in one session, the President of the Tribunal shall announce the names of the members chosen by lottery to constitute the panels for the next two sessions. In the event one of those members resigns or is otherwise unable to serve, he will be replaced by another member of the Tribunal not already serving on the panel, that replacement member to be chosen by the President by lottery.
 - c. The following persons are ineligible to serve as members of the Tribunal: permanent representatives of the governments on the organs, agencies, or entities of the Organization; persons who serve permanently on those bodies in any capacity; and staff members of the General Secretariat.
7. The composition of the Administrative Tribunal shall reflect the two major legal traditions of the Hemisphere—the common-law tradition and the civil-law tradition.

Article IV

Frequency of Sessions

The Tribunal shall hold regular sessions at dates set by its Rules, subject to there being a case or cases on its list of pending cases that, in the opinion of the President, justify the meeting. Special sessions may be convoked by the President when required by pending cases.

The Tribunal may hold sessions if at least three of its members are present.

Article V

General Secretariat Support

1. The General Secretariat shall provide the Tribunal with the technical and secretariat services necessary for its functioning.

2. Operating expenses of the Tribunal, including honorariums, per diem allowances, and travel expenses of its members for attending meetings, shall be defrayed by the Organization.

Article VI

Admissibility of the Complaint

1. The Tribunal shall admit a complaint only:

- a. When the person concerned has exhausted the procedures provided in the General Standards or in other existing provisions, and the Secretary General has made the corresponding final decision;
- b. When the procedures referred to in the preceding paragraph have not been exhausted, but the interested party and the Secretary General agree that the case should be presented to the Tribunal; and
- c. When the situation contemplated in paragraph 3 of this article occurs.

2. For the complaint to be admissible, the person concerned must file the complaint within ninety days after the date on which he was notified of the final decision by the Secretary General that ___ is being contested. For the employees who serve away from headquarters, the period during which a complaint may be filed shall be one hundred and twenty days. In such case, the date of filing of the complaint shall be the date appearing on the postmark of the Post Office in which it was deposited.

3. If the Secretary General fails to make a final decision within 30 days following the date on which the procedures provided for in paragraph 1.a of this article have been completed, the

interested party may have recourse to the Tribunal and his complaint shall be admissible as if such a decision had been taken. The same criterion shall apply during the reconsideration phase stipulated in the Staff Rules, if the Secretary General fails to comply with the regulatory periods stipulated for setting up a joint advisory committee on reconsideration, or if said committee was set up but it did not make its recommendations in time. In both cases, the interested party may have recourse to the Tribunal within 30 days following the date on which the omission or delay of the Secretary General occurred.

4. In exceptional cases, and for reasons that should be explained in the judgment, the Tribunal may admit a petition even if it is presented after the period of ninety or one hundred and twenty days provided for in the two preceding paragraphs.

5. The filing of a complaint shall not have the effect of suspending implementation of the decision contested.

6. Complaints may be filed in any of the four official languages of the Organization of American States.

7. Before admitting the complaint of a person who is not a staff member, the Tribunal shall require that person to submit a filing fee, a bond, or other legally enforceable security equivalent to one month's remuneration (salary and post adjustment) at the P-4, step 6 level on the "with dependent" salary scale for headquarters, unless the Secretary General has expressly waived the reconsideration requirement, or unless a Reconsideration Committee or other formal conciliatory organ constituted by the Secretary General to advise him on the matter has found by a majority vote of its members that the person's claims are meritorious, or unless the Secretariat has failed to respond to a request for a hearing and request for reconsideration presented by the complainant in accordance with the requirements under the Staff Rules and other dispositions of the General Secretariat. Nonetheless, if the person is a former staff member, the amount so required will be the lesser of the former staff member's last full monthly remuneration (salary plus post adjustment) or one month's remuneration (salary and post adjustment) at the P-4, step 6 level on the "with dependent" salary scale for headquarters.

Article VII

Arbitration, Conciliation, Mediation, and Settlements

1. Except as otherwise stated below, the Tribunal shall recognize the finality of all settlement agreements, releases, agreements to arbitrate, and agreements to seek conciliation or mediation, and may not reopen, review, or adjudicate the issues finally resolved by those agreements or procedures, absent the express consent of all parties thereto.

2. Notwithstanding the above, the Tribunal may vacate and remand an otherwise binding arbitration decision and award, in whole or in part, where a party proves by clear and convincing evidence that:

- a. The arbitration award exceeds the maximum indemnities that may be imposed by the Tribunal under its Statute or the limit otherwise agreed to by the parties;
- b. The award was procured through corruption or misconduct of the arbitrators;
- c. The arbitrators failed to follow the material provisions of the rules of procedure, if any, agreed to by the parties, or otherwise exceeded their authority; and where the Tribunal decides not to vacate and/or remand the award, it shall confirm it.

3. Also notwithstanding paragraph 1 above, the Tribunal may, at the request of either party, correct an otherwise binding arbitration decision and award where it is clear that:

- a. There was an evident miscalculation of figures or an evident mistake in the description of any person, thing, property, or amount referred to in the award;
- b. The arbitrators have awarded upon a matter not submitted to them and the award may be corrected without affecting the merits of the decision on the issues submitted; and where the Tribunal decides not to correct the award, it shall confirm it.

4. In disputes over the classification level of a post, the President of the Tribunal shall, at the request of a party or at his own discretion, request an audit of the post in question by a qualified independent job classification expert selected in accordance with the Rules of Procedure, and, absent clear and convincing evidence of corruption or misconduct on the part of the classification expert, the Tribunal shall confirm the results of the audit as final and binding on the parties.

5. The Tribunal may recommend the parties to a claim over which it otherwise has jurisdiction submit to binding or non-binding arbitration, conciliation, or mediation. If the parties accept that recommendation, the Tribunal shall suspend further proceedings before the Tribunal in that matter pending the conclusion of the arbitration, conciliation, or mediation process recommended. No statements made by a party in the binding or non-binding arbitration, conciliation, or mediation proceedings shall be admissible against a party in the proceedings before the Tribunal on the matter absent that party's written consent.

Article VIII

Disposition of Preliminary Questions

1. Within twenty days after receiving the complaint, the respondent may submit a motion requesting that the Tribunal dismiss the entire complaint, or any part thereof, based on lack of jurisdiction under Articles I and II of the Tribunal's Statute, failure to satisfy the requirements of

admissibility under Article VI of the Statute, or failure to make a claim upon which relief can be granted.

2. Upon receipt of that motion, the complainant shall have twenty days to file with the Tribunal a written response in opposition. The respondent may file a reply to the response in opposition within twenty days of his receipt of same.

3. Within thirty days of receiving the last of the pleadings to be submitted under paragraph 2 above, the members scheduled to constitute the panel at the next session shall consult by telephone or other expeditious means and, based on those consultations, shall issue an order either granting the motion in whole or in part, denying it, or suspending all further proceedings in the action until the Tribunal can meet in session to consider it. During those thirty days, the President of the panel may submit written interrogatories to the parties for clarification, and copies of the interrogatories and answers shall be served on all parties and the corresponding Tribunal members.

4. The filing of a motion to dismiss under paragraph 1 shall suspend the time for filing an Answer under the Tribunal's Rules of Procedure until the Tribunal rules on the motion.

5. Either party shall have the right to request that the Tribunal reconsider its decision to grant the motion to dismiss in whole or in part, or deny it, at the Tribunal's next session. The requesting party shall file the motion for reconsideration within twenty days of receiving the Tribunal's decision. The filing of the motion for reconsideration will suspend further proceedings in the action pending the Tribunal's decision in reconsideration.

6. For good cause shown, the President of the panel may extend the time limits for filing the pleadings and taking the decisions provided for under this Article.

7. Failure of the respondent to make a Motion to Dismiss under this Article shall not bar or otherwise preclude the respondent from challenging the admissibility of the Complaint, the Tribunal's jurisdiction, and the legal merits of the claim in the Answer.

8. The Tribunal shall establish other summary procedures within its Rules of Procedure for the disposition of evidentiary questions and other pretrial issues consistent with its authority under Article XIII of this Statute.

Article IX

Damages, Indemnities and Liabilities

1. If the Tribunal finds that the complaint is well founded, either in whole or in part, it shall so state in its judgment and shall provide that the challenged decision shall be rescinded, that the obligation for which claim is made shall be complied with, or that the right of the complainant shall be restored in such manner as the Tribunal may deem appropriate.

2. In all cases in which the Tribunal rules that the complainant shall be reinstated in service, in its judgment it shall fix the amount that is to be paid to him for the injury suffered in the

event that the Secretary General does not, within thirty days following the date on which he is notified of the judgment, order his reinstatement in service; however, this indemnity shall not exceed the equivalent of two years' basic salary of the complainant. In exceptional cases, the Tribunal may order payment of a higher indemnity up to one more year, and shall state the reasons justifying such payment.

If the Secretary General does not make use of the power provided for in the preceding paragraph, the complainant may, nevertheless, choose to accept the indemnity agreed upon instead of being reinstated to service.

3. In all cases involving an indemnity, the indemnity shall be fixed by the Tribunal and paid by the Organization of American States or, as appropriate, by the specialized organization participating under the terms of paragraph 4 of Article II.

4. Should the Tribunal find that the procedure prescribed in the General Standards or other applicable provisions has not been observed, it may, on its own initiative or at the request of either of the parties, order that the case be remanded to the Secretary General so that the error in the procedure may be corrected. When a case is remanded under these circumstances, the Tribunal may order payment to the complainant of an indemnity, which shall not exceed the equivalent of his basic salary for three months, for such injury as may have been caused by the delay.

5. The Tribunal may order the losing party to pay the prevailing party an indemnity for attorney's fees and costs incurred by the prevailing party when the losing party has brought a clearly frivolous claim or objection, did not have solid grounds for litigating, has been totally defeated, or has been proven to have acted with actual malice. The maximum amount that can be awarded for the total of attorney's fees and costs so incurred by the prevailing parties or party shall not exceed the equivalent of one month's remuneration (salary and post adjustment) at the P-4, step 6 level on the "with dependent" salary scale for headquarters in a judgment involving up to ten complainants, and twice that amount in a judgment involving more than ten complainants. The Tribunal may require a party seeking attorneys' fees and costs to prove actual costs and fees incurred up to the above-corresponding maximum amount established under this Article.

Article X

Judgments

1. The Tribunal shall take all decisions by a majority vote.
2. Except as provided in Articles XI and XII, judgments shall be final and without appeal.
3. The judgments shall state the reasons on which they are based and shall be written in any of the four languages of the Organization of American States, in one original which shall be deposited in the archives of the General Secretariat of the Organization.

4. A certified copy of the judgment shall be provided to each of the parties in the case, and to other interested persons at their request.

Article XI

Correction of Clerical Errors and Revision based on Discovery of Previously Unknown Facts

1. The Secretary General or the complainant may apply to the Tribunal for revision of a judgment on the basis of the discovery of a fact or document of such a nature that it may be a decisive factor and which, when the judgment was given, was unknown to the Tribunal or to the party seeking revision, provided that such ignorance was not due to fault or deceit by that party. Such application must be made within thirty days of the discovery of the fact or document and within one year of the date of the judgment.

2. Clerical or arithmetical errors in judgments, or errors arising therein from any slip or omission, may be corrected by the Tribunal at any time, either on its own initiative or at the request of one of the parties.

Article XII

Review of Judgments

1. Judgments of the Tribunal may be reviewed by an ad hoc Administrative Tribunal Review Panel (Review Panel) only in instances where the Tribunal's judgment is alleged to be ultra vires because it exceeds the Tribunal's authority in relation to its jurisdiction, competence, or procedures under this Statute. The Review Panel shall not have competence to reexamine the merits of the underlying dispute.

2. A petition for review may be perfected by presenting it to the Chair of the Permanent Council. Each such petition shall set forth the legal and factual bases supporting the allegation that the Tribunal's decision in the first instance was ultra vires. That petition must be presented to the Chair of the Permanent Council within forty-five days of the appellant's receipt of the Tribunal's judgment.

3. Upon receipt of the petition, the Chair of the Permanent Council shall constitute a Review Panel. The Review Panel shall be composed of three members. One of the members of the Review Panel shall be chosen by lottery from amongst those Tribunal members who did not in the first instance hear the case being reviewed. Two members shall be chosen ad hoc from amongst the members of other administrative tribunals of other international organizations whose tribunal secretariats have their headquarters in Washington, D.C. The two ad hoc members shall be selected by the Chair of the Permanent Council, in consultation with the duly appointed representatives of the Secretary General and of the opposing parties. The Chair of the Permanent Council shall designate one of the ad hoc members to serve as President of the Review Panel, and shall determine the compensation paid to members, in consultation with the Secretary General and subject to the availability of resources.

4. Simultaneous with petitioning for review, the appellant must notify the appellees directly or through their duly authorized representatives of the petition by sending them a copy of the petition. The appellees shall have forty-five days from the date of receipt of the petition to submit in writing any observations they may have on the petition. Those observations shall be submitted directly to the Review Panel, with a copy to the appellant. Upon receipt of these observations, the appellant shall have twenty days to file a written response with the Review Panel and the appellee. The Review Panel may, at its discretion, request additional submissions of the parties. Appeals shall be decided based upon the written submissions, and without oral argument before the Review Panel, except in extraordinary circumstances as the President of the Review Panel deems appropriate.

5. The Review Panel shall follow the principles of law and procedures set out in this Statute. With prior notice to the parties, and in order to facilitate an orderly review process, the President of the Review Panel may adopt additional ad hoc procedures based on generally accepted principles of due process and consistent with the rules of procedure adopted by the Inter-American Commercial Arbitration Commission.

6. For good cause shown, the President of the Review Panel may extend the time limits for filing the pleadings provided for under this Article.

7. The decision of the Review Panel on the questions presented in the petition for review shall be binding on the Organization and all other parties, provided it is supported by a majority of the Review Panel's members. Otherwise, the Tribunal's original decision shall control.

8. Pending the conclusion of the review process, the obligation to make payment under the Tribunal's judgment shall be suspended; however, if the decision of the majority of the members of the Review Panel conclusively reaffirms the Tribunal's judgment, the appellant shall owe interest on the judgment amount beginning sixty days after the date of the original judgment at the average money-market rate for commercial banks in Washington, D.C., for the period running from the date interest begins to accrue until the date of payment.

9. The Review Panel may order the appellant to pay the appellee an indemnity for attorney's fees, the costs incurred by the appellee in defending the Tribunal's judgment, and the costs of constituting the Review Panel, when the appellant has brought a clearly frivolous appeal, did not have solid grounds for litigating, has been totally defeated, or has been proven to have acted with actual malice. The maximum amount that can be awarded for the total of attorney's fees and costs so incurred by the appellee shall not exceed the equivalent of six months' remuneration (salary and post adjustment) at the P-4, step 6 level on the "with dependent" salary scale for headquarters.

10. Before admitting the petition for review of a person who is not a staff member, the Chair of the Permanent Council shall require that person to submit a filing fee, a bond, or other legally enforceable security in the amount equivalent to six months' remuneration (salary and post adjustment) at the P-4, step 6 level on the "with dependent" salary scale for headquarters. This fee shall be held by the Secretary General in escrow pending the outcome of the review and the award by the Review Panel of any costs or attorney's fees against the appellant.

11. The General Secretariat shall provide secretariat services to the Review Panel through the Secretariat of the Administrative Tribunal. The estimated costs of those services shall be included in the proposed program-budget of the Administrative Tribunal, and monies paid by an appellant for the cost of those services pursuant to a Review Panel order shall be available to cover or reimburse the cost of those secretariat services.

Article XIII

Rules of Procedure

The Tribunal shall establish its own rules of procedure, in accordance with the provisions of the present Statute.

Article XIV

Amendments to the Statute

The present Statute may be amended only by the General Assembly.

Article XV

Gender

The use of the masculine pronoun in this Statute shall be interpreted to connote either the masculine or feminine gender, as circumstances may require.

AG/RES. 2701 (XLII-O/12)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

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

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

TAKING INTO ACCOUNT resolutions AG/RES. 1447 (XXVII-O/97), AG/RES. 1532 (XXVIII-O/98), AG/RES. 1614 (XXIX-O/99), AG/RES. 1700 (XXX-O/00), AG/RES. 1826 (XXXI-O/01), AG/RES. 1884 (XXXII-O/02), AG/RES. 1914 (XXXIII-O/03), AG/RES. 1976 (XXXIV-O/04), AG/RES. 2063 (XXXV-O/05), AG/RES. 2239 (XXXVI-O/06), AG/RES. 2301 (XXXVII-O/07), AG/RES. 2376 (XXXVIII-O/08), AG/RES. 2450 (XXXIX-O/09), AG/RES. 2547 (XL-O/10), and AG/RES. 2684 (XL-O/11); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/CG-1896/12 rev. 1),

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. 2684 (XLI-O/11).
2. To request the Permanent Council to report to the General Assembly at its forty-third 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. 2702 (XLII-O/12)

USE OF TELECOMMUNICATIONS/INFORMATION AND COMMUNICATION
TECHNOLOGIES TO BUILD AN INCLUSIVE INFORMATION SOCIETY

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the telecommunications and information and communication technologies (ICTs) environment has undergone major changes as a result of rapid technological progress, market globalization, and the convergence of telecommunication, information, broadcasting, and IT services and technologies; and

That ICTs and their applications are essential to political, economic, social, and cultural development as well as being a fundamental factor in poverty reduction, job creation, environmental protection, and natural-disaster prevention and mitigation;

MINDFUL that the Inter-American Telecommunication Committee (CITEL) continues to occupy an ideal position as an inclusive regional forum for information exchange, coordination, debate, and harmonization of national, regional, and international telecommunication/ICT strategies and policies, and for information exchange on international telecommunications/ICTs with a view to achieving access to telecommunications/ICTs; and

REAFFIRMING the nature, objectives, and functions of CITEL, whose mission is “to facilitate and promote the integral and sustainable development of telecommunications/ICTs in the Americas based on the principles of universality, solidarity, transparency, equity, reciprocity, nondiscrimination, technological neutrality, and resource optimization, taking account of the environment and sustainable human development to benefit society in every country of the region,”

RESOLVES:

1. To urge the member states to promote and encourage the existence of appropriate telecommunications/information and communication technologies (ICTs) that contribute to sustainable development in the region, with special interest in underserved areas, sharing experiences and initiatives on telecommunications/ICTs through seminars, workshops, and other hemispheric forums to encourage the dissemination of best practices and avoid duplication of effort.

2. To instruct the Inter-American Telecommunication Committee (CITEL) to remain a forum for dialogue, coordination, and cooperation in the telecommunication area in the Hemisphere and to maintain a high level in providing technical assistance and capacity-building in member states, as appropriate and in accordance with the Plan of Operations for 2012, which includes activities in the following areas: preparation of inter-American proposals for the World Radiocommunication Conference, the World Telecommunication Standardization Assembly, and the World Conference on

International Telecommunications of the International Telecommunication Union; promotion and development of and debate on new services and technologies; and coordination, planning, and consensus-building among the member states with regard to tariff and economic matters and harmonization of radio spectrum use, taking special account of the need to prevent and avoid harmful interference, and of protection against the electromagnetic non-ionizing emissions.

3. To encourage the promotion of nondiscriminatory access to telecommunication/ICT media, services, and applications, including applied research, with a view to meeting the demand for modern telecommunication/ICT services and applications.

4. To instruct the General Secretariat of the Organization of American States to continue to provide the Secretariat of CITELE the support necessary to ensure continuity in the implementation of its mandates.

5. To instruct CITELE to continue conducting, organizing, or sponsoring the studies necessary to highlight the contribution of ICTs and their applications in integral development.

6. To request the General Secretariat 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.

AG/RES. 2703 (XLII-O/12)

STRENGTHENING THE ACTIVITIES OF THE INTER-AMERICAN PROGRAM
OF JUDICIAL FACILITATORS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT:

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, as they pertain to access to justice;

That expanding access to justice is fundamental for the full exercise of human rights and democratic governance; likewise, it is essential for successful citizen security strategies and for the elimination of poverty and inequality;

The work performed free of charge by thousands of judicial facilitators, who render assistance to justice administration bodies, inform the population about legal norms, provide advice, and facilitate friendly settlements as allowed by law; and

That the Inter-American Program of Judicial Facilitators strengthens national justice administration systems, helps prevent crime and violence, promotes a culture for the peaceful resolution of conflicts with legal relevance, and lessens litigation in conflict situations; and

CONSIDERING the successful implementation of national judicial facilitator services in Argentina, Guatemala, Nicaragua, Panama, and Paraguay under agreements between their judicial bodies and the OAS General Secretariat through its Inter-American Program of Judicial Facilitators,

RESOLVES:

1. To support the work of the Inter-American Program of Judicial Facilitators in helping judicial bodies and other institutions involved in the administration of justice to establish national judicial facilitator services and in training justice operators.
2. To invite member states and permanent observers to make voluntary contributions to support the Inter-American Program of Judicial Facilitators.
3. To urge the General Secretariat to continue assisting member states who ask to establish national judicial facilitator services and to train their justice operators through the Inter-American Program of Judicial Facilitators.

AG/RES. 2704 (XLII-O/12)

COORDINATION OF VOLUNTEERS IN THE HEMISPHERE IN RESPONSE
TO DISASTERS AND THE FIGHT AGAINST HUNGER AND POVERTY –
WHITE HELMETS INITIATIVE

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the General Secretariat's reports on the White Helmets Initiative; resolutions AG/RES. 1351 (XXV-O/95), AG/RES. 1403 (XXVI-O/96), AG/RES. 1463 (XXVII-O/97), AG/RES. 2018 (XXXIV-O/04), AG/RES. 2165 (XXXVI-O/06), AG/RES. 2372 (XXXVIII-O/08), and AG/RES. 2558 (XL-O/10); and declarations AG/DEC. 45 (XXXV-O/05) and AG/DEC. 55 (XXXVII-O/07);

NOTING AG/RES. 2647 (XLI-O/11) and 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);

RECALLING that at the First Summit of the Americas, held in Miami in 1994, the Heads of State and Government committed to creating, organizing, and financing volunteer corps, such as the White Helmets, to work at the national level and, at the same time, to be available to other countries of the Hemisphere;

RECALLING ALSO that at the Fourth and Sixth Summits of the Americas, held in Mar del Plata in 2005 and in Cartagena in 2012, respectively, the Heads of State and Government expressed their concern at the increased intensity of disasters and their effects on human lives, infrastructure, and economies, and they called for a strengthening of disaster management programs, reaffirming their commitment to combating poverty, inequality, hunger, and social exclusion, and emphasizing that disaster risk management is a priority for national public policies and development strategies;^{1/2/}

REAFFIRMING that disaster-risk reduction and management must be one of the priorities of development policies and must be assumed as an integral process covering prevention, mitigation, planning, preparation, monitoring, response, recovery, rehabilitation, and reconstruction;

REASSERTING the need to expand and improve networks and mechanisms for cooperation and mutual assistance among member states and subregional, regional, and international agencies, and the importance of participation by communities and their organizations in the diagnostic assessment of their problems and in preparing tools for disaster prevention and response actions;

-
1. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... (*The text of this footnote continues on page 33.*)
 2. The Government of Nicaragua considers that the reference to the Summit in Cartagena, Colombia, and the appeal to strengthen the so-called ... (*The text of this footnote continues on page 33.*)

UNDERSCORING the importance of the international response to disasters, which should take place at the request of the affected state, in close coordination with its national authorities, and in accordance with the guiding principles of emergency humanitarian assistance;

EMPHASIZING the increase in recent years in regional humanitarian assistance—of which the White Helmets Initiative and the efforts of the Initiative to coordinate with other international mechanisms for humanitarian assistance are a part—in strengthening the subregional agencies involved with disaster-risk management, in the creation of its Forum on Coordination and Cooperation, and in helping to create coordination and response tools;

MINDFUL of the permanent assistance rendered by the White Helmets Initiative to the Republic of Haiti and the missions deployed over the past two years in El Salvador, Honduras, and Nicaragua, in the wake of Tropical Depression Twelve-E; in Bolivia, Brazil, Colombia, Costa Rica, Ecuador, and Venezuela, as a result of the floods that affected their territories; and in Jamaica and Saint Lucia, on account of the damage caused by Tropical Storm Nicole and Hurricane Thomas, respectively; as well as the project for the development of risk management volunteers in Guatemala and the project for strengthening the emergency systems in El Salvador and the Dominican Republic; and

RECOGNIZING that the actions undertaken by the White Helmets Initiative are in alignment with the principles of the Charter of the Organization of American States, are carried out at the request of the affected state and in close collaboration with its relevant national authorities, and are governed by the principles of humanity, neutrality, and impartiality,

RESOLVES:

1. To reiterate its support for the White Helmets Initiative as one of the valuable mechanisms in the Hemisphere for disaster prevention, mitigation, and response and for fighting hunger and poverty.
2. To encourage the General Secretariat to continue strengthening and coordinating actions between the White Helmets Initiative and the Executive Secretariat for Integral Development, and with other relevant bodies and mechanisms of the Organization of American States, and also to continue encouraging other agencies and institutions in the region to enter into partnerships and working agreements.
3. To encourage the White Helmets Initiative to continue promoting regional humanitarian cooperation as it expands and, within that framework, to continue sharing its experiences and best practices in responding to and preparing for disasters.
4. To invite those member states that so wish to designate focal points for the White Helmets Initiative and to create, where appropriate, national volunteer corps systems to comprise the Regional Humanitarian Volunteer Corps Network.
5. To invite those member states that so wish to make contributions to the OAS/White Helmets Special Fund, recalling that in recent years the Fund has enabled the holding of national and

international seminars and training workshops, the implementation of local capacity-building projects, and humanitarian assistance missions to countries of Latin America and the Caribbean.

6. To request the General Secretariat to report to the General Assembly at its forty-fourth 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. ... in Cartagena de Indias, Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts, as applicable.

2. ... “Summit of the Americas” are inappropriate in that during that event, the Heads of State and Government were unable to consider or adopt the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean for the sister republic of Cuba to participate unconditionally and on a footing of sovereign equality. We reaffirm that a “Summit of the Americas” cannot be held without the presence of Cuba. The mandates and operative paragraphs on the core themes were part of the Political Declaration and as the latter were not adopted, nor were the former. For that reason, Nicaragua disagrees with making references to these documents and mandates, which were not adopted.

AG/RES. 2705 (XLII-O/12)

PROMOTION AND STRENGTHENING OF DEMOCRACY:
FOLLOW-UP TO THE INTER-AMERICAN DEMOCRATIC CHARTER

(Adopted at the second plenary session, held on June 4, 2012)

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 Unity Summit of Latin America and the Caribbean 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 “[e]ssential elements of representative democracy include, *inter alia*, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government”;

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 the importance that the Organization of American States (OAS) continue to develop programs and activities aimed at promoting democratic principles and practices and at strengthening a democratic culture in the Hemisphere, as well as the advisability that the OAS consult and cooperate 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”;

TAKING INTO ACCOUNT resolutions AG/RES. 1957 (XXXIII-O/03), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter”; AG/RES. 2154 (XXXV-O/05), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter”; AG/RES. 2251 (XXXVI-O/06), “Promotion of Regional Cooperation for Implementation of the Inter-American Democratic Charter on the Occasion of Its Fifth Anniversary”; AG/RES. 2327 (XXXVII-O/07), AG/RES. 2422 (XXXVIII-O/08), AG/RES. 2480 (XXXIX-O/09), AG/RES. 2555 (XL-O/10), and AG/RES. 2694 (XLI-O/11), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter”;

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); and the reports of the Secretary General on the implementation of resolutions AG/RES. 1993 (XXXIV-O/04) (CP/CISC-174/05) and AG/RES. 2327 (XXXVII-O/07), as well as the implementation of resolutions AG/RES. 2422 (XXXVIII-O/08), AG/RES. 2555 (XL-O/10), and AG/RES. 2694 (XLI-O/11);

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 NOTE of the Final Report on the Dialogue on the Effectiveness of the Implementation of the Inter-American Democratic Charter (CP/doc.4669/11 rev. 3), which resulted from the implementation of resolutions AG/RES. 2555 (XL-O/10) and AG/RES. 2694 (XLI-O/11), “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.

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, and to improve awareness, disseminate the precepts, and promote the application of this inter-American instrument in the countries of the Hemisphere. Furthermore, to instruct the General Secretariat to continue to assist the

Permanent Council and member states that so request in implementing the Inter-American Program on Education for Democratic Values and Practices.

4. To reaffirm, as applicable, the mandates contained in resolution AG/RES. 2694 (XLI-O/11), "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 invite donors to pursue, through the General Secretariat, a coordinated donor approach in supporting OAS electoral observation missions, so as 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 fields of civil registry; cooperation and legislative and electoral-technology modernization; decentralization and local governments; public administration and transparency; community participation; capacity-building for youth and children on democratic values and practices; information and communications technologies (ICTs); 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 such participation is one of the vital elements for the success of development policies.

11. To instruct the Permanent Council to continue the Dialogue on the Effectiveness of the Implementation of the Inter-American Democratic Charter, taking into account all the topics addressed and discussions contained in the Final Report (CP/doc.4669/11 rev. 3) approved on December 14, 2011.

12. To request the General Secretariat 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.

AG/RES. 2706 (XLII-O/12)

TRADITIONAL USE AND CHEWING OF THE COCA LEAF^{1/ 2/ 3/ 4/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING NOTE of the United Nations Declaration on the Rights of Indigenous Peoples of 2007, which states in its Article 31 that indigenous peoples “have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies, and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions”;

RECALLING the Convention on the Protection and Promotion of the Diversity of Cultural Expressions of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which protects and promotes the diversity of cultural expressions;

BEARING IN MIND that International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries calls for the recognition and protection of the social, cultural, religious, and spiritual values and practices of said peoples, in its application by the states parties; and

CONSCIOUS of the importance of preserving the cultural and ancestral practices of indigenous peoples in a framework of respect for their human rights and fundamental freedoms, in accordance with international instruments,

RESOLVES:

To recognize that the traditional custom of chewing (*akulliku*) the coca leaf is an ancestral cultural manifestation of the peoples of Bolivia and Peru that must be respected by the international community.

-
1. Canada remains committed to promoting and protecting the rights of indigenous peoples at home and abroad. However, Canada regrets that ... *(The text of this footnote continues on page 44.)*
 2. The United States remains committed to promoting and protecting the rights of indigenous peoples and the human rights of indigenous individuals ... *(The text of this footnote continues on page 44.)*
 3. St. Vincent and the Grenadines acknowledges the traditional and ancestral use of the coca leaf by the indigenous people of Bolivia and Peru but ... *(The text of this footnote continues on page 44.)*
 4. Trinidad and Tobago recognizes the importance of preserving the cultural and ancestral practices of the indigenous peoples of Bolivia in the framework ... *(The text of this footnote continues on page 44.)*

FOOTNOTES

1. ... it must disassociate itself from this resolution for other reasons. Namely, the resolution does not: (i) recognize that coca leaf cultivation is overwhelmingly for the purpose of manufacturing illicit drugs; (ii) acknowledge the commitment of Member States to the UN 1961 Single Convention on Narcotic Drugs as amended by the 1972 Protocol; and (iii) recognize member states' commitment to reduce illicit drugs, including efforts to significantly reduce or eliminate illicit cultivation of coca bush by 2019, by their adoption of the 2009 UN Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. Canada remains committed to the 2010 OAS Hemispheric Drug Strategy and 2011 Plan of Action.

2. ... at home and abroad. However, the United States regrets that it must disassociate itself from this resolution because it is inconsistent with international counternarcotics treaties.

3. ... cannot join consensus on the basis of public health and national security considerations which arise from the production and use of the coca plant and other plants with similar scientific properties.

4. ... of respect for their human rights and fundamental freedoms in accordance with international instruments, but is unable, on the basis of domestic policy, to join the consensus on the resolution on the Traditional Use and Chewing of the Coca Leaf.

AG/RES. 2707 (XLII-O/12)

PREVENTION AND ERADICATION OF SEXUAL EXPLOITATION
AND SMUGGLING OF AND TRAFFICKING IN MINORS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

Resolutions AG/RES. 2432 (XXXVIII-O/08), AG/RES. 2486 (XXXIX-O/09), AG/RES. 2548 (XL-O/10), and AG/RES. 2686 (XLI-O/11), “Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Minors,” as well as other resolutions adopted by the General Assembly in previous years on the subject of trafficking in persons;

The importance of the Convention on the Rights of the Child, adopted by the United Nations in 1989, which protects and promotes the rights and best interests of the child, Articles 34 to 36 of which highlight the need to protect children from sexual exploitation, sale, trafficking, abduction, and exploitation;

The Hemispheric Plan of Action against Transnational Organized Crime, adopted by the Permanent Council of the Organization of American States in resolution CP/RES. 908 (1567/06), the aim of which is to prevent and combat the different forms and manifestations of transnational organized crime, including trafficking in persons, especially women and children;

The Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World that came out of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from April 12 to 19, 2010;

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; and

That among the strategies to generate information, share experience, and build on the experience gained in Costa Rica in 2010, the Second Regional Meeting on “Prevention, protection, and restoration of the rights of children against commercial sexual exploitation in the Caribbean” was held in Jamaica on July 6 and 7, 2011, with the participation of 12 states from the subregion; and the Third Subregional Meeting was held in Paraguay on May 30 and 31, 2012, bringing together 10 states from the south of the Hemisphere;

CONSIDERING:

That the sexual exploitation and smuggling of and trafficking in minors continues to have a considerable impact on our states, and so it is necessary to continue implementing effective policies and strategies to combat those criminal acts;

The importance of continued progress with bilateral, subregional, and regional efforts toward strengthening cooperation in fighting the sexual exploitation and smuggling of and trafficking in minors;

That, in the Charter of the Organization of American States, the member states reaffirm 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 whose rights have been violated, juvenile offenders, children with disabilities, working children, and children affected by conflict and/or humanitarian emergencies; and

That resolution AG/RES. 2240 (XXXVI-O/06), “Combating the Commercial Sexual Exploitation and Smuggling of and Trafficking in Children in the Hemisphere,” 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 specifically includes the Inter-American Children’s Institute (IIN) and other agencies of the Organization of American States in the request for work in this subject area to be coordinated with the General Secretariat’s Department of Public Security;

WELCOMING WITH SATISFACTION 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 as well as mandates assigned to the General Secretariat;

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 in Cartagena de Indias, Colombia, on July 26 and 27, 2007, 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 by 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 in pursuit of resolutions adopted by the General Assembly; as well, the annual report to the Secretary General on

the steps taken to combat commercial sexual exploitation of children (CSEC) in the member states, pursuant to the mandate contained in AG/RES. 1667 (XXIX-O/99); and

BEARING IN MIND that the IIN has made progress in implementing the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking, which involves three areas of work: 1. Gathering and updating information about the topic of CSEC in the region and making it available to the states parties; 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 3. Human resource training and specialized technical assistance for the states parties,

RESOLVES:

1. To take note of the progress made in consolidating and deepening the three components of the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking (hereinafter the Inter-American Program) and to express its satisfaction at the approval of the new Plan of Action of the Inter-American Children's Institute (IIN) for the 2011-2015 period, which includes a proposal for continuing the activities of the Inter-American Program, while extending and developing them, in order to improve protection for children against new forms of sexual exploitation in the Hemisphere.

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, as well as restoration of the rights of victims of this crime.

3. To acknowledge the work carried out by the IIN in the framework of the Inter-American Program to modernize the ANNA Observa Observatory, and the publication of a virtual newsletter which enables states to receive periodic updated news in this area, notably through the use, by the IIN, of new technologies in pursuing its activities. Similarly, the new approaches adopted by the IIN, in coordination with several states, for the development of human resources and the strengthening of institutional technical capacity are recognized and appreciated, and the IIN is urged to continue to develop these approaches.

4. To take note of the IIN's cooperative ties with the national commissions against sexual exploitation of the member states of the inter-American system, with technical liaisons, to date, in 30 of the 34 active member states of the Organization of American States (OAS), and to urge the IIN to continue strengthening that relationship.

5. To applaud the continuation, updating, and re-launch 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 makes available to organizations for adolescents recommendations and information to bolster their capacity to protect themselves against different forms of commercial sexual exploitation of children (CSEC).

6. To welcome the preparation by the IIN of the eleventh report to the Secretary General, focused on an analysis of experiences in the region relating to strategies for restoring the

rights of victims of CSEC and, given the demand expressed by states for expertise in this area, to request that it be disseminated as widely as possible.

7. To promote and strengthen horizontal cooperation and the coordination of efforts between governmental agencies that deal with issues related to sexual exploitation and smuggling of and trafficking in minors, in the areas of harmonization of legislation, policies on the restoration of rights, methodologies, projects, programs, and best practices adopted by each state; and to encourage, with respect for human rights, the adoption and application of effective legal standards to prevent and eradicate those criminal acts.

8. To instruct the Secretary General to continue coordinating the development of this program directly with the IIN, the Secretariat for Multidimensional Security (SMS)—especially the OAS Anti-Trafficking in Persons Coordinator—and the Executive Secretariat for Integral Development, as appropriate.

9. To request the IIN to continue advising and supporting member states, when requested, in their efforts to adopt, amend, and implement their domestic regulations to prevent and combat sexual exploitation and smuggling of and trafficking in minors, including legislation on travel authorizations and migration control.

10. To reaffirm the commitment to work in coordination and with respect for human rights in preventing and countering sexual exploitation and smuggling of and trafficking in minors.

11. To request the IIN to work jointly with the SMS—especially the OAS Anti-Trafficking in Persons Coordinator—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.

12. To request the IIN and the SMS to coordinate their efforts to advise member states on the adoption, amendment, and implementation of their domestic laws, regulations, and procedures to combat sexual exploitation and smuggling of and trafficking in minors, including legislation on travel authorizations and migration control.

13. To request the IIN to continue reporting to the states parties on member states' successful experiences and progress in the area, including achievements in caring for victims and fighting crime in local or community contexts.

14. To request the IIN to promote and strengthen horizontal cooperation in the area of harmonization of legislation, policies on the restoration of rights, methodologies, projects, programs, and best practices that each state adopts to address sexual exploitation and smuggling of and trafficking in minors.

15. To invite those member states that have not yet done so to consider signing, ratifying, or acceding to, as appropriate, the international instruments relating to the fight against 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 encourage member states to consider seeking other means of increasing the funds allocated to the IIN, taking into account the expanded scope of this resolution, and to invite the permanent observers, international financial institutions, regional and subregional organizations, and civil society organizations to contribute to financing this inter-American program and the Specific Fund of the Inter-American Observatory on Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Minors, as well as the work of the OAS Anti-Trafficking in Persons Coordinator.

17. To urge member states to establish and, where appropriate, strengthen, programs for comprehensive and inter-disciplinary care for child and adolescent victims of 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-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.

AG/RES. 2708 (XLII-O/12)

RECOGNITION AND PROMOTION OF THE RIGHTS OF PEOPLE
OF AFRICAN DESCENT IN THE AMERICAS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2550 (XL-O/10), "Recognition of the International Year for People of African Descent," and AG/RES. 2693 (XLI-O/11), "Recognition and Promotion of the Rights of People of African Descent in the Americas";

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 factor;

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 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 the Caribbean Preparatory to the Durban Review Conference held in Brasilia, Brazil, in 2008;

RECALLING ALSO the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in 1993; the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001; and the Durban Review Conference held in Geneva, Switzerland, in 2009;

RECOGNIZING the work of the Department of International Law and other areas of the OAS General Secretariat, through projects and other activities on people of African descent in the

Americas, especially the Workshop for Training of Trainers of Afro-descendant Leaders in the Americas, held in Panama City, Panama, from March 27 to 29, 2012;

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; and

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,”

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 and its Special Rapporteurship on the Rights of Persons of African Descent and against Racial Discrimination, as well as the work of the Department of International Law and other areas 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 instruct the Committee on Juridical and Political Affairs to include on its agenda, prior to the forty-third regular session of the General Assembly, the issue of people of African descent in the Americas.

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

6. 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. 2709 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The report of the Secretary General on the implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP) (CP/doc.4686/12); 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), AG/RES. 2561 (XL-O/10), and AG/RES. 2689 (XLI-O/11), which take note of the Secretary General's reports on the implementation of the IAP and of the outcomes of the actions undertaken to that end by the organs, agencies, and entities of the Organization of American States (OAS) mentioned in said reports;

RECALLING that, through the adoption of the IAP by resolution 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 promoting and protecting women's human rights and gender equity and equality, and achieving equality of rights and opportunities between women and men; 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 the Organization's 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 so as to mainstream the issues in their different areas of work; and

The role of the CIM as the technical advisory body of the Summit Implementation Review Group on all aspects of gender equity and equality, as well as the importance of the CIM for follow-up on pertinent recommendations of the Summits,

RESOLVES:

1. To take note with appreciation of the Secretary General's eleventh report on the implementation of the Inter-American Program on the Promotion of Women's Human Rights and

Gender Equity and Equality (IAP), submitted in fulfillment of resolution AG/RES. 2689 (XLI-O/11), 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 its efforts at follow-up and implementation of the IAP, including gender mainstreaming in all areas, in the ministerial meetings convened by the Organization, and in the follow-up to 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 in the work of its special committees and working groups and in its resolutions, activities, and initiatives, as the case may be, to ensure that they benefit women and men on an equal and equitable basis.

4. To urge the member states to:

- a. Continue their efforts to fulfill their commitments acquired at the inter-American and international levels in the areas of women's human rights and gender equity and equality, *inter alia*, through the formulation, strengthening, implementation, and execution of public policies and norms promoting these factors, particularly the commitments made in the IAP;
- b. Promote the full and equal access, participation, representation, leadership, and impact of women in the civil, political, economic, social, and cultural spheres;
- c. Begin or continue, in accordance with their domestic laws and where appropriate, 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;
- d. Formulate public policies, strategies, and proposals to promote women's human rights and gender equity and equality in all spheres of public and private life, considering their diversity and their life cycles; and
- e. Support the CIM in the identification of new and emerging areas to be included in its work and in that of the Organization, subject to the availability of financial resources.

5. To urge the Secretary General to:

- a. Continue, with support from the CIM, promoting and working on full implementation of the IAP so as to achieve integration of a gender perspective in all OAS programs, activities, and policies;

- b. Request the organs, agencies, and entities of the Organization to include in their annual reports to the General Assembly their initiatives to mainstream a gender perspective in their policies, programs, projects, and activities; and to forward that information to the CIM so that it may be included in the annual report to the General Assembly that is drawn up pursuant to this resolution;
- c. Ensure that, in the Organization's communication, dissemination, and publicity activities, priority is given to the rights of women and gender equality in order to raise the profile of these issues in the Organization's work;
- d. Continue implementing, with the support of the CIM, the OAS Gender Program and, when allocating external funds, prioritize activities that facilitate its expansion; and
- e. Include a direct link to the CIM on the main web page of the OAS.

6. To request the Permanent Council, in coordination with the CIM, to report to the General Assembly at its forty-third regular session on the implementation of the Inter-American Program 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.

AG/RES. 2710 (XLII-O/12)

STRENGTHENING THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECOGNIZING the importance that has been assigned by the member states and 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);

NOTING the holding of the Hemispheric Forum on “Women’s Leadership for a Citizens’ Democracy” at the headquarters of the Organization of American States from April 4 to 6, 2011;

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), AG/RES. 2560 (XL-O/10), and AG/RES. 2685 (XLI-O/11) 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 growing 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:

1. To again urge the Secretary General to provide the Inter-American Commission of Women (CIM), in its role as a specialized agency of the Organization of American States, with human resources that meet the necessary requirements of suitability, training, and experience in gender matters, as well as in planning and programming; and to furnish it with sufficient financial resources to bolster its capacity to carry out its growing mandates, in particular those recognized as priorities by the member states.

2. 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, to make voluntary contributions to support the development and implementation of CIM projects and programs.

3. 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.

4. To request the Secretary General to report, via the Permanent Council, 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.

AG/RES. 2711 (XLII-O/12)

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 second plenary session, held on June 4, 2012)

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), AG/RES. 2544 (XL-O/10), and AG/RES. 2692 (XLI-O/11), “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’”;

HAVING SEEN the Permanent Council report on the activities 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-4677/12) and the results of the Fourth Conference of States Parties to the MESECVI;

RECALLING that the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” 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;

NOTING that the Convention of Belém do Pará and its Follow-up Mechanism have served as a model for the Convention on Preventing and Combating Violence against Women and Domestic Violence and its monitoring mechanism, adopted by the European Council in 2011;

RECOGNIZING the progress made by the MESECVI in the Second Multilateral Evaluation Round, in which its bodies have adhered more strictly to the established deadlines, achieving greater participation by the states;

RECOGNIZING also that the recommendations issued by the Committee of Experts of the MESECVI in the Second Hemispheric Report for better implementation of the Convention of Belém do Pará were endorsed by the Fourth Conference of States Parties;

CONSIDERING that the country and hemispheric reports adopted in multilateral evaluation rounds are a fundamental means for tracking progress in the prevention, punishment, and eradication of violence against women and identify the challenges for future action,

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-4677/12).

2. To endorse the agreements reached at the Fourth Conference of States Parties to the MESECVI, reiterating its commitment to strengthening the MESECVI and to making progress with the second multilateral evaluation round.

3. To urge member states to disseminate in the media the objectives and importance of the MESECVI and to disseminate the reports and recommendations of the Committee of Experts (CEVI) resulting from the multilateral evaluation rounds.

4. 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."

5. To express appreciation to the Governments of Argentina, Mexico, Trinidad and Tobago, and Venezuela for their contribution to the Specific Fund of the Mechanism in 2011.

6. To urge all states parties, those that are not a party to the Convention—many of which have laws and broad programs for combating violence against women—international financial institutions, civil society, and the private sector to make voluntary contributions to the specific fund in order to furnish the Mechanism with the necessary human and financial resources to ensure its full, stable, and effective operation.

7. To request the Secretary General, in accordance with available financial resources, to give priority to allocating the necessary human, technical, and financial resources for the Inter-American Commission of Women (CIM) to optimize its work as Technical Secretariat of the MESECVI.

8. To express its appreciation for the work of the MESECVI Committee of Experts (CEVI), which has made it possible to progress in the second multilateral evaluation round and consolidate the Mechanism.

9. To reiterate its appreciation to the 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-third regular session on the implementation of this resolution.

AG/RES. 2712 (XLII-O/12)

NETWORK FOR CONSUMER SAFETY AND HEALTH AND
INTER-AMERICAN RAPID PRODUCT-SAFETY WARNING SYSTEM

(Adopted at the second plenary session, held on June 4, 2012)

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 the improved functioning of markets through clear, effective, and transparent regulatory frameworks;

CONSIDERING ALSO the proven importance of strengthening states' capacity to monitor and control the safety of products available on the market for consumption or use through coordination between competent agencies to better integrate public policies related to these topics and, therefore, the need to share information and to exchange and disseminate best practices on market oversight for the safety of consumer products available on the market for consumption or use as a key element in the defense of the consuming public, in order to protect their safety and health;

HAVING SEEN resolutions AG/RES. 2494 (XXXIX-O/09), "Consumer Protection"; AG/RES. 2549 (XL-O/10), "Consumer Protection: Network for Consumer Safety and Health in the Americas"; and 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," which mandated the creation of the 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, as well as the reports presented by the General Secretariat to the Permanent Council on the matter;

RECOGNIZING WITH SATISFACTION:

The coordination carried out by the Organization of American States (OAS) in collaboration with the Pan American Health Organization for implementing the RCSS and the efforts of the OAS General Secretariat to set up the RCSS website, which was officially launched at a meeting of the Permanent Council on November 23, 2010;

That in pursuit of the mandate of national-level institutional strengthening, the annual holding of the postgraduate course in partnership with Pompeu Fabra University and the specialized seminar has been institutionalized, targeting authorities from national agencies responsible for

supervising markets for consumer-good safety, in particular consumer defense, health, metrology, and standardization, with the participation of civil society, academia, and other stakeholders; and

That, as the General Secretariat informed the Permanent Council in its reports of February 14, 2011, and March 20, 2012, several of the region's countries are taking specific measures in the area of consumer safety and health as a result of the RCSS, and training activities and exchanges of experiences are seen as essential by the national authorities participating in the RCSS in order to continue along that path; that Consumers International has prepared for the RCSS a plan to involve national civil society organizations in the activities of the RCSS; and that the OAS has positioned itself as an essential player within the leading international forums for this topic, representing a region that until a few years ago, had no voice in such undertakings; and

AWARE:

That the creation of an inter-American rapid product-safety warning system would help protect consumer health through rapid detection and coordinated action to prevent the entry of unsafe consumer goods into markets in the Americas; and

That the RCSS website (www.oas.org/rcss) receives over a thousand visits a week, demonstrating its usefulness for the member states,

RESOLVES:

1. To thank the governments that have made voluntary monetary and in-kind contributions to strengthen the Network for Consumer Safety and Health (RCSS), especially the Governments of Argentina, Brazil, Colombia, Peru, and the United States of America; to thank, likewise, the Generalitat of Catalonia (Spain) and Pompeu Fabra University for their contributions; and to invite member states, permanent observers, and other donors to support and participate in the activities undertaken by the General Secretariat for strengthening the RCSS and the establishment of the Inter-American Rapid Product-Safety Warning System (IAPSW).

2. To congratulate the General Secretariat of the Organization of American States (OAS), in particular the Department of Social Development and Employment, and the Pan American Health Organization (PAHO) on their efficient implementation of specialized programs on institutional strengthening and exchange of experiences that, through specialized training, publications, and meetings of authorities, have positioned the OAS as a leading player on this topic; and, in addition, to note with satisfaction the design and creation of the RCSS web page.

3. To ask the General Secretariat and PAHO to continue consolidating the RCSS in the region, encouraging the implementation at the national level of public programs and policies on consumer safety and its impact on health, and moving forward with the preparation of "common language" to standardize national market oversight systems for consumer-good safety as an essential prior step in the design of the IAPSW, which will be a sustainable system not dependent on the availability of specific resources for its administration within the General Secretariat.

4. To request the General Secretariat to promote and implement agreements with subregional agencies and associated countries and agencies from other regions to facilitate the

creation of the IAPSWs, so as to draw upon the progress made by those organizations and not to duplicate efforts in the field of consumer-product safety.

5. To request the General Secretariat to implement the plan for involving all social actors, including civil society, in the RCSS.

6. To invite those member states that do not yet participate in the RCSS to join it; to participate actively in the training activities, exchange of experiences, and the planning of the IAPSWs; and to contribute to the extent possible to the "Consumer Safety and Health Fund" managed by the General Secretariat, in order to finance institutional strengthening activities, exchange of experiences, and the design of the IAPSWs.

7. To instruct the General Secretariat to report on the results of the implementation of the mandates related to this resolution to the Permanent Council prior to the next regular session of the General Assembly. 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. 2713 (XLII-O/12)

ADOPTION OF PROGRESS INDICATORS FOR MEASURING RIGHTS
UNDER THE PROTOCOL OF SAN SALVADOR

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 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), AG/RES. 2582 (XL-O/10), and AG/RES. 2666 (XLI-O/11);

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 16 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;

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 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 (CAJP), 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;

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

That said draft was presented to the CAJP on April 5, 2011, and the countries set November 20, 2011, as the deadline for submitting comments on the draft; and

That, furthermore, in keeping with resolution AG/RES. 2666 (XLI-O/11) a technical meeting was held with the Working Group on October 27, 2011, 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. In addition, in the framework of that meeting, a revised version of the aforementioned document was presented, incorporating the comments of four countries received as of September 30, 2011; and

BEARING IN MIND that none of the provisions of this resolution shall pertain to those member states that are not parties to the Protocol of San Salvador,

RESOLVES:

1. To adopt the document “Progress Indicators for the Measurement of the Rights Considered in the Protocol of San Salvador” prepared by the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador, corresponding to the first group of rights (rights to social security, health, and education), on the understanding that these are guidelines and criteria for the states parties, which will be able to adapt them to the sources of information available to them in order to comply with the provisions of the Protocol.

2. To request the Working Group to continue to move forward with the definition of progress indicators for measuring the economic and cultural rights under the Protocol of San Salvador corresponding to the second group: right to work and trade union rights (Articles 6, 7, and 8), right to food (Article 12), right to the benefits of culture (Article 14), and right to a healthy environment (Article 11).

3. 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.

4. To request the states parties to the Protocol of San Salvador to submit national progress reports corresponding to the first group of rights included in the document “Progress Indicators for Measuring Rights under the Protocol of San Salvador” within two years counted from the adoption of this resolution.

5. To update the Standards for the Preparation of Periodic Reports pursuant to Article 19 of the Protocol of San Salvador, adopted through resolution AG/RES. 2074 (XXXV-O/05), in order to adjust the time period approved in the preceding operative paragraph.

6. To urge member states to consider signing, ratifying, or acceding to, as appropriate, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights, “Protocol of San Salvador.”

7. To 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.

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.

AG/RES. 2714 (XLII-O/12)

OFFICIAL PUBLIC DEFENDERS AS A GUARANTEE OF ACCESS TO JUSTICE
FOR PERSONS IN SITUATIONS OF VULNERABILITY

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

BEARING IN MIND resolution AG/RES. 2656 (XLI-O/11), “Guarantees for Access to Justice: The Role of Official Public Defenders,” adopted on June 7, 2011, in the framework of the forty-first regular session of the General Assembly;

RECALLING that, pursuant to the Charter of the Organization of American States (OAS), 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 guaranteed and 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 establishes that everyone charged with a criminal offense has a right to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of that 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 cases if he does not have sufficient means to pay for it;

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;

UNDERSCORING that Article 8 of the American Convention on Human Rights broadly establishes judicial guarantees;

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 keeping with the principles of the rule of law;

BEARING IN MIND:

General Comment No. 32 of the United Nations Human Rights Committee, paragraph 9 of which establishes 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,” 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 guarantee adequate technical-legal counsel for vulnerable people;

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 and in particular to people who are especially vulnerable;

TAKING INTO ACCOUNT the vital importance of that service being functionally independent and autonomous;

UNDERSCORING ALSO the work done by inter-American public defenders to protect the rights of victims of human rights violations, under the aegis 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 who ensures the provision of free legal counsel services to alleged victims, as required, in the processing of contentious cases; and

NOTING WITH IMMENSE SATISFACTION the conclusion of the General Cooperation Agreement between the AIDEF and the OAS in keeping with resolution AG/RES. 2656 (XLI-O/11), thus formalizing cooperation ties between the AIDEF and the OAS with a view to further advancing promotion and protection of international human rights law by giving priority to joint measures aimed at strengthening access to justice for individuals through an autonomous and independent public-defender service. Accordingly, as a result of the mutual cooperation between the two organizations, the OAS will, in the course of this year, deliver two training courses on the organization and operations of the OAS and human rights for members of the AIDEF,

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 for consolidating democracy.
3. To affirm the fundamental importance of cost-free legal counsel services provided by official public defenders in promoting and protecting the right of access to justice for everyone, particularly those who are especially vulnerable.

4. To reiterate to those 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 member states to foster international cooperation opportunities for sharing experience and best practices in this field.

7. To encourage member states and the organs of the inter-American system to promote agreements regarding courses and training for official public defenders.

8. To request the Permanent Council to hold, in the first quarter of 2013, a special meeting of the OAS Committee on Juridical and Political Affairs for an exchange of best practices and experiences, inviting member states, members of the Inter-American Association of Public Defender Offices (AIDEF), scholars, experts from civil society, and international organizations to attend.

9. To request the OAS General Secretariat to report, through the Department of International Law of the Secretariat for Legal Affairs, on implementation of the mandates in resolution AG/RES. 2656 (XLI-O/11) and to prepare, in the second half of 2013, a compilation of best practices on access to justice and public defenders in the region, based on written input from states on the subject, and including the results of the special meeting to exchange best practices and experiences, to be held in the first quarter of the year.

10. To commend the initiative of holding the Fifth Congress of the Inter-American Association of Public Defender Offices, to take place in Fortaleza, Brazil, from August 15 to 17, 2012, at which national and international experts will offer presentations on the role of the public defender's office in ensuring effective exercise of human rights. This event will give particular attention to progress and challenges in the region as regards implementing the provisions of resolution AG/RES. 2656 (XLI-O/11), "Guarantees for Access to Justice: The Role of Official Public Defenders."

11. 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.

AG/RES. 2715 (XLII-O/12)

**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 second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add. 1), as it pertains to this topic, and resolution 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”;

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 undermine their work and safety in a manner contrary to international law;

TAKING INTO ACCOUNT resolution 2005/67 of the erstwhile Commission on Human Rights of the United Nations, as well as resolution 64/163 of the United Nations General Assembly, 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 have highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

NOTING ALSO the presentation on March 28, 2012, of the Second Report on the Situation of Human Rights Defenders in the Americas, prepared by the Inter-American Commission on Human Rights (IACHR), which, *inter alia*, follows up on the recommendations made in its first report on the subject in 2006, identifies the main obstacles facing human rights defenders in the performance of their important function, and makes new recommendations to overcome the challenges faced by states in guaranteeing protection for this group of people and the work they carry out;

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 level, 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 thank the Inter-American Commission on Human Rights (IACHR) for presenting the Second Report on the Situation of Human Rights Defenders in the Americas and to urge the states to follow up on the recommendations it contains and disseminate the measures adopted to that end.

6. 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.

7. 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.

8. 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, as well as ensuring that complaints are promptly investigated and addressed in a transparent, independent, and accountable manner.

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 urge states to ensure that human rights defenders can perform their important function in a context of peaceful demonstrations, in accordance with national legislation consistent with the Charter of the United Nations, the Charter of the Organization of American States, the Inter American Democratic Charter, and international human rights law; and, in this regard, to ensure that no one is subjected to excessive and indiscriminate use of force; arbitrary arrest; torture and/or other forms of cruel, inhuman, or degrading treatment or punishment; forced disappearance; unwarranted restrictions of their rights to freedom of expression, peaceful assembly, and association; and/or abuses of process in civil or criminal proceedings, or to the threat of such acts.

11. 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.

12. 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, as well as the recommendations contained in the Second Report on the Situation of

Human Rights Defenders in the Americas prepared by the IACHR, for which purpose they may also request its advisory services.

13. To request the 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.

14. To include the item on the agenda of the General Assembly at its forty-third regular session. 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. 2716 (XLII-O/12)

INTERNALLY DISPLACED PERSONS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2667 (XLI-O/11), “Internally Displaced Persons,” and all previous resolutions on the subject;

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 at its thirtieth regular session, held in Windsor, Canada, and endorsed by our Heads of State and Government at the Third Summit of the Americas, in Quebec City;

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;

RECALLING the obligations of member states under 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 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 generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border”;

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 its causes 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 by developing, for example, a national regulatory framework on the matter;

TAKING NOTE of the measures adopted by some countries to implement land restitution mechanisms during the return or resettlement and reintegration of internally displaced persons;

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 in the place to which they were displaced, or to resettle elsewhere in the country; and

RECALLING the High-Level Conference “Ten Years of the 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 directly related to that displacement, including social and security policies and 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 evaluate the advisability of incorporating into national legislation and using the Guiding Principles on Internal Displacement prepared by the representative of the United Nations Secretary-General on internally displaced persons, in the design and implementation of plans, policies, and programs in support and for the protection of displaced persons, and, in compliance with international law and with special emphasis on their transparency, to attend to the specific needs of indigenous communities, communities of African descent, children, women, the elderly, farm workers, and persons with disabilities.

3. 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.

4. To call upon member states to comply with their obligations under applicable international humanitarian law, international human rights law, and refugee law in dealing with internally displaced persons and the communities affected by internal displacement, including in the prevention of internal displacement as well as the provision of emergency assistance, when appropriate.

5. 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.

6. To urge member states, in the care they provide to internally displaced persons, to protect their human rights through a comprehensive approach that emphasizes risk reduction and mitigation, particularly in disasters and in the reconstruction of 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.

7. To urge member states to work together through the exchange of best practices in the effective protection of the human rights of internally displaced persons as well as in the development and implementation of public policy to prevent such displacements, whatever their cause.

8. To encourage member states, in responding to the needs of internally displaced persons and the communities affected by internal displacement, to consider the Framework on Durable Solutions for Internally Displaced Persons and the Operational Guidelines on Human Rights and Natural Disasters prepared by the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons; the document “Protecting Internally Displaced Persons: A Manual for Law and Policymakers” presented at the High-Level Conference “Ten Years of the Guiding Principles on Internal Displacement—Achievements and Future Challenges”; and the Hyogo Framework for Action 2005-2015.

9. 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 in consultation with, and attending to the needs of, the persons and communities affected.

10. To urge the member states to respond promptly and effectively to the needs of internally displaced persons in the event of natural disasters, including needs related to risk reduction and mitigation, through domestic efforts, international cooperation, and, to the extent possible, dialogue with the internally displaced persons and the communities affected by internal displacement.

11. To urge the appropriate agencies of the United Nations and the inter-American system, and other humanitarian organizations and the international community, to help provide support and/or assistance, as requested by member states, in addressing the various factors that cause internal displacement and in protecting and 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.

12. To include the item on the agenda of the General Assembly at its forty-fourth regular session. 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. 2717 (XLII-O/12)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE
TO MEMBERS OF THEIR FAMILIES

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2651 (XLI-O/11), "Persons Who Have Disappeared and Assistance to Members of Their Families," adopted by the General Assembly on June 7, 2011; 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 31 states have ratified or acceded to it, of which 12 are states of the Hemisphere, and that four of the 13 states that have recognized the competence of the Committee on Enforced Disappearances belong to this region;

RECOGNIZING the joint efforts made in this area by organizations and associations of family members and civil society, as well as by state institutions, in defining common standards for matters related to psychosocial care, such as the "Global consensus on principles and minimum standards for psychosocial work in forensic search and investigation processes for cases of forced disappearance and arbitrary or extrajudicial executions," adopted at the Second World Congress on Psychosocial Work in Exhumation Processes, Forced Disappearance, Justice and Truth in 2010;

BEARING IN MIND that the problem of disappeared 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 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, 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 resolution AG/RES. 2509 (XXXIX-O/09), and, where appropriate, to receive legal remedy for the damage caused;

RECOGNIZING the need to address the issue of persons considered to have disappeared as part of peace-building and consolidation processes, using all available judicial and rule-of-law mechanisms within a framework of transparency, accountability, and public participation;

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 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 member states, in keeping with their obligations under international humanitarian law and international human rights law and with pertinent national and international jurisprudence, 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 comprehensive 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, taking as a point of reference, *inter alia*, the Model Law on the Missing, drawn up for that purpose by the ICRC.

4. To request member 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 Inter-American Convention on Forced Disappearance of Persons of 1994 and 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 the latter 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 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, using standardized forensic protocols and promoting the establishment of centralized databases, while respecting the families' dignity, traditions, and mental health.

7. To invite member states to collect, protect, and manage data on disappeared persons in accordance with national and international legal standards and provisions, and to cooperate with one another and with other interested bodies working in this field, *inter alia*, through the exchange of information.

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, such as, for example, those proposed in the "Global consensus on principles and minimum standards for psychosocial work in forensic search and investigation processes for cases of forced disappearance and arbitrary or extrajudicial executions."

9. 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, 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.

10. 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.

11. 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 promote the adoption of measures 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 with placing on its agenda the broad dissemination of this information before the forty-fourth regular session of the OAS General Assembly.

12. To instruct the Permanent Council to follow up 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. 2718 (XLII-O/12)

DRAFT LEGALLY BINDING INTER-AMERICAN INSTRUMENTS AGAINST RACISM AND
RACIAL DISCRIMINATION AND AGAINST ALL FORMS OF
DISCRIMINATION AND INTOLERANCE^{1/2/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add. 1);

RECALLING the contents of resolution AG/RES. 2677 (XLI-O/11), “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance” and all previous resolutions on the subject;

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 OAS, 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;

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 regard to the ongoing process of negotiations;

TAKING NOTE of the report “The Situation of People of African Descent in the Americas,” adopted by the Inter-American Commission on Human Rights on December 5, 2011; and

-
1. The United States continues to object to the negotiation of new legally binding instruments against racism, racial discrimination and ... *(The text of this footnote continues on page 76.)*
 2. Canada recalls its previous decision to formally withdraw from the negotiations of a Draft Inter-American Convention against Racism, ... *(The text of this footnote continues on page 76.)*

HAVING PARTICULAR REGARD to the report on activities in the 2011-2012 period (CAJP/GT/RDI-202/12 rev. 1), presented to the Committee on Juridical and Political Affairs 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,

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, in accordance with the work plan and working procedures that may be adopted and taking into account the progress set forth in the documents “Draft Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance” (CAJP/GT/RDI-179/11 rev. 7) and “Draft of a Legally Binding ‘Instrument’ against All Forms of Discrimination and Intolerance” (CAJP/GT/RDI-180/11 rev. 5) and to continue the negotiations based on said instruments.

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; and 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 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-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.

FOOTNOTES

1. ... other forms of discrimination or intolerance and reiterates our longstanding reservations and concerns with this and prior resolutions on the topic. 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.

2. ... Racial Discrimination, and Related Forms of 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 and/or legally binding instrument against all forms of discrimination and intolerance 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.

AG/RES. 2719 (XLII-O/12)

FOLLOW-UP TO THE INTER-AMERICAN PROGRAM FOR UNIVERSAL
CIVIL REGISTRY AND THE “RIGHT TO IDENTITY”

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

EXPRESSING ITS SATISFACTION with the adoption on June 3, 2008, through resolution AG/RES. 2362 (XXXVIII-O/08), of the Inter-American Program for Universal Civil Registry and “the Right to Identity”; and recalling resolution AG/RES. 2602 (XL-O/10), “Follow-up to the Inter-American Program for Universal Civil Registry and ‘the Right to Identity’”;

RECOGNIZING the obligations of the states parties to the Convention on the Rights of the Child to undertake to respect the right of the child to preserve his or her identity (“right to identity”);

TAKING INTO ACCOUNT the progress achieved through joint actions to implement the “Memorandum of Understanding among the United Nations Children’s Fund and the General Secretariat of the Organization of American States and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration,” signed on August 8, 2006;

RECALLING the Opinion adopted by the Inter-American Juridical Committee (CJI) on the scope of the right to identity (CJI/doc.276/07 rev. 1);

CONSIDERING that recognition of the identity of persons is one of the means through which observance is facilitated of the rights to legal personhood, a name, a nationality, civil registration, and family relationships, among other rights recognized in international instruments such as the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights. The exercise of these rights is essential for participation in a democratic society;

RECOGNIZING the diversity of indigenous peoples as well as the right of all persons to a name and identity, and, therefore, the need to seek mechanisms for facilitating the registration of persons belonging to indigenous communities and peoples, taking into consideration their social and cultural identity, as a tool for ensuring full enjoyment of their rights and guarantees;

RECOGNIZING ALSO the promotional and dissemination work carried out by the Inter-American Institute of Human Rights (IHR) in efforts to strengthen citizen participation and consolidate democracy in the region, and the contributions it has also made to states and the General Secretariat through its technical advice and assistance;

CONSIDERING that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights;

CONSIDERING ALSO that the universal registration of births helps reduce cases of statelessness;

EMPHASIZING the importance of civil registries as state institutions that can guarantee recognition of the identity of persons and, therefore, the advisability of strengthening them to ensure that their scope is universal, taking into account the rich and varied diversity of cultures;

RECALLING that the Inter-American Democratic Charter establishes that it is the right and responsibility of all citizens to participate in decisions relating to their own development;

COMMITTED to building just, equitable societies based on the principles of social justice, social inclusion, and respect for cultural diversity;

UNDERSCORING the holding of the Second Regional Latin American and Caribbean Conference on the Right to Identity and Universal Birth Registration, which took place in Panama on September 21 and 22, 2011, and which, with the notable participation of indigenous leaders and leaders of African descent, upheld the regional commitments that arose from the First Regional Conference aimed at achieving universal birth registration by 2015;

RECOGNIZING the regional cooperation and exchange of successful experiences by countries in the Hemisphere that have implemented plans, programs, and actions to guarantee universal civil registry and the right to identity, through the issuance of public identity documents;

RECOGNIZING ALSO the need for cooperation among states and civil society organizations for promotion of the civil registry; and

RECALLING the special meeting of the Committee on Juridical and Political Affairs on the Inter-American Program for Universal Civil Registry and the "Right to Identity," held on April 22, 2010, pursuant to resolution AG/RES. 2362 (XXXVIII-O/08), at which states reported on their progress and exchanged best practices; and the progress report on implementation of the Program (CP/INF.5825/09), presented by the General Secretariat to the Permanent Council on May 13, 2009,

RESOLVES:

1. To recognize the progress made in implementing the Inter-American Program for Universal Civil Registry and the "Right to Identity," particularly in relation to:
 - a. The technical assistance projects aimed at strengthening civil registry institutions in 16 member states;
 - b. Dissemination of the importance of civil identity for the full exercise of civil, political, economic, social, and cultural rights; the strengthening of democratic governance; and the development of states; and
 - c. Promotion and exchange of successful experiences with civil registry and identity.

2. To instruct the General Secretariat to continue providing member states that so request with the necessary assistance in implementing the Inter-American Program for Universal Civil Registry and the "Right to Identity," promoting the improvement and enhancement of their civil registry systems and the adoption of universal civil registration.

3. To recognize the progress that member states have made in implementing national plans, policies, and programs to ensure the right to identity by issuing the relevant documents, as well as the progress that member states have made in implementing the Inter-American Program for Universal Civil Registry and the "Right to Identity," and, in particular, the efforts of member states and the international community to lower the rate of under-registration of children under five years of age in Latin America and the Caribbean, as a result of which that rate has fallen from 18 percent in 2000 to 10 percent today.

4. To encourage the member states to continue adopting measures to ensure full recognition of the right to identity, emphasizing that non-recognition of identity can mean that a person has no legal proof of his or her existence, which makes it difficult to exercise fully his or her civil, political, economic, social, and cultural rights.

5. To urge all member states to implement mechanisms for facilitating access by all people to civil birth registries, including simplified procedures, without discrimination in any form and with respect for cultural diversity and special attention to the protection of personal data.

6. To invite all member states to foster periodic awareness campaigns that may involve various levels and areas of government, providing information on the importance of birth registration and the negative implications of its absence for the enjoyment of other rights.

7. To invite member states to promote institutional modernization by establishing and enhancing structural conditions for promoting civil registry, including integrated systems and interconnected policies, such as sanitation, education, health, social protection, and migration.

8. To request the Permanent Council to continue supporting efforts under the Memorandum of Understanding among the United Nations Children's Fund, the General Secretariat of the Organization of American States, and the Inter-American Development Bank for Cooperation in the Area of Citizen Registration.

9. To request the General Secretariat to continue increasing its cooperation with other specialized organizations and agencies of the inter-American and international systems on matters of citizen registration.

10. To urge the Secretary General to include the Inter-American Program for Universal Civil Registry and the "Right to Identity" in the list of priorities presented with a view to raising funds from external donors, and to invite member states and permanent observers to make voluntary contributions to support the development, implementation, and scope of the Program.

11. To urge the member states that participated in the Second Regional Latin American and Caribbean Conference on the Right to Identity and Universal Birth Registration to continue implementing the recommendations that emerged from it that seek to develop and strengthen the

capacity of the registered institutions by adopting the principle of gender equality and identifying the achievements and the ongoing challenges involved in attaining the regional goal of universal birth registration by 2015.

12. To instruct the Permanent Council to hold, in the second half of 2012, a special meeting of the Committee on Juridical and Political Affairs to review the status of implementation of the aforementioned Inter-American Program on the basis of information provided by the states and of a progress report prepared by the General Secretariat, with a view to making such changes in the Program as are deemed appropriate in order to achieve universal civil registration by 2015. That meeting may include contributions from experts in the field, civil society organizations, and organs, agencies, and entities of the inter-American and international systems.

13. To instruct the General Secretariat to continue developing, strengthening, and promoting the use of information and communication technologies for the discussion, sharing, and fostering of experiences and lessons learned and dissemination of knowledge on matters of identity and civil registry in the region.

14. To instruct the Inter-American Children's Institute (IIN) to join forces with the General Secretariat to achieve the objectives of the Inter-American Program for Universal Civil Registry and the "Right to Identity," and to keep the OAS Permanent Council informed of progress and obstacles in the region.

15. To request the Permanent Council to report to the General Assembly at its forty-fourth 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. 2720 (XLII-O/12)

STRENGTHENING THE ACTIVITIES OF THE
JUSTICE STUDIES CENTER OF THE AMERICAS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the member states on the Annual Report of the Justice Studies Center of the Americas (JSCA) (CP/CAJP-3048/12);

HAVING SEEN ALSO 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; resolution AG/RES. 2228 (XXXVI-O/06), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas"; resolution AG/RES. 2670 (XLI-O/11), "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 2011 annual report on the JSCA's activities (CP/doc.4678/12) and the report on main actions and projects (CP/CAJP/INF.153/12) presented to the Committee on Juridical and Political Affairs of the Permanent Council of the Organization of American States (OAS) on February 9, 2012, 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 take note of the observations and recommendations of the member states on the Annual Report of the Justice Studies Center of the Americas (JSCA) (CP/CAJP-3048/12) and to forward them to that entity.
2. To congratulate the JSCA on the work it has continued to undertake in the Americas, in keeping with its 2011-2016 Strategic Plan, especially in researching innovations and the use of new information technologies that make it possible to improve management and operations of justice

systems and carry out 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.

3. To reiterate its appeal to member states, and invite the permanent observers, to make voluntary contributions to the JSCA.

4. To urge organs and institutions associated with the inter-American system to deepen their working relations with the JSCA within their areas of competence.

5. 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 JSCA.

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

AG/RES. 2721 (XLII-O/12)

HUMAN RIGHTS, SEXUAL ORIENTATION, AND GENDER IDENTITY

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2435 (XXXVIII-O/08), AG/RES. 2504 (XXXIX-O/09), AG/RES. 2600 (XL-O/10), and AG/RES. 2653 (XLI-O/11), “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 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 creation by the Inter-American Commission on Human Rights (IACHR) of the Unit for the Rights of Lesbian, Gay, Trans, Bisexual, and Intersex Persons, and of its work plan, which includes the preparation of a hemispheric report on this issue;

Of the Second Report of the IACHR on the Situation of Human Rights Defenders in the Americas, according to which organizations that promote and defend the human rights of lesbians, gays, and bisexual, transsexual, and intersex (LGBTI) persons play a fundamental role in the region in terms of public oversight to ensure compliance with the obligations of states vis-à-vis the rights to privacy, equality, and nondiscrimination, and are faced with obstacles that include murder, threats, criminalization of their activities, the failure to take a differentiated approach in the investigation of violations, and discourse calculated to discredit them; and

Of the Declaration on Sexual Orientation and Gender Identity presented to the United Nations General Assembly on December 18, 2008; and

NOTING WITH CONCERN acts of violence, other human rights violations, and 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; to urge member states within the parameters of the legal institutions of their domestic systems to eliminate, where they exist, barriers faced by lesbians, gays, and bisexual, transsexual, and intersex (LGBTI) persons in access to political participation and to other areas of public life; and to prevent interference in their private life.

2. 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.

3. To condemn acts of violence and human rights violations committed against persons by reason of their sexual orientation and gender identity, and to urge states to strengthen their national institutions with a view to preventing and investigating these acts and violations, and to ensuring due judicial protection for victims on an equal footing and that the perpetrators are brought to justice.

4. To urge member 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 support the efforts of the Commission in this area.

6. To request the IACHR to prepare a study on legislation and provisions in force in the OAS member states restricting the human rights of individuals by reason of their sexual orientation or gender identity, and to prepare, based on that study, guidelines aimed at promoting the decriminalization of homosexuality.

7. To urge those member states that have not yet done so to consider signing, ratifying, or acceding to, as appropriate, the inter-American instruments on protection of human rights.

8. To request the Permanent Council to report to 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.

AG/RES. 2722 (XLII-O/12)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN JURIDICAL COMMITTEE

(Adopted at the second plenary session, held on June 4, 2012)

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-3096/12);

BEARING IN MIND resolution AG/RES. 2671 (XLI-O/11), "Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee";

BEARING IN MIND the 79th regular session of the Committee, held at its headquarters in Rio de Janeiro, Brazil, and its 80th regular session, held in Mexico City, Mexico;

CONSIDERING:

That Article 53 of the Charter of the Organization of American States establishes the Inter-American Juridical Committee (CJI) as one of its organs;

That Article 54.f of the Charter of the Organization of American States establishes that the General Assembly has the power 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 the provisions of Article 91.f of the Charter; and

That the CJI submitted its annual report to the Committee on Juridical and Political Affairs of the Permanent Council on April 3, 2012, and the latter has sent its observations and recommendations on that report 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-3096/12) and to transmit them to that organ.

2. To thank the Inter-American Juridical Committee (CJI) for submitting its annual report covering activities carried out in 2011, and, in particular, for adopting resolutions CJI/RES. 176 (LXXIX-O/11) "Participative Democracy and Citizen Participation," CJI/RES. 183 (LXXIX-O/11) "Peace, Security, and Cooperation," and CJI/RES. 175 (LXXVIII-O/11) "Relationship between Asylum and Refuge."

3. To also thank the CJI for adopting the following resolutions at its 80th regular session, held in March 2012: CJI/RES. 192 (LXXX-O/12), "Strengthening the Inter-American

System for the Protection and Promotion of Human Rights”; CJI/RES. 186 (LXXX-O/12), “Proposed Statement of Principles on Privacy and Protection of Personal Data in the Americas”; CJI/RES. 185 (LXXX-O/12), “Guide to Principles on Cultural Diversity in the Development of International Law”; CJI/RES. 187 (LXXX-O/12), “Guide to Principles on Access to Justice in the Americas”; and CJI/RES. 188 (LXXX-O/12) “Draft Model Law on Simplified Joint Stock Companies.”

4. To instruct the Permanent Council to include on its agenda consideration of the resolutions and reports adopted by the CJI at its 80th regular session.

5. To request the CJI to report on progress made on the study of the legal implications and conceptual and terminological developments related to sexual orientation, gender identity, and gender expression.

6. To ask the CJI to report on progress made in developing model legislation to support efforts undertaken by the member states to implement their obligations under treaties on the subject of international humanitarian law, with emphasis on protecting cultural property in the event of armed conflict.

7. To express its appreciation to the Government of Mexico for its efforts to ensure that the 80th regular session of the CJI would be successfully organized and conducted.

8. 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 to the 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 to participate in the course; and to recognize the work of the Department of International Law in organizing the course and publishing its lectures.

9. To reaffirm the importance of the close ties maintained by the CJI with the political organs of the OAS, particularly the Permanent Council and its Committee on Juridical and Political Affairs; and to recommend that the CJI continue to focus its efforts on the matters which the competent organs identify as being of priority interest to the Organization.

10. To emphasize the need to provide increased administrative and budgetary support for 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.

11. To request the Permanent Committee 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.

AG/RES. 2723 (XLII-O/12)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add. 1), in particular as it pertains to the implementation of resolution AG/RES. 2660 (XLI-O/11), “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)];

BEARING IN MIND that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), the General Assembly adopted the Inter-American Program for the Development of International Law, which was subsequently updated by resolution AG/RES. 2660 (XLI-O/11), given the important developments in that field since its adoption;

CONSIDERING ALSO that the General Assembly reaffirmed its support for said Program through its 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), AG/RES. 2590 (XL-O/10), and AG/RES. 2660 (XLI-O/11);

UNDERSCORING the importance and ongoing validity of the principles of international law set forth in the Charter of the Organization of American States (OAS), as a standard to govern the conduct of states in their relations with one another; and

TAKING NOTE of the “Report on the Inter-American Program for the Development of International Law [AG/RES. 2660 (XLI-O/11)] (Activities Carried Out by the Department of International Law of the Secretariat for Legal Affairs during the period 2011-2012)” (CP/CAJP/INF.158/12), and of the oral report given by the Director of that Department to the Committee on Juridical and Political Affairs on April 3, 2012,

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 it to continue presenting that report on an annual basis.

2. To reaffirm the importance of, and its support for, said Program and to request the Department of International Law to continue carrying out the activities listed in it and to strive for the widest possible dissemination of the activities carried out thereunder.

3. To instruct the Permanent Council to consider, with a view to contributing to the development of international law in the region, the possibility of proposing the convocation of periodic meetings of legal consultants from ministries of foreign affairs and other high-level officials responsible for international law matters in the member states, in consultation with the Inter-American Juridical Committee and with support from the Secretariat for Legal Affairs and the Department of International Law of the General Secretariat of the Organization of American States.

4. 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.

AG/RES. 2724 (XLII-O/12)

DRAFT AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the second plenary session, held on June 4, 2012)

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), AG/RES. 2565 (XL-O/10), and AG/RES. 2674 (XLI-O/11);

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 2011-2012 (GT/DADIN/doc.419/12), which includes the report on the Fourteenth Meeting of Negotiations in the Quest for Points of Consensus (GT/DADIN/doc.420/12);

UNDERSCORING the results of the Fourteenth 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 April 18 to 20, 2012, and, in particular, the concerted efforts of the member states and the Indigenous Caucus to move forward in their quest for points of consensus; 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. 7), 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. 5), issued by the Fourteenth 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-third 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 those 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-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.

AG/RES. 2725 (XLII-O/12)

RIGHT TO THE TRUTH

(Adopted at the second plenary session, held on June 4, 2012)

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), AG/RES. 2595 (XL-O/10), and AG/RES. 2662 (XLI-O/11), "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), 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, 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;

UNDERSCORING the need for the Organization of American States to continue its work on the right to the truth in the framework of the efforts of its political bodies and of the human rights promotion and protection bodies of the inter-American human rights system;

EMPHASIZING 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;

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; and

TAKING NOTE of resolution 65/196 of the United Nations General Assembly, "Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims,"

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 with satisfaction 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 the 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 yet done so to consider signing, ratifying, or acceding to, as appropriate, the International Convention for the Protection of All Persons from Enforced Disappearance.

7. To encourage the IACHR to complete its preparation of the report on the Right to the Truth, requested in 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), AG/RES 2595 (XL-O/10), and AG/RES. 2662 (XLI-O/11) and, in that connection, to urge member states to support said process in order to allow the political organs of the Organization of American States to continue the progressive development of this right and finalize a special meeting to be organized by the Permanent Council in the first half of 2013 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-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.

AG/RES. 2726 (XLII-O/12)

PROTECTING THE HUMAN RIGHTS OF OLDER PERSONS^{1/2/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2654 (XLI-O/11), “Protecting the Human Rights of Older Persons,” adopted at the fourth plenary session of the General Assembly, held on June 7, 2011;

TAKING NOTE of the presentations and recommendations made by member states, experts from the academic sector and civil society, and international organizations at the diagnosis and evaluation meetings of the Working Group on Protection of the Human Rights of Older Persons held on November 11, 2011 and February 22, 2012, respectively;

TAKING INTO ACCOUNT the contributions of the Pan American Health Organization (PAHO) included in resolutions CD49.R15 (2009), “Plan of Action on the Health of Older Persons including Active and Healthy Aging”; and CD50.R8 (2010), “Health and Human Rights, adopted by PAHO’s Directing Council”; as well as the contributions of the Economic Commission for Latin America and the Caribbean (ECLAC), in particular the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing (2003) and the Brasilia Declaration (2007); and the document “Guidelines for a Convention on the Rights of Older Persons”;

TAKING INTO ACCOUNT ALSO:

The installation of the Working Group on Protection of the Human Rights of Older Persons at the meeting of the Committee on Juridical and Political Affairs of September 22, 2011, pursuant to the mandate contained in resolution AG/RES. 2654 (XLI-O/11);

The “Report on 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 Human Rights of Older Persons” (CAJP/GT/DHPM-14/11 rev. 1), agreed upon by the Working Group at its meeting on December 2, 2011 and presented to the Permanent Council on December 14, 2011, pursuant to the mandate in resolution AG/RES. 2654 (XLI-O/11);

The mandate articulated by the Heads of State and Government at the Sixth Summit of the Americas^{3/4/} “to advance in strengthening the protection of the human rights and fundamental

-
1. Canada reserves its position on the need to prepare a draft inter-American convention for the promotion and protection of the rights of ... *(The text of this footnote continues on page 97)*
 2. The United States remains convinced of the importance of working in the OAS and in the United Nations to address the many challenges faced ... *(The text of this footnote continues on page 97.)*
 3. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... *(The text of this footnote continues on page 97.)*

freedoms of older persons through promotion of public policies, programs, and services, thus safeguarding their dignity, their physical, mental and social well-being, and their quality of life, bearing in mind efforts underway at the inter-American level to draft a legally binding instrument for the protection of the rights of older persons and consideration of the issue at the international level”;

The presentation of the preliminary draft inter-American convention on the human rights of older persons to the Permanent Council on April 26, 2012, in accordance with the mandate in resolution AG/RES. 2654 (XLI-O/11);

Complementary 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 “Draft Inter-American Convention on the Human Rights of Older Persons” and the “Compendium of Proposals,” presented to the Permanent Council in May 2012 as documents CAJP/GT/DHPM-37/12 and CAJP/GT/DHPM-44/12, respectively, which shall be used as basic documents to begin the formal process of negotiation aimed at preparing an inter-American convention on the human rights of older persons; and

CONVINCED that it should be possible, in the framework of the Organization of American States, to add value to existing efforts and meet a need that has not been addressed,

RESOLVES:

1. To request the Permanent Council to extend the mandate of the Working Group on Protection of the Human Rights of Older Persons, so that it can conduct, with technical support from the Department of Social Development and Employment, the process of formal negotiation of the draft inter-American convention on the human rights of older persons and seek to present it to the General Assembly of the Organization of American States (OAS) for adoption at its forty-third regular session.

2. 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.

3. To encourage the Pan American Health Organization and the Economic Commission for Latin America and the Caribbean to continue their cooperation with the General Secretariat of the 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.

4. The Government of Nicaragua considers that the reference to the Summit in Cartagena, Colombia, and the appeal to strengthen the so-called ... (*The text of this footnote continues on page 97.*)

4. 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.

FOOTNOTES

1. ... older people, pending the results of the discussions of the United Nations Open-Ended Working Group on Ageing as regards a recommendation for addressing the needs of this vulnerable group. Canada is very concerned at the possibility of an international duplication of efforts in this area and believes it would be prudent to await clarification from the United Nations Open-Ended Working Group on Ageing regarding any shortcomings that may exist in the international rights framework in this area and what other instruments might be needed, if any, before the OAS considers the relative usefulness of continuing with the preparation of an inter-American convention. Canada urges the OAS to focus on strengthening the effectiveness of the instruments that already exist in this field, instead of embarking on new and possibly redundant processes without first clearly identifying a need.

2. ... by older persons in this hemisphere and throughout the world, including with respect to their enjoyment of human rights. However, the OAS should await the conclusions of the United Nations Open-ended Working Group on Ageing and consider those conclusions before engaging in a potentially lengthy, costly, and duplicative multilateral process of negotiating and drafting an inter-American convention. We, therefore, have not participated actively in the Working Group on Protection of the Human Rights of Older Persons and reserve our position on the draft that the Working Group has prepared. Moreover, the United States continues to encourage the OAS to focus on measures to improve respect by member states for their human rights obligations to older persons under existing human rights treaties as a potentially more effective and immediate way to address what we all recognize to be very serious problems in this area.

3 ... in Cartagena de Indias, Colombia, without prejudice Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts, as applicable.

4. ... “Summit of the Americas” are inappropriate in that during that event, the Heads of State and Government were unable to consider or adopt the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean for the sister republic of Cuba to participate unconditionally and on a footing of sovereign equality. We reaffirm that a “Summit of the Americas” cannot be held without the presence of Cuba. The mandates and operative paragraphs on the core themes were part of the Political Declaration and as the latter were not adopted, nor were the former. For that reason, Nicaragua disagrees with making references to these documents and mandates, which were not adopted.

AG/RES. 2727 (XLII-O/12)

ACCESS TO PUBLIC INFORMATION AND PROTECTION OF PERSONAL DATA

(Adopted at the second plenary session, held on June 4, 2012)

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), AG/RES. 2514 (XXXIX-O/09), AG/RES. 2607 (XL-O/10), and AG/RES. 2661 (XLI-O/11), on access to public information and protection of personal data, reiterating the background and mandates contained therein; and having seen the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add.1), as it pertains to the status of compliance with resolution AG/RES. 2661 (XLI-O/11);

RECALLING 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;

REITERATING the vital role of international instruments in the promotion and protection of access to public information, as well as 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 freedom of the press;

REAFFIRMING the importance of the Model Inter-American Law on Access to Public Information in the promotion of access to public information, as well as the role of member states, the General Secretariat of the Organization of American States (OAS), and civil society in implementing the Model Law;

CONSIDERING 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;

TAKING NOTE of Executive Order No. 12-02 of the OAS Executive Secretariat of May 3, 2012, "Policy on Access to Information," issued pursuant to resolution AG/RES. 2661 (XLI-O/11); and

TAKING NOTE ALSO of the comparative study on different existing legal regimes, policies, and enforcement mechanisms for the protection of personal data, including domestic legislation, regulation, and self-regulation (CP/CAJP-3063/12), presented by the Department of International Law, as well as of resolution CJI/RES. 186 (LXXX-O/12), "Proposed Statement of Principles for Privacy and Personal Data Protection in the Americas," adopted by the Inter-American Juridical Committee,

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 public information.

2. To encourage member 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 of the Organization of American States (OAS), 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 instruct the OAS General Secretariat, through the Department of International Law, to prepare and submit to the Committee on Juridical and Political Affairs (CAJP), prior to the forty-third regular session of the General Assembly, a proposal for an inter-American program on access to public information, for its consideration.

5. To encourage member states to hold, with the support of the Department of International Law, 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.

6. To thank the OAS General Secretariat for issuing Executive Order No. 12-02 of May 3, 2012, "Policy on Access to Information," and to instruct the CAJP to follow up on its implementation.

7. 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.

8. To invite member states to consider attending the International Conference of Data Protection and Privacy Commissioners to be held in Punta del Este, Uruguay, from October 22 to 26, 2012.

9. To thank the Department of International Law for presenting the comparative study of different existing legal regimes, policies, and enforcement mechanisms for protection of personal data, including domestic legislation, regulation, and self-regulation (CP/CAJP-3063/12).

10. To thank the Inter-American Juridical Committee for adopting resolution CJI/RES. 186 (LXXX-O/12), "Proposed Statement of Principles for Privacy and Personal Data Protection in the Americas."

11. To instruct the Permanent Council, through the CAJP, to include on its agenda, prior to the forty-third regular session of the General Assembly, a review of the studies received on protection of personal data, and consider the possibility of a regional framework in this area, taking into account the ongoing review of other international instruments on the matter.

12. To instruct the General Secretariat to continue promoting channels of collaboration 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-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.

AG/RES. 2728 (XLII-O/12)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT^{1/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING its resolution AG/RES. 2659 (XLI-O/11) and all its previous relevant resolutions;

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 responsibility to prevent their commission and recurrence and to avoid the impunity of their perpetrators, particularly by investigating, prosecuting, and punishing such violations, where applicable, within a framework of full respect for relevant judicial guarantees and due process;

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 jurisdiction;

CONVINCED 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;

WELCOMING WITH SATISFACTION the fact that 121 states have now ratified or acceded to the Rome Statute, among them 28 members of the Organization of American States (OAS), with Grenada and Guatemala as the most recent states to accede thereto, on May 19, 2011, and on April 2, 2012, respectively; and that 16 member states have ratified or acceded to the Agreement on Privileges and Immunities of the International Criminal Court, Chile and Brazil being the most recent states to ratify it, having done so on September 26 and December 12, 2011, respectively;

RECALLING the outcome of the Review Conference of the Rome Statute, held in Kampala, Uganda, from May 31 to June 11, 2010;

1. Nicaragua notes with concern that there are still systematic violations of international humanitarian law and international human rights law ... *(The text of this footnote continues on page 105.)*

TAKING NOTE of the first judgment issued by Trial Chamber I of the International Criminal Court on March 14, 2012, *The Prosecutor v. Thomas Lubanga Dyilo* (ICC-01/04-01/06);

HIGHLIGHTING the existence of the first Agreement on the Enforcement of Sentences in the region, signed by Colombia and the International Criminal Court on May 18, 2011;

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;

RECALLING the outcome of the Working Meeting on the International Criminal Court, held at OAS headquarters on March 10, 2011, within the framework of the Committee on Juridical and Political Affairs and with support from the Department of International Law;

TAKING NOTE of the cooperation agreement signed by the Inter-American Commission on Human Rights and the International Criminal Court in April 2012; and

TAKING NOTE ALSO of the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add. 1),

RESOLVES:

1. To renew its appeal to those member states that have not yet done so to consider signing, ratifying, or acceding to, as appropriate, 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 of the importance of the promotion of their universality and to continue adopting the necessary measures to achieve their full and effective implementation, and to adopt measures to adjust their national legislation, including, where appropriate, regarding the inclusion of crimes within the jurisdiction of the International Criminal Court, international cooperation and judicial assistance, and the protection of and reparations for victims.

3. To commemorate with satisfaction the tenth anniversary of the entry into force of the Rome Statute of the International Criminal Court in 2012 and to invite member states to consider, within the framework of said anniversary, carrying out activities related to its promotion.

4. 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 with and assistance to the International Criminal Court in accordance with any applicable 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.

5. To urge those member states that are parties to the Rome Statute to support and promote the work of the International Criminal Court, in keeping with their obligations.

6. 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.

7. 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 of Witnesses, and to the Trust Fund for the participation of least developed countries and other developing States in the work of the Conference, with a view to facilitating their participation at the Assembly of States Parties.

8. To encourage those member states that are parties to the Rome Statute to follow up specifically on the results of the Review Conference and on compliance with the promises made during that conference, and to give consideration to ratifying the amendments adopted.

9. To welcome the election by consensus of the new Prosecutor of the International Criminal Court, Fatou Bensouda, in December 2011, and to thank the outgoing Prosecutor, Luis Moreno-Ocampo, the first Chief Prosecutor of the International Criminal Court.

10. To welcome the election, in December 2011, of six new judges to the International Criminal Court, two of whom are from the region (Dominican Republic and Trinidad and Tobago); and to invite the member states to promote regional representation on the International Criminal Court.

11. 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.

12. To recall the CJI 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.360/10 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.

13. To request the General Secretariat to report, prior to the forty-fourth regular session of the General Assembly, 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.

14. To recall the request made to 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 could 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.

15. To request the Secretary General to report to the General Assembly at its forty-fourth 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.^{2/}

2. The United States understands that any OAS support rendered to the International Criminal Court will be drawn from specific-fund contributions rather than the OAS regular budget.

FOOTNOTE

1. ... at the international level. Nicaraguan criminal law covers those offenses in the Criminal Code. As regards the exhortation to states to consider ratifying or acceding to the Rome Statute of the International Criminal Court, the Government of Reconciliation and National Unity 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. It defends the principles of nonintervention in the internal affairs of states and of the peaceful settlement of international disputes through the channels afforded by international law.

AG/RES. 2729 (XLII-O/12)

THE HUMAN RIGHTS OF MIGRANTS, INCLUDING MIGRANT WORKERS
AND THEIR FAMILIES

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add.1) as it pertains to 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), AG/RES. 2593 (XL-O/10), and AG/RES. 2669 (XLI-O/11);

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;

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;

REAFFIRMING that the principles and standards enshrined in these instruments take on special relevance with regard to protection of the human rights of migrants, including migrant workers and their families;

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 migrants, including 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 annual reports of the Inter-American Commission on Human Rights, in particular the chapter on the work of the Rapporteurship on the Rights of Migrants; resolution CJI/RES. 150 (LXXIII-O/08), "Opinion of the Inter-American Juridical Committee on the Directive on Return

Adopted by the Parliament of the European Union”; and Permanent Council resolution CP/RES. 938 (1654/08), “OAS Action on the European Union’s Return Directive on Migration Issues”;

Advisory Opinions OC-16/99 of October 1, 1999, “The Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law,” and OC-18/03 of September 17, 2003, “Juridical Condition and Rights of the Undocumented Migrants,” issued by the Inter-American Court of Human Rights;

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;

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

The special meetings of the Committee on Juridical and Political Affairs and its joint meeting with the Special Committee on Migration Issues (CEAM) of February 16, 2012, 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 on the proposals for new optional activities by the member states, as well as the presentations by the organs, agencies, and entities of the Organization of American States (OAS);

WELCOMING WITH SATISFACTION the work done by the CEAM in fulfillment of its mandate;

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 Andean Forum on Migration; South American Conference on Migration; and the Specialized Forum on Migration of MERCOSUR;

EMPHASIZING 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);

CONSIDERING:

The global character of the migration phenomenon and, therefore, the importance of international, regional and bilateral cooperation and dialogue, as appropriate, as well as the need to

protect the human rights of migrants, especially in view of the changing nature of migration flows in the globalized economy in a context marked by new security and safety concerns;

That virtually every country in the Hemisphere is a country of origin, transit, destination, and/or return for migrants and has the authority to regulate the migration of persons entering its territory in accordance with its obligations under applicable international law, including international human rights law and international humanitarian law;

That all migrants and their defenders have a duty and an obligation to obey all laws of the countries of origin, transit, destination, and/or return, and that said countries must enforce their laws in such a way as to afford maximum protection for the human rights of migrants; and

The close nexus among migration, development, and human rights, and recognizing respect for the human rights and fundamental freedoms of all migrants as a pillar 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;

RECOGNIZING 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 through, among other things, programs for migrants that enable them to be integrated into their host countries, facilitate family reunification, and promote an environment of harmony, tolerance, and respect;

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;

CONCERNED about the extremely vulnerable situation in which many migrant workers and their families in the Hemisphere find themselves, and the persistent obstacles that prevent them from fully enjoying their human rights;

BEARING IN MIND that 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 and adolescents, 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 call for a concerted international response

through effective multilateral cooperation between the countries of origin, transit, destination, and/or return 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; and

RECOGNIZING the importance of promoting actions to protect the human rights and fundamental freedoms of children and adolescents in the context of international migration,

RESOLVES:

1. To urge member states to promote and protect effectively the human rights and fundamental freedoms of all migrants, including migrant workers and their families, with particular emphasis on women, children, and adolescents, 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, destination, and/or return 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, to ensure full respect for the human rights of migrants.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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, children, and adolescents, 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 that context, at the denial of rights and justice to migrants who have suffered from abuse.

9. To encourage those states that have not already done so to enact national laws and adopt more effective measures to combat human trafficking and the smuggling of migrants, bearing in mind that said crimes endanger the lives of migrants or expose them to harm; servitude, including debt bondage; slavery; sexual exploitation; or forced labor, and request states to strengthen international cooperation to combat that trafficking and smuggling.

10. To vigorously condemn violations of human rights of migrants; and to urge states to adopt concrete measures to prevent such violations, 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 ensure, in conformity with national law and any applicable international obligations, the investigation, prosecution, and, if appropriate, punishment of those responsible, as well as restitution to the victims for any act that violates the human rights of migrants, such as the unlawful use of force, 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.

11. 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.

12. 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."

13. 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 overcome other obstacles to such transfers.

14. 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. He should, therefore, have access to a simple, brief procedure whereby the courts will protect him from acts of authority that, to his prejudice, violate any fundamental constitutional rights.

15. 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, as well as the jurisprudence of other international courts in the area.

16. 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.

17. To request all states, international organizations, and other actors concerned 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, destination, transit, and return 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.

18. 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.

19. To urge member states to consider signing, ratifying, or acceding to, as appropriate, 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.

20. To urge member states to consider signing, ratifying, or acceding to, as appropriate, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority.

21. 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 migrants, including 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.

22. 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 in the context of the Organization of American States (OAS), in order to better coordinate and align positions on migration issues.

23. 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 body that the General Assembly designates for that purpose.

24. To request the organs, agencies, and entities of the OAS to report to the body that the General Assembly designates for that purpose, in the first quarter of 2013, 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.

25. 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 so enable its effective operation, and to request the council of the Organization that this General Assembly designates for that purpose to consider and adopt rules of procedure for it at the proposal of the General Secretariat.

26. To request the General Secretariat to take account of the cross-cutting nature and priority of the human rights of migrants in coordinating the efforts of all relevant OAS organs, agencies, and entities.

27. To entrust the IACHR with:

- a. Considering the advisability of participating in joint cooperation projects implemented by the Executive Secretariat for Integral Development in this area;
- b. Providing its Rapporteurship on the Rights of Migrants 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 migrants, including migrant workers and of their families prior to the forty-third regular session of the General Assembly.

28. To invite member states, permanent observers, the organs, agencies, and entities of the inter-American system, as well as other donors to make voluntary contributions to the IACHR so

that it may perform its functions, in order to strengthen, among other things, the activities carried out by all its rapporteurships, specialized units, and working groups, including the Rapporteurship on the Rights of Migrants.

29. To urge member states to consider the possibility of inviting the Rapporteur on the Rights of Migrants to visit their countries to enable the Rapporteur to fulfill his or her mandate effectively.

30. To request the General Secretariat 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.

AG/RES. 2730 (XLII-O/12)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION
AND ON THE INTER-AMERICAN PROGRAM OF COOPERATION
TO FIGHT CORRUPTION

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add.1) as it pertains to this topic;

TAKING INTO ACCOUNT resolution AG/RES. 2655 (XLI-O/11);

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, 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 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 2011, the Fourth Round of Review of the 31 states parties;

UNDERSCORING the results of 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 of implementation of the IACC by the member states 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; and

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,

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 signing, 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, with support from the Department of Legal Cooperation of the Secretariat for Legal Affairs of the General Secretariat, which is reflected, *inter alia*, in the successful conclusion of the Third Review Round and in the approval of the country reports on Argentina, The Bahamas, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, the United States, Uruguay, and Venezuela;
- b. To express its satisfaction with the adoption of the Hemispheric Report on the Third Round of Review (SG/MESICIC/doc.287/11 rev. 1) by the MESICIC Committee of Experts at its meeting in September 2011, which contains a broad and comprehensive analysis of the previous country reports, formulates recommendations of a collective nature, and presents a summary of the progress made by all the countries in implementing the recommendations offered to them in the previous two rounds;
- c. To welcome with satisfaction the start of the MESICIC Fourth Round of Review, in which the Committee of Experts, with support from the Department of Legal Cooperation of the Secretariat for Legal Affairs of the General Secretariat, will analyze implementation of the Convention provision on “oversight bodies with a view to implementing modern mechanisms for preventing, detecting, punishing, and eradicating corrupt acts” and give attention to follow-up on recommendations made to states parties to the Mechanism in their respective reports from the First Round;

- d. To celebrate the inclusion of on-site visits, conducted with the prior consent of the state concerned, as a step in the review process carried out by the MESICIC Committee of Experts in the framework of this fourth round, in keeping with the methodology approved by the Committee (SG/MESICIC/doc.276/11 rev.2);

In that regard, to express its satisfaction with the on-site visits conducted thus far in the course of the MESICIC Fourth Round of Review, to Bolivia, Brazil, El Salvador, Mexico, and Paraguay, in addition to those that are to be conducted before the next regular session of the General Assembly, to Argentina, Chile, Colombia, Costa Rica, Honduras, Panama, Peru, Trinidad and Tobago, Uruguay, and Venezuela, enabling the Committee of Experts to familiarize itself with the way in which those countries are implementing the Convention, potential difficulties encountered in that process, good practices adopted by them, and any technical assistance that they might need or be able to offer in implementing the Convention;

- e. To express its satisfaction with the holding of the Second Conference on Progress and Challenges in Hemispheric Cooperation against Corruption, which took place in Cali, Colombia, on June 21 and 22, 2011, in cooperation with the government of that country, the purpose of which was to promote an exchange of best 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 express gratitude for the consideration given at the above conference to the "Draft Model Law to Facilitate and Encourage the Reporting of Acts of Corruption and to Protect Whistleblowers and Witnesses" and to the "Draft Model Law on the Declaration of Interests, Income, Assets and Liabilities of Persons Performing Public Functions," which were drafted in the framework of the MESICIC technical cooperation project and will be submitted for analysis at the next meeting of the Committee of Experts in September 2012;
- g. To express satisfaction with the approval by the MESICIC Committee of Experts, at the September 2011 meeting, of the Methodology for Consideration of the Topic of Collective Interest Concerning "The Responsibility of the Private Sector in Preventing and Combating Corruption" (SG/MESICIC/doc.302/11 rev. 1);

In that regard and in keeping with the above methodology, to invite the MESICIC states parties to exchange, within the framework of the meetings of the Committee of Experts, information on regulatory developments, experience, and best practices, and, on the strength of that exchange, to move forward with the analysis and identification of basic standards or principles that could be considered for inclusion in domestic legal frameworks or laws,

in order to encourage, strengthen, or ensure private-sector responsibility in the prevention and combating of corruption;

- h. 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 fulfillment of its recommendations and of the activities carried out by the countries at which such recommendations are directed with a view to the implementation thereof;
- i. 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;
- j. 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
- k. 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 recognize the importance of initiatives such as *Open Government Partnership* (OGP) to international cooperation in preventing and combating corruption, as well as its complementarity with the cooperation process that the countries of the Americas are pursuing to that end in the framework of the MESICIC, and, in that regard:

- a. To hail the official launch of the OGP initiative in New York City, USA, on September 20, 2011, by presidents Barack Obama of the United States and Dilma Rousseff of Brazil;
- b. To express its satisfaction with the holding in Mexico City, Mexico, on March 20, 2012, of the “Regional Dialogue for Open Government,” which was jointly organized by the Government of Mexico, the OAS General Secretariat, and OGP;
- c. To express its satisfaction also with the holding in Brasilia, Brazil, from April 16 to 18, 2012, of the annual high-level meeting of the members of the

OGP, which was co-chaired by the Governments of Brazil and the United States; and

- d. To request the OAS General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, in its capacity as Technical Secretariat of the MESICIC, to support mutual cooperation between the MESICIC and OGP.

7. 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.

8. To request the General Secretariat to continue providing, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and pursuant to Chapter VIII of the Inter-American Program 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.

9. To encourage member states and other donors to consider contributing, in accordance with Article 74 of the General Standards to Govern the Operations of the General Secretariat, to the OAS specific fund "Inter-American Anti-Corruption Fund" to assist member states in implementing the IACC and the MESICIC country report recommendations and to support operations of the MESICIC itself, including on-site visits.

10. 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.

AG/RES. 2731 (XLII-O/12)

SUPPORT FOR THE COMMITTEE FOR THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST PERSONS WITH DISABILITIES AND
ITS TECHNICAL SECRETARIAT

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING:

The Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (CIADDIS), adopted in Guatemala on June 7, 1999, which entered into force on September 14, 2001, and has been ratified by 18 member states; and

Resolutions AG/RES. 2596 (XL-O/10), "Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities," and 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";

HAVING SEEN:

The Final Report of the Second Special Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS), held in Lima, Peru, on April 25 and 26, 2012(CP/CAJP-3101/12); and

The Report of the Special Meeting of the Committee on Juridical and Political Affairs (CAJP) on Persons with Disabilities (CP/CAJP-3021/11 add. 6), held in Washington D.C., on November 17, 2011;

BEARING IN MIND the request made by the Technical Secretariat of the CEDDIS to the states parties to the Convention that they submit their Second Compliance Report on CIADDIS and the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (PAD) by 2012; and

RECOGNIZING:

The advances made by CEDDIS in defining parameters for measuring progress in the implementation of the Inter-American Convention as well as in establishing model national goals by sector;

The participation of the officers of CEDDIS in the Fourth Conference of States Parties to the Convention on the Rights of Persons with Disabilities at United Nations Headquarters on September 7, 2011, in order to make a presentation on the main inter-American instruments for the

protection of the rights of persons with disabilities and strategies for international cooperation between the Organization of American States (OAS) and the United Nations;

The meeting between the officers of CEDDIS and the officers of the United Nations Committee on the Rights of Persons with Disabilities in New York, on September 8, 2011, for the purpose of creating synergies and mutual cooperation ties between the two Committees and sharing progress made;

The important contributions received during the Special Meeting of the CAJP on Persons with Disabilities on November 17, 2011, which served as an opportunity to exchange best practices and identify adequate public policies for ensuring the inclusion of persons with disabilities in all spheres of society; and

The contributions by civil society during the dialogue with CEDDIS at its second 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 thereof,

RESOLVES:

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

2. To thank the member states that presented the Second Compliance Report on the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (CIADDIS) in accordance with the established procedures and deadlines.

3. To encourage CEDDIS to convene its fourth regular meeting in the second half of 2012 and, in connection therewith, to thank the Government of the Republic of Chile for its offer to host that meeting, the purpose of which is to review the progress made in implementing CIADDIS and to exchange experiences among the states parties, in accordance with Article VI of CIADDIS and Article 20 of the Rules of Procedure of CEDDIS.

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 financing for the activities of the CEDDIS and its Technical Secretariat.

5. 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.

6. To reiterate to the Secretary General the request that he take steps to bring about progressive advancement toward accessibility for persons with disabilities to the facilities of the Organization of American States (OAS), as well as to its information dissemination tools, including

its documents, communications, website, etc., in accordance with the principle of nondiscrimination enshrined in CIADDIS.

7. To reiterate to the Secretary General that the greatest possible efforts must be made to mainstream the disability perspective, from a rights standpoint, in all actions and decisions of the Organization.

8. To instruct 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.

AG/RES. 2732 (XLII-O/12)

HUMAN RIGHTS EDUCATION IN FORMAL EDUCATION IN THE AMERICAS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2066 (XXXV-O/05), AG/RES. 2321 (XXXVII-O/07), AG/RES. 2404 (XXXVIII-O/08), AG/RES. 2466 (XXXIX-O/09), AG/RES. 2604 (XL-O/10), and AG/RES. 2673 (XLI-O/11), in which the General Assembly of the Organization of American States suggested including human rights content and basic activities in the academic curricula of educational institutions;

RECALLING ALSO Article 49 of the Charter of the Organization of American States, Article 13 of the Inter-American Democratic Charter, and 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";

CONSIDERING that human rights education from early childhood helps to strengthen the democratic system, development, security, and progress of the free societies of the Americas and is an essential element for the promotion and protection of human rights and fundamental freedoms; and

RECOGNIZING that the Inter-American Institute of Human Rights has, in keeping 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,

RESOLVES:

1. To acknowledge the progress achieved by member states with respect to human rights education, and to suggest to member states, if they have not yet done so, that they implement the recommendations contained in the inter-American reports on human rights education produced by the Inter-American Institute of Human Rights (IHR) since 2002, to incorporate human rights education at different levels in their formal education systems.

2. To suggest to member states that they analyze the contributions of the Curricular and Methodological Proposal of the IHR to incorporate human rights education into the official curriculum for children aged 10 to 14, bearing in mind the national contexts and education systems of member states, in accordance with Article 13.2 of the Protocol of San Salvador, and, in that regard, to recommend to those member states that have not yet done so to consider signing, ratifying, or acceding to the latter instrument, as appropriate.

AG/RES. 2733 (XLII-O/12)

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 second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the Plan of Action of the Fourth Summit of the Americas, held in Mar del Plata, Argentina, in November 2005, in which 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”;

RECALLING resolution 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),” as well as all previous resolutions on this topic;

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;

The Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016) (Program of Action), which assigns the coordination of its execution to a technical secretariat (SEDISCAP), the purpose of which is to provide support to member states, persons with disabilities and their organizations, and OAS bodies, in order to follow up on the commitments set forth therein and the planning of activities in pursuit of its specific aims and measures; and

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

HAVING SEEN the request made by the Department of Social Development and Employment that the member states present their second progress report on implementation of the Program of Action in 2012;

RECALLING:

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 spheres of society; to carry out social, political, economic, cultural, and development programs that afford such persons opportunities; and to promote effective measures to provide persons with disabilities access to rehabilitation services and programs on an equal basis with others;

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 Panamanian Government 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 and recently by the Government of Trinidad and Tobago, 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 its first special meeting on May 4 and 5, 2011, and at its second special meeting on April 25 and 26, 2012, in keeping with the mandate assigned to it by resolution AG/RES. 2598 (XL-O/10) 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,

RESOLVES:

1. 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 the operations of the Technical Secretariat of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016) (SEDISCAP); 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.

2. To thank the Government of Trinidad and Tobago for its recent contribution to the Specific Fund for Voluntary Contributions to SEDISCAP.

3. To reiterate its thanks to the Government of Panama for its steadfast and effective support for the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016) (Program of Action) and for the installation in Panama City of SEDISCAP.

4. To thank the member states for presenting their second progress report on implementation of the Program of Action in accordance with the formalities and time limits established.

5. To support the efforts of the working group established by the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) through resolution CEDDIS/RES. 2 (I-E/11), at its second special meeting, held on April 25 and 26, 2012, in Lima, Peru.

6. To invite the CEDDIS Working Group to complete its exhaustive evaluation and to draw up recommendations to ensure SEDISCAP's sustainability over the remainder of the Decade of the Americas (2006-2016), and to take note of the conclusions presented in its final report at its next meeting.

7. 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.

AG/RES. 2734 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5240/12 add. 1), in particular as it pertains to the implementation of resolution AG/RES. 2657 (XLI-O/11), "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. 2657 (XLI-O/11) instructed the Permanent Council to duly follow up on the "Conclusions and Recommendations of REMJA-VIII";

TAKING INTO ACCOUNT ALSO the results of the seventh meeting of the REMJA Working Group on Cyber-Crime, held at OAS headquarters on February 6 and 7, 2012, and of the fifth meeting of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition, held in Asunción, Paraguay, on May 30 and 31, 2012; and

BEARING IN MIND note No. 4-2-147/2012 of April 20, 2012, from the Permanent Mission of Ecuador (REMJA-IX/INF.2/12), communicating "the interest of the Republic of Ecuador to offer Quito as host city of the IX Meeting of the Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA IX), scheduled to be held during the second half of 2012,"

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 seventh meeting of the REMJA Working Group on Cyber-Crime at the headquarters of the Organization of American States (OAS) on February 6 and 7, 2012;
- b. The holding of the fifth meeting of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition, in Asunción, Paraguay, on May 30 and 31, 2012;
- c. The convocation of the third meeting of the REMJA Working Group on Penitentiary and Prison Policies to be held at OAS headquarters on July 18 and 19, 2012;
- d. The holding of regional training workshops on cybercrime in Bogotá, Colombia, from November 28 to 30, 2011, and in Guatemala City, Guatemala, from March 27 to 29, 2012;
- e. 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; and
- f. The updating, maintenance, and expansion of the tools of the Network for Legal Cooperation in the Area of Family and Child Law as a pilot project.

2. To accept with thanks the offer of the Government of Ecuador to host the Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-IX), and to fix as its venue and dates, the city of Quito and November 28 to 30, 2012, respectively.

3. To request the General Secretariat to provide, through the Department of Legal Cooperation of the Secretariat for Legal Affairs and in coordination with the Government of Ecuador as the host country, the technical and administrative support needed to prepare for and hold REMJA-IX, in keeping with the provisions of the "Document of Washington."

4. To request the Permanent Council to report to the General Assembly at its forty-third regular session on the implementation of this resolution. REMJA-IX and its preparatory meetings will be held subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2735 (XLII-O/12)

ADVANCING HEMISPHERIC SECURITY: A MULTIDIMENSIONAL APPROACH^{1/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly on the activities of the Committee on Hemispheric Security (AG/doc.5240/12 add. 1);

RECALLING the resolutions assigned to the Committee on Hemispheric Security, listed in the “List of Resolutions Assigned to the Committee on Hemispheric Security (1995-2011)” (CP/CSH/INF.278/11 rev. 1);

RECALLING ALSO General Assembly declarations AG/DEC. 66 (XLI-O/11), “Declaration of San Salvador on Citizen Security in the Americas” and AG/DEC. 63 (XL-O/10), “Declaration of Lima: Peace, Security, and Cooperation in the Americas”; and resolutions AG/RES. 2617 (XLI-O/11), “Follow-Up to the Special Conference on Security”; AG/RES. 2618 (XLI-O/11), “Support for the Work of the Inter-American Committee against Terrorism”; AG/RES. 2619 (XLI-O/11), “Special Security Concerns of the Small Island States of the Caribbean”; AG/RES. 2620 (XLI-O/11), “Observations and Recommendations on the Annual Report of the Inter-American Drug Abuse Control Commission (CICAD)”; AG/RES. 2621 (XLI-O/11), “Hemispheric Plan of Action on Drugs 2011-2015”; AG/RES. 2622 (XLI-O/11), “Multilateral Evaluation Mechanism of the Inter-American Drug Abuse Control Commission”; AG/RES. 2623 (XLI-O/11), “Model Legislation on Self-Propelled Submersible and Semi-Submersible Vessels”; 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 Tlatelolco)”; AG/RES. 2625 (XLI-O/11), “Confidence- and Security-Building in the Americas”; AG/RES. 2626 (XLI-O/11), “International Conference in Support of the Central American Security Strategy”; AG/RES. 2627 (XLI-O/11), “Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials”; AG/RES. 2628 (XLI-O/11), “Inter-American Convention on Transparency in Conventional Weapons Acquisitions”; AG/RES. 2629 (XLI-O/11), “Follow-Up to the Meetings of Ministers Responsible for Public Security in the Americas”; AG/RES. 2630 (XLI-O/11), “The Americas As an Antipersonnel Land-Mine-Free Zone”; AG/RES. 2631 (XLI-O/11), “Support for the Activities of the Inter-American Defense Board”; AG/RES. 2632 (XLI-O/11), “Future of the Mission and Functions of the Instruments and Components of the Inter-American Defense System”; AG/RES. 2533 (XL-O/10), “Disarmament and Nonproliferation in the Hemisphere”; AG/RES. 2534 (XL-O/10), “Support for Implementation at the Hemispheric Level of United Nations Security Council Resolution 1540 (2004)”; AG/RES. 2543 (XL-O/10), “Execution of the Hemispheric Plan of Action against Transnational Organized Crime and Strengthening of Hemispheric Cooperation”; and AG/RES. 2551 (XL-O/10), “Work Plan against Trafficking in Persons in the Western Hemisphere”;

1. The Government of Nicaragua attaches high priority to security in all its dimensions and, given the crosscutting nature of security, ...*(The text of this footnote continues on page 140.)*

REAFFIRMING that the programs, activities, and tasks set out in the resolutions on hemispheric security help further one of the essential purposes of the Organization enshrined in the Charter, to strengthen peace and security in the Hemisphere, in accordance with the legal system of each country and respecting international law, and that cooperation among member states is fundamental for the attainment of that goal;

REAFFIRMING ALSO the provisions of the Declaration on Security in the Americas, adopted in Mexico City in October 2003, which provides that the “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”;

RECALLING that at the Sixth Summit of the Americas, held in Cartagena, Colombia, on April 14 and 15, 2012, the Heads of State and Government reiterated their commitment to combat transnational organized crime and promote citizen security;^{2/}

REAFFIRMING the norms and principles of international law in the Charter of the Organization of American States and the Charter of the United Nations;

EMPHASIZING 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;

UNDERSCORING the importance of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC), and the Inter-American Convention against Terrorism;

CONSIDERING the reports of the Inter-American Committee against Terrorism (CICTE), the Inter-American Defense Board (IADB), and the Inter-American Drug Abuse Control Commission (CICAD);

EXPRESSING SATISFACTION with the Third Meeting of Ministers Responsible for Public Security in the Americas (MISPA-III), held in Trinidad and Tobago on November 17 and 18, 2011; the Third Meeting of the Technical Group on Transnational Organized Crime, held in Trinidad and Tobago on November 16, 2011; the Third Conference of the States Party to the CIFTA, held on May 14 and 15, 2012; and the High-Level Hemispheric Meeting against Transnational Organized Crime, held in Mexico City on March 1 and 2, 2012;

BEARING IN MIND the results of the above-mentioned conferences and meetings; and

2. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... *(The text of this footnote continues on page 140.)*

BEARING IN MIND ALSO the tenth anniversary of the Declaration on Security in the Americas on October 28, 2013,

RESOLVES:

I. ACTIVITIES OF THE COMMITTEE ON HEMISPHERIC SECURITY
AND MEMBER STATES

1. To reaffirm to the Permanent Council and to the General Secretariat the applicable mandates contained in past resolutions of the General Assembly on hemispheric security and mentioned in the preambular part of this resolution; to urge member states to continue contributing to the attainment of the objectives established in said resolutions through the development and execution of activities, the submission of reports, the exchange of information, the adoption of measures and policies, and cooperation, support, and mutual assistance; and to instruct the General Secretariat to provide the necessary support to those ends.

2. To instruct the Permanent Council to continue, through the Committee on Hemispheric Security (CSH) and pursuant to the mandates in this resolution, participating in, holding consultations with, and sharing experiences and information with other regional and international forums.

Declaration of San Salvador on Citizen Security in the Americas

3. To endorse the Hemispheric Plan of Action to Follow-up on the Declaration of San Salvador on Citizen Security in the Americas (CP/doc.4708/12) adopted by the Permanent Council at its meeting of May 2, 2012, as a reference guide for the member states.

Follow-up to the Special Conference on Security

4. To instruct the Permanent Council to organize and hold a dialogue on the effectiveness of the application of the Declaration on Security in the Americas, in order to analyze and enhance progress by the member states, organs, agencies, entities, and mechanisms of the OAS in implementing it, and to submit their findings or progress reports thereon in 2013, in commemoration of the tenth anniversary of its adoption.

Special Security Concerns of the Small Island States of the Caribbean

5. To instruct the Permanent Council to advance those issues that have an impact on the security of the small island states of the Caribbean and, in that connection, to continue to convene, through the CSH, the meeting on the special security concerns of the small island states of the Caribbean, reiterating that their peculiar characteristics render these states particularly vulnerable and susceptible to the effects of crime and insecurity.

Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

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

7. 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).

8. 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.

9. To recognize the work of OPANAL in holding commemorative activities for the forty-fifth anniversary of the signing of the Treaty of Tlatelolco, as well as in holding the international seminar entitled “The Experience of the NWFZ in Latin America and the Caribbean and the Perspective towards 2015 and Beyond,” on February 14 and 15, 2012.

10. To express its interest in the successful convening, in consultation with the states of the region, of a conference in 2012, to be attended by all states of the Middle East, on the establishment of a Middle-East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by all the states of the region, and with the full support and engagement of the nuclear-weapon states.

Confidence- and Security-Building in the Americas

11. 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, urging all member states to provide the General Secretariat, by July 15 of each year at the latest, information on the application 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).

12. To instruct the Permanent Council to convene the fifth meeting of the Forum on Confidence- and Security-Building Measures in February 2013, in order to review and evaluate existing CSBMs and to discuss, consider, and propose new CSBMs, in the framework of resolution AG/RES. 2625 (XLI-O/11). Also to encourage the use of the Forum to share experiences and best practices at the bilateral, subregional, and global levels, with regard to CSBMs, formats, and application procedures.

13. To request the CSH to continue the process of establishing criteria and guidelines for the selection of experts on confidence- and security-building measures, including a description of the profile of experts, mindful of the document “Criteria, Guidelines, and Required Profile for Selection of Experts on Confidence- and Security-Building Measures” (CP/CSH-1385/12).

Support for the Central American Security Strategy

14. To acknowledge the efforts of the member states of the Central American Integration System with regard to the review, updating, and prioritization of the Central American Security Strategy, which was presented to the international community at the “International Conference in Support of the Central American Security Strategy,” held in Guatemala City on June 22 and 23, 2011.

15. To urge member states to respond to the appeal that the Central American governments have made to the international community to continue providing their support for the implementation and execution the Central American Security Strategy, as a complement to the efforts and resources being provided by the Central American countries, based on the principle of common and shared, but differentiated responsibilities.

Follow-up to the Meetings of Ministers Responsible for Public Security in the Americas

16. To endorse the Document of Port of Spain: Institutionalization of MISPA (MISPA-III/doc.9/11 rev. 2) and the Port of Spain Recommendations for Police Management (MISPA-III/doc.8/11 rev. 2) issued by the Third Meeting of Ministers Responsible for Public Security in the Americas, held on November 17 and 18, 2011, in Port of Spain, Trinidad and Tobago; and to urge the member states to apply those documents effectively and to continue implementing the Commitment to Public Security in the Americas and the Consensus of Santo Domingo.

17. To call a meeting of the Subsidiary Technical Group on Police Management for the second half of 2012. In addition, to thank the Government of Colombia for its offer to host the Fourth Meeting of Ministers Responsible for Public Security in the Americas (MISPA-IV) and to convene that meeting in the second half of 2013. To that end, to establish, through the CSH, a working group to coordinate preparations for MISPA-IV, with the support of the Secretariat.

18. To request the Secretariat for Multidimensional Security to continue, on the basis of the contributions offered by the member states and other inputs, compiling best practices and experiences on topics related to public security management; prevention of crime, violence, and insecurity; police management; citizen and community participation; and international cooperation, with a view to presenting the results at MISPA-IV.

The Americas as an Antipersonnel-Land-Mine-Free Zone^{3/}

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

20. To celebrate the support demonstrated by 33 states of the Hemisphere through their ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention); to encourage governments to continue working in the area of mine action in accordance with the Ottawa Convention and with their mine action plans; and to urge states that 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.

21. To urge those states parties that requested and were granted extensions under Article 5 of the Ottawa Convention to make every effort necessary to comply with their obligations within the periods established.

22. To commend the efforts made by Peru and Ecuador in 2011 and their intention to reduce the length of time for humanitarian demining.

23. To urge the member states, permanent observers, international organizations, and the international community to continue their technical and financial support for the Program for Comprehensive Action against Antipersonnel Mines (AICMA) and demining programs carried out by the member states in their respective territories, and to continue cooperating on projects to assist comprehensive action against antipersonnel mines, including humanitarian demining, victim assistance, mine risk and prevention education, and socioeconomic reclamation of demined areas to contribute to the development of communities.

24. To firmly condemn, in accordance with the principles and norms of international humanitarian law, the use, stockpiling, production, and transfer of antipersonnel mines and improvised explosive devices by non-state actors, especially illegal armed groups in Colombia and Peru, which acts 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.

25. To invite all states parties to the Ottawa Convention to fulfill the commitments assumed in the Cartagena Declaration: A Shared Commitment for a Mine-free World, to implement the Cartagena Action Plan 2010-2014: Ending the suffering caused by anti-personnel mines, and to participate in the Twelfth Meeting of States Parties to the Ottawa Convention, to be held from December 3 to 7, 2012, in Geneva, Switzerland.

3. 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 140.)*

Disarmament and Nonproliferation in the Hemisphere

26. To reiterate the member states' commitment to arms control, disarmament, and nonproliferation of all weapons of mass destruction and to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Convention on the Prohibition on the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention), and the 1925 Geneva Protocol to the 1907 Hague Convention.

27. To reiterate our resolve to achieve the peace and security of a world without nuclear weapons and to call on states parties to the NPT to fully implement the obligations contained in the Treaty as well as the commitments adopted in the final documents of the 2000 and 2010 Review Conferences of the Parties to the NPT, which include specific measures to achieve nuclear non-proliferation and disarmament.

28. To urge states to consider signing or ratifying the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as soon as possible, in particular the states listed in Annex 2 to the Treaty, so that it may enter into force in the shortest possible time.

29. To call on all states to comply fully with the Chemical Weapons Convention and to instruct the General Secretariat to explore the possibility of sharing experiences with the Technical Secretariat of the OPCW in the area of legislative implementation of international instruments and to collaborate, within its possibilities and when so requested, in any subregional cooperation programs the OPCW may establish in the Hemisphere and to report to the CSH on its efforts.

30. To call on all states to comply fully with the Biological Weapons Convention and instruct the OAS General Secretariat to explore the possibility of sharing experiences with the Convention Implementation Support Unit and, as appropriate, with the Pan American Health Organization, in accordance with its mandate, in the area of the legislative implementation of international instruments and other areas complementary to the Convention, such as epidemiological monitoring, and relevant scientific information and to report to the CSH on its efforts.

Support for Implementation at the Hemispheric Level of United Nations Security Council Resolution 1540 (2004)

31. To request the Permanent Council, through the CSH, to continue to assist member states with implementation of UN Security Council resolution 1540 (2004) by holding a meeting, *inter alia*, to disseminate lessons learned, share experiences, and identify specific areas and projects for which assistance is needed, while attempting to establish priorities from a hemispheric perspective; and to foster a more extensive exchange of information with other international, regional, and subregional organizations, regarding implementation of resolution 1540 (2004), including the United Nations Security Council 1540 Committee and, where appropriate, regional coordinators for 1540 implementation within the Hemisphere, thereby contributing to efforts being undertaken in the United Nations framework.

Execution of the Hemispheric Plan of Action against Transnational Organized Crime and Strengthening of Hemispheric Cooperation

32. To request the Technical Group on Transnational Organized Crime (GTDOT) to continue its role to consider issues related to the implementation of the Hemispheric Plan of Action against Transnational Organized Crime.

33. To request the GTDOT to examine at its next meeting its structure, functions and reporting responsibilities and report its recommendation to the CSH.

34. To adopt the “Components of the Work Program of the Technical Group on Transnational Organized Crime” contained in document GT/DOT-III/doc.9/11; and to encourage the member states to implement them.

Hemispheric Efforts to Combat Trafficking in Persons

35. To convene the Third Meeting of National Authorities on Trafficking in Persons in the Western Hemisphere for October 4 and 5, 2012, and to thank the Government of Guatemala for offering to host that meeting.

II. LEGAL INSTRUMENTS

36. To urge member states that have not already done so to give prompt consideration to ratifying or acceding to, as the case may be, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC).

37. To request the Secretary General to present to the Permanent Council prior to the forty-third regular session of the General Assembly a report on the status of signatures and ratifications of, and accessions to, the Inter-American American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

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

38. To endorse the “Course of Action 2012-2016 for the Operation and Implementation of the CIFTA” adopted by the Third Conference of the States Party to the CIFTA, held at OAS headquarters on May 14 and 15, 2012.

39. To continue supporting the search for synergies involving the United Nations, including its Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (UNPOA) and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (ITI);

the OAS; and all subregional mechanisms of the Hemisphere that permit states to explore more and better possibilities for joint work.

40. To convene:

- a. The Fourteenth Regular Meeting of the Consultative Committee of the CIFTA, in accordance with Article XXI of the Convention, at OAS headquarters on April 25, 2013; and
- b. The Sixth Meeting of the OAS Group of Experts to Prepare Model Legislation in the areas of maintenance, confidentiality, and exchange of information (Articles XI, XII, and XIII) and security measures to eliminate loss or diversion (Article VIII), at OAS headquarters on February 18 and 19, 2013.

41. To invite member states to participate in a hemispheric meeting of national authorities responsible for controlling illicit weapons trafficking and in the Second Meeting of Customs and Border Authorities and Other Law Enforcement Officers, to be held in Lima, Peru, on December 13 and 14, 2012.

42. To request the Technical Secretariat to support the preparation for and follow-up to all of the aforementioned meetings.

Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC)

43. To reaffirm the commitment to the principles contained in the Inter-American Convention on Transparency in Conventional Weapons Acquisitions and the commitment assumed in the Declaration of Santa Cruz de la Sierra, adopted at the IX Conference of Defense Ministers of the Americas, to promote universal participation in and full implementation of said Convention.

44. To welcome with satisfaction the Consolidated Annual Report for 2011 drawn up by the Secretariat for Multidimensional Security; and to request said Secretariat to do the same for 2012, while at the same time continuing to keep the webpage on the Convention up to date.

45. 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 and to identify, before July 1 each year, national points of contact to contribute to the preparation of notifications and annual reports.

46. To request the General Secretariat to:

- a. Contact the non-member states of the Organization 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 to the Convention, in accordance with Article V of the Convention; and

- b. Coordinate with the Inter-American Defense Board on the collaboration it is to provide with a view to full implementation of the Convention, in keeping with operative paragraph 15 of resolution AG/RES. 2631 (XLI-O/11).

47. To reiterate the request made to the Permanent Council in resolution AG/RES. 2628 (XLI-O/11) to convene a meeting of national points of contact in 2012 or, failing that, in the first half of 2013, to which non-party states will also be invited, in order to consider implementation of the Convention and activities aimed at promoting its signature and ratification and to collaborate on the Second Conference of the States Parties.

III. OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORTS OF THE ORGANS, AGENCIES, AND ENTITIES OF THE ORGANIZATION (ARTICLE 91.F OF THE CHARTER OF THE ORGANIZATION OF AMERICAN STATES)

Inter-American Committee against Terrorism (CICTE)

48. To reaffirm the commitments made in the Declaration on Strengthening Cyber-Security in the Americas, adopted by the member states of the Inter-American Committee against Terrorism (CICTE) at its Twelfth Regular Session (March 7, 2012, Washington, D.C.); and to encourage the member states to fulfill the commitments contained therein, including the CICTE Work Plan for 2012.

49. To instruct the General Secretariat to continue providing the CICTE Secretariat with necessary support to ensure continuity in the implementation of its mandates, including support for convening and holding the Thirteenth Regular Session of CICTE, scheduled to be held at the headquarters of the Organization of American States, in Washington, D.C., from March 6 to 8, 2013, and for the Eleventh Meeting of National Points of Contact to CICTE, which will take place in conjunction with that regular session, as well as the three one-day meetings to be held on November 5 and December 7, 2012; and February 25, 2013, at the headquarters of the Organization.

50. To request the Chair of CICTE to report to the General Assembly at its forty-third regular session on the implementation of the mandates set out in the CICTE Work Plan.

51. To request the General Secretariat to organize, in coordination with the Secretariats of CICTE, REMJA, and CITEL, a workshop on hemispheric principles and norms on cybersecurity, in accordance with the Strategy to Combat Threats to Cybersecurity, and follow up on the discussion held during the Twelfth Regular Session of CICTE.

Inter-American Drug Abuse Control Commission (CICAD)

52. To take note of the 2011 Annual Report of the Inter-American Drug Abuse Control Commission (CICAD) to the General Assembly (CP/doc.4710/12 rev. 1) and to congratulate CICAD on the progress made.

53. To endorse the CICAD Executive Secretariat's work plan for 2012, in accordance with the CICAD statutes and in line with the Hemispheric Drug Strategy and its Plan of Action, and

to instruct the Executive Secretariat to carry out the corresponding activities and to continue to support capacity-building and provide technical assistance to member states.

54. To endorse the national reports on progress made in the implementation of the Multilateral Evaluation Mechanism (MEM) Fifth Evaluation Round recommendations, and to encourage member states to implement the pending recommendations, in order to strengthen their drug control policies and increase multilateral cooperation in the Hemisphere.

55. To convene the MEM Inter-governmental Working Group (IWG) in preparation for the Sixth Evaluation Round, to encourage member states to continue to participate actively in this process, and to thank the Government of Costa Rica for its offer to host the first meeting in San Jose, Costa Rica, from June 12 to 15, 2012.

56. To take note of the "Report on Drug Use in the Americas, 2011," prepared by the CICAD Executive Secretariat, which presents a detailed overview of the use of different substances among diverse population groups in member states.

57. To encourage member states to continue to participate in the Professional Exchange Program being implemented by the CICAD Executive Secretariat.

58. To request the CICAD Inter-American Observatory on Drugs (OID) to continue strengthening and collaborating with national drug observatories, in fulfillment of its mandates, providing them with technical assistance to carry out national studies that would allow a better understanding of and response to the world drug problem.

59. To instruct the General Secretariat to continue providing the CICAD Executive Secretariat with necessary support, and to encourage member states, permanent observers, and other international donors to continue making voluntary contributions so that the Secretariat can continue implementing its mandates.

Inter-American Defense Board (IADB)

60. To invite member states to continue requesting relevant studies, assessments, and reports from the Inter-American Defense Board (IADB) on matters in accordance with its Statutes.

61. To request the IADB to continue reporting to the Committee on Hemispheric Security (CSH) 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 3, 2012.

62. To request the IADB, in accordance with its Statutes, and in coordination with the Secretariat for Multidimensional Security to conduct the following activities:

- a. To continue providing technical assistance to the Comprehensive Action against Antipersonnel Mines Program (AICMA);

- b. To continue its consultations with the organs, agencies, and entities of the OAS and other relevant actors on the draft plan presented, with a view to improving advice and guidance offered by the IADB to the inter-American system, aimed at improving the capacity to respond to disasters in the Hemisphere, taking into account, *inter alia*, the Inter-American Plan for Disaster Prevention and Response and the Coordination of Humanitarian Assistance;
- c. To continue promoting the participation of civilian authorities and officials responsible for defense matters and to promote civilian-military relations, as a complement to the educational services offered by the IADB in this field; and to make recommendations to the CSH by December 15, 2012;
- d. To encourage OAS member states to consider requesting support from the IADB in promoting the preparation or updating of defense white papers, as well as the preparation of reports required for defense matters, especially those that strengthen mutual confidence- and security-building in the Hemisphere; and
- e. To assist the Technical Secretariat of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), in accordance with its Statutes, in completing a procedural manual on protection of weapons stockpiles and on standard operational procedures for the safe destruction of surplus firearms, ammunition, and explosives.

Future of the mission and functions of the instruments and components of the inter-American defense system

63. To instruct the Permanent Council, through the CSH, to schedule and prepare meetings to discuss the future of the mission and functions of the instruments and components of the inter-American defense system, pursuant to resolution AG/RES. 2632 (XLI-O/11) and the recommendations of the IX Conference of Defense Ministers of the Americas.

IV. FOLLOW-UP AND REPORTS

64. 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.

FOOTNOTES

1.preventive actions in the face of threats to security, in particular those stemming from all aspects of crime. In this connection, Nicaragua shares and supports the efforts made and initiatives taken in the regional and hemispheric framework. However, with regard to initiatives to strengthen the Inter-American Defense Board (IADB), Nicaragua considers that the historical context that led to the emergence of the IADB is different from the present realities in our states. Nicaragua does not agree that the IADB should intervene in matters of a military or other nature that might undermine the sovereignty, independence, institutional system, and legal order of the country.

2. ... in Cartagena de Indias, Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts as appropriate.

3. ... 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.”

AG/RES. 2736 (XLII-O/12)

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^{1/2/}

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolution 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”;

RECALLING that participation by civil society and other social actors in the 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 compliance with the provisions of the Charter of the OAS 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 endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), which request “the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) to follow up on these strategies; to evaluate their implementation; and, if appropriate, to propose amendments to them or new mechanisms for increasing and strengthening participation by civil society organizations in OAS activities”;

CONSIDERING that the Summits of the Americas process encourages full participation by civil society and 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 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 OAS;

TAKING INTO ACCOUNT that the Declaration of Mar del Plata recognizes the pivotal role the OAS plays in coordinating civil society participation in the Summits process;

-
1. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... (*The text of this footnote continues on page 145.*)
 2. The Government of Nicaragua believes that the reference to the Summit in Cartagena, Colombia, and the call for strengthening the so-called ... (*The text of this footnote continues on page 145.*)

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”;

RECOGNIZING the efforts made by the host country to facilitate the participation of civil society and social actors in the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, on April 14 and 15, 2012;

RECALLING resolution AG/RES. 2633 (XLI-O/11), “Support for and Follow-up to the Summits of the Americas Process,” which instructed 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;

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, by resolution CP/RES. 864 (1413/04), of the Specific Fund of voluntary contributions to support the participation of civil society organizations in OAS activities and in the Summits of the Americas process 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 instructed 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;

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

NOTING:

The contributions and recommendations suggested by civil society organizations and other social actors, including the Dialogue “Strengthening Partnerships for Prosperity: A Government and Social Actor Dialogue,” which took place on April 13, 2012, in the framework of the Sixth Summit of the Americas, as well as the contributions that they provide in the follow-up to implementation of the mandates of the Summits of the Americas process; and

The recommendations of the IX Hemispheric Forum with Civil Society and Social Actors, held in Washington, D.C., on April 26 and 27, 2012, on the theme of the forty-second regular session of the General Assembly, “Food Security with Sovereignty in the Americas,” and the priorities on the inter-American agenda, as well as the Special Session with Civil Society and Social Actors of the CISC on strengthening dialogue with civil society organizations, held on April 27, 2012,

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 and in the activities undertaken by the OAS as a result of the Summits of the Americas process, as well as efforts by the 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 of the heads of delegation and the Secretary General with the representatives of civil society organizations.

6. To continue to urge member states to:
 - a. Participate in the dialogue of heads of delegation with representatives of civil society organizations in the context of General Assembly sessions and in the 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 and other social actors, to allow for an exchange of experiences and best practices among the member states.
8. To recognize the efforts of the Plurinational State of Bolivia as host country of the forty-second regular session of the General Assembly to work with the General Secretariat and with civil society organizations and social actors 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 member states to continue, in the framework of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities, analyzing the Draft Strategy for Strengthening Civil Society Participation in the Activities of the Organization of American States (CP/CISC-422/09 rev. 1) with a view to finalizing 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-third 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.

FOOTNOTES

1. ... in Cartagena de Indias, Colombia, without prejudice approaches it in a comprehensive way, regularly carrying out to the contents approved by Ecuador in other negotiation contexts, as applicable.

2. ... “Summit of the Americas” are inappropriate in that during that event, the Heads of State and Government were unable to consider or adopt the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean for the sister republic of Cuba to participate unconditionally and on a footing of sovereign equality. We reaffirm that a “Summit of the Americas” cannot be held without the presence of Cuba. The mandates and operative paragraphs on the core themes were part of the Political Declaration and as the latter were not adopted, nor were the former. For that reason, Nicaragua disagrees with making references to these documents and mandates, which were not adopted.

AG/RES. 2737 (XLII-O/12)

SUPPORT FOR AND FOLLOW-UP TO THE SUMMITS OF THE AMERICAS PROCESS^{1/2/}

(Adopted at the second plenary session, held on June 4, 2012)

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), the Fifth Summit of the Americas (Port of Spain, 2009), and the Sixth Summit of the Americas (Cartagena de Indias, 2012);

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 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, which comprises the 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 (CAF), the Caribbean Development Bank (CDB), the International Organization for Migration (IOM), the International Labour Organization (ILO), and the United Nations Development Programme (UNDP);

-
1. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... (*The text of this footnote continues on page 150.*)
 2. The Government of Nicaragua believes that the reference to the Summit in Cartagena, Colombia, and the call for strengthening the so-called ... (*The text of this footnote continues on page 150.*)

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; and

RECALLING that at the ministerial meeting of the Summit Implementation Review Group 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,

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, during the third quarter of 2012 at a joint meeting of the Permanent Council and the Inter-American Council for Integral Development (CIDI), a report on the activities assigned by the Summit to the OAS, 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, CIDI, and the CISC.
5. To request that the General Secretariat, through the Summits Secretariat, continue to serve as the institutional memory and Technical Secretariat of the Summits of the Americas process, advising the host country of the Summit and member states, upon request, 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.
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 annually on the implementation and follow-up of the mandates established in the Summits of the Americas process.

8. To request the Summits Secretariat 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 Summits Secretariat, 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.

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 Summits Secretariat 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 Summits Secretariat 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 Summits Secretariat to provide full support to the states in following up on Summit mandates and in preparing for the next Summit of the Americas.

12. To request the General Secretariat to make efforts, through the Summits Secretariat and the member states, to promote and disseminate among the stakeholders involved in the Summits of the Americas process the mandates 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 Summits Secretariat, 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 and other information and communication technologies.

14. To request the Summits Secretariat 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.

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 Summits Secretariat by providing it with the human and financial resources necessary 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-third regular session on the implementation of this resolution.

FOOTNOTES

1. ... in Cartagena de Indias, Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts, as applicable.

2. ... “Summit of the Americas” are inappropriate in that during that event, the Heads of State and Government were unable to consider or adopt the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean for the sister republic of Cuba to participate unconditionally and on a footing of sovereign equality. We reaffirm that a “Summit of the Americas” cannot be held without the presence of Cuba. The mandates and operative paragraphs on the core themes were part of the Political Declaration and as the latter were not adopted, nor were the former. For that reason, Nicaragua disagrees with making references to these documents and mandates, which were not adopted.

AG/RES. 2738 (XLII-O/12)

STRENGTHENING THE TOPIC OF MIGRATION IN THE OAS:
ESTABLISHMENT OF THE COMMITTEE ON MIGRATION ISSUES

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2608 (XL-O/10), “Migrant Populations and Migration Flows in the Americas,” AG/RES. 2669 (XLI-O/11) “The Human Rights of All Migrant Workers and Their Families,” and all its pertinent past resolutions;

UNDERSCORING the close nexus that exists among migration, development, and human rights, and recognizing that respect for those rights is a vital pillar of development and that the latter is essential to the effective exercise of those rights as well as to taking advantage of the positive aspects of international migration;

RECOGNIZING that all member states are countries of origin, transit, destination, or return for migrants and have the authority to regulate the migration of persons into their territories;

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

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

CONSIDERING the importance of continuing the analysis of migration in the Americas, within the OAS framework, in order to encourage identification of joint measures, *inter alia*, through cooperation, international, regional, and/or bilateral dialogue, as applicable, and the exchange of good practices by which to strengthen its advantages and address its collateral challenges; and

TAKING NOTE that the OAS should promote measures that would enrich the ongoing subregional consultative processes on this subject, including the Regional Conference on Migration (RCM or “Puebla Process”), the South American Conference on Migration, the Specialized Forum on Migration of MERCOSUR, and the Andean Forum on Migration,

RESOLVES:

1. To establish, as a matter of priority, the Committee on Migration Issues (CAM) as a permanent committee of the Inter-American Council for Integral Development (CIDI) of the

Organization of American States (OAS). The CAM shall function as the principal forum in the Organization charged with migration issues.

2. The CAM shall operate in accordance with the Statutes and Rules of Procedure of CIDI and on the basis of the following guidelines, among others:

- a. A comprehensive, balanced, and technical approach that takes into consideration the contributions and challenges represented by migration for countries of origin, transit, destination, and/or return.
- b. The importance of dialogue, exchanges of good practices, and implementation of international, regional, subregional, and bilateral cooperation initiatives in the migration area, to expand the contribution made by migration to the Hemisphere's integral development.
- c. The global nature of migration processes and the peculiarities of South-South migration in its work.
- d. Actions to strengthen the contributions of migrants by dignifying their image.
- e. The inclusion of a gender perspective in its work.
- f. It will take into consideration the work carried out by the Special Committee on Migration Issues (CEAM) and the programs implemented by the Migration and Development Program.
- g. The CAM shall be a forum for exchanges of experiences and lessons learned in the member states on the effective management of migration flows and for the identification of possible areas for cooperation.

3. To instruct the CAM to review, implement, and monitor the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and their Families, with a view to optimizing its objectives. The CAM shall submit a report on the results obtained to the General Assembly.

4. To urge the member states, permanent observers, and regional, international, and civil society organizations to consider making voluntary contributions to the work of the CAM.

5. To instruct the Secretary General to reallocate to the CAM for its operations the resources assigned to the CEAM in 2012, and to consider the financial resources necessary for its operations within the Organization's proposed program-budget for 2013.

6. To dissolve the CEAM, recognizing with satisfaction its valuable contributions to the migration issue and the successful conclusion of the work carried out, which included an assessment of that work and the preparation of a proposal for the streamlining and consolidation of migration issues within the OAS framework.

7. To request that CIDI 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.

AG/RES. 2739 (XLII-O/12)

OPTIMIZATION OF THE STRUCTURE OF THE
INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolution CIDI/RES. 261 (XVII-O/12), "Optimization of the Structure of the Inter-American Council for Integral Development," and

The "Recommendations of the Working Group to Strengthen CIDI," on Major Theme 3: Architecture/Structure of CIDI and of its Organs (Part 1: Simplification of the Structure of CIDI) (CEPCIDI/GT/FORCIDI/doc.56/12);

RECALLING:

That through resolutions AG/RES. 2304 (XXXVII-O/07), AG/RES. 2305 (XXXVII-O/07), AG/RES. 2390 (XXXVIII-O/08), and AG/RES. 2469 (XXXIX-O/09), the General Assembly requested the Permanent Executive Secretariat of the Inter-American Council for Integral Development (CEPCIDI) to develop, study, and propose measures to strengthen the Inter-American Council for Integral Development (CIDI);

That resolution AG/RES. 2609 (XL-O/10) extended that mandate and authorized CIDI to approve, *ad referendum* of the General Assembly, the appropriate amendments to the statutes or rules of procedure of CIDI, CEPCIDI, the Special Multilateral Fund of CIDI (FEMCIDI), and the Inter-American Agency for Cooperation and Development (IACD), in order to strengthen them;

TAKING INTO ACCOUNT:

That, pursuant to these mandates and based on the report of its Working Group to Strengthen CIDI and its Organs, CEPCIDI has proposed that CEPCIDI be eliminated and its functions be assumed by regular monthly meetings of CIDI,

RESOLVES:

1. To eliminate the Permanent Executive Secretariat of the Inter-American Council for Integral Development (CEPCIDI) and assign to the Inter-American Council for Integral Development (CIDI) its functions established in the statutes, rules of procedure, and other rules of the Organization;

2. To instruct CIDI to amend its Statutes, its Rules of Procedure, and the rules of procedure of its organs, in order to reflect the elimination of CEPCIDI and put into effect,

ad referendum of General Assembly approval, the amendments to its Statutes no later than December 31, 2012, so that those amendments might entail a review of procedures with a view to optimizing the operations of CIDI;

3. To instruct and authorize the Permanent Council to amend the General Standards to Govern the Operations of the General Secretariat of the Organization of American States so that they might reflect the elimination of CEPCIDI and the assignment of its functions to CIDI;

4. To establish the following transitory provisions that will remain in effect until adoption and entry into force of the amendments to the Statutes and Rules of Procedure of CIDI:

- a. CIDI shall hold regular meetings, as necessary, at least once a month at the Permanent Council's headquarters;
- b. Regular meetings of CIDI shall follow the current Rules of Procedure of CEPCIDI, and subcommittees and working groups established under these Rules of Procedure shall be, respectively, committees and working groups of CIDI;
- c. At regular meetings of CIDI, the permanent representative of each member state accredited to the Organization of American States shall serve as that state's principal representative, without prejudice to the right of the respective duly authorized minister to take his or her place, and each state may appoint such alternate representatives and advisers as it deems necessary to represent it in CIDI;
- d. Article 26 of the Statutes of CIDI on the election of its officers is hereby repealed. The Chair and Vice Chair shall serve for terms of six months, with two terms a year established, commencing on the first day of January and July, respectively. The chair shall be held successively by the permanent representatives, following the order of precedence in Spanish. The outgoing chair shall occupy the position of vice chair for a period of six months. The order of precedence established at the seventeenth regular meeting of CIDI shall serve to appoint the officers of CIDI for its first session following adoption of this resolution.

5. To establish that all references to CEPCIDI in the rules of the Organization shall henceforth refer to CIDI.

6. To instruct CIDI to report to the General Assembly at its forty-third regular session on implementation of this resolution and developments related thereto.

AG/RES. 2740 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 192 (XII-O/07) and AG/RES. 2303 (XXXVII-O/07), “Strengthening Mechanisms for Policy Dialogue for Integral Development”; CIDI/RES. 193 (XII-O/07) and AG/RES. 2304 (XXXVII-O/07), “Strengthening Technical Cooperation for Integral Development”; CIDI/RES. 194 (XII-O/07) and AG/RES. 2305 (XXXVII-O/07), “Strengthening Substantive Policy Dialogue in the Framework of the Inter-American Council for Integral Development”; CIDI/RES. 213 (XIII-O/08), CIDI/RES. 228 (XIV-O/09), AG/RES. 2390 (XXXVII-O/08), and AG/RES. 2469 (XXXIX-O/09), “Strengthening Partnership for Development: Policy Dialogue, Technical Cooperation, Structure, and Mechanisms”; CIDI/RES. 244 (XV-O/10) and AG/RES. 2609 (XL-O/10); CIDI/RES. 258 (XVI-O/11) and AG/RES. 2646 (XLI-O/11); and CIDI/RES. 262 (XVII-O/12), “Extension of the Mandate of the CEPCIDI Working Group to Strengthen CIDI and Its Organs”;

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 and Its Organs 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 it 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 (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, although the Working Group has made considerable progress in the analysis of the objectives contained in its work plan and has submitted recommendations to strengthen CIDI and its organs, still pending are the study of new modalities of cooperation, financing mechanisms, links between the political processes, and technical cooperation, as well as the continuation of the study of strengthening of political dialogue and the structure of CIDI and its organs;

TAKING INTO ACCOUNT ALSO that the Permanent Council’s Committee on Administrative and Budgetary Affairs 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, 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) and its Organs established by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), extend its mandate to the forty-third regular session of the General Assembly, so that it continues implementing its work plan (CEPCIDI/GT/FORCIDI/doc.20/10 rev. 1. corr. 1), and request its authorities to submit its recommendations to CIDI no later than April 30, 2013.

2. To instruct the CEPCIDI Working Group to Strengthen CIDI and its Organs to take into account in its recommendations the decisions on cooperation from the sixteenth regular meeting of CIDI (CIDI/doc.10/11) and the guidelines included in the report of the rapporteur (CIDI/doc.10/11 add. 1), aimed at promoting and consolidating the innovative modalities for cooperation, so that they are linked with existing and potential financing mechanisms.

3. To request CIDI 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 that CIDI 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.

AG/RES. 2741 (XLII-O/12)

EXTENSION OF THE TERM OF THE STRATEGIC PLAN FOR
PARTNERSHIP FOR INTEGRAL DEVELOPMENT 2006-2009^{1/}

(Adopted at the second plenary session, held on June 4, 2012)

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), CIDI/RES. 252 (XVI-O/11), AG/RES. 2641 (XLI-O/11), and CIDI/RES. 263 (XVII-O/12), “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 eleventh regular meeting;

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

Resolutions CIDI/RES. 213 (XIII-O/08) and AG/RES. 2390 (XXXVIII-O/08), “Strengthening Partnership for Development: Policy Dialogue, Technical Cooperation, Structure, and Mechanisms”;

1. The Government of the Bolivarian Republic of Venezuela reiterates its reservations to the FTAA, as formulated in the Declarations and ... *(The text of this footnote continues on page 162.)*

TAKING INTO ACCOUNT:

That the term of the Strategic Plan for Partnership for Integral Development 2006-2009 was extended until December 31, 2012, by resolution AG/RES. 2641 (XLI-O/11);

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,” and that said report was presented to the 29th Special Meeting of CEPCIDI, held on December 12, 2011;

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

That a review of the mandates assigned to the Organization will be conducted within the Permanent Council and CIDI; 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 for one year, until December 31, 2013.
2. To take note of the quantitative and qualitative report on the implementation of the Strategic Plan for Partnership for Integral Development 2006-2009 presented by the Executive Secretariat for Integral Development (SEDI).

3. To instruct the Inter-American Council for Integral development (CIDI) to move ahead, with inputs from CIDI subsidiary bodies, with the process of evaluating the contents of the Strategic Plan for Partnership for Integral Development 2006-2009 that need to be updated and/or supplemented, and to present its recommendations by October 30, 2012, at the latest.

4. To instruct the Permanent Executive Committee of CIDI to analyze and consider the recommendations referred to in the preceding paragraph and, if deemed feasible, to begin to update the Strategic Plan for Partnership for Development so that the 2014-2017 version may be submitted to CIDI by April 30, 2013, and to the General Assembly at its forty-third regular session.

5. To instruct SEDI to support work relating to this analysis.

6. To request that CIDI 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. ... Plans of Action of the Summits of 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 prior resolutions with the same title.

AG/RES. 2742 (XLII-O/12)

REPORT OF THE FIFTH INTER-AMERICAN MEETING
OF MINISTERS AND HIGHEST AUTHORITIES OF CULTURE
IN THE FRAMEWORK OF CIDI AND ON THE CELEBRATION
OF THE INTER-AMERICAN YEAR OF CULTURE

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the resolutions of the General Assembly of the Organization of American States (OAS) and of the Inter-American Council for Integral Development (CIDI) related to the various inter-American meetings of ministers and highest authorities of culture in the framework of CIDI and on the celebration of the Inter-American Year of Culture in 2011;

KEEPING IN MIND:

That the Heads of State and Government at each of the Summits of the Americas held so far have recognized, among other matters, that culture plays a vital role in the integral development of the member states and makes a positive contribution to the creation of social cohesion; and

That in the aforementioned Summits process, the Heads of State and Government pledged, along with other commitments, to continue to promote inter-cultural dialogue and respect for cultural diversity; to increase their efforts to promote and support cultural and creative industries and activities as part of their national policies for the promotion of sustainable economic growth, the creation of jobs, and the generation of income; and to facilitate exchanges of information and practices related to the protection and promotion of cultural heritage and to educating communities on the best ways of protecting heritage sites and managing them in sustainable ways;

CONSIDERING:

That 2011 was declared the “Inter-American Year of Culture” by the OAS, the central theme of which was “Our Cultures, Our Future;”

That as part of the celebration, member states embarked upon a number of initiatives and projects aimed at strengthening cultural diversity and promoting the central role that culture plays in the economic, social, and human development of all communities;

That those governmental initiatives, as well as those undertaken by the OAS General Secretariat, various cultural organizations, and other stakeholders in cultural affairs, which were aimed, *inter alia*, at designing projects to strengthen cultural industries, highlight the value of cultural heritage as a factor in development, and promote culture as a tool for enhancing social inclusion, all helped to make the Inter-American Year of Culture a success; and

CONSIDERING ALSO:

That the Fifth Inter-American Meeting of Ministers and Highest Authorities of Culture in the Framework of CIDI was held at OAS headquarters in Washington, D.C. on November 9 and 10, 2011 and had as its theme: “Culture: Common Denominator for Integral Development;”

That, at that meeting, the ministers and highest authorities on culture highlighted, among other aspects, the importance of culture as the primary connecting factor in efforts to ensure peaceful coexistence and its contribution to economic development, the strengthening of democracies, and social inclusion; and that, after a productive dialogue, the ministers and highest authorities of culture adopted a communiqué entitled “Culture: Common Denominator for Integral Development”;

That in the communiqué “Culture: Common Denominator for Integral Development” the Inter-American Committee on Culture was instructed to design its 2011-2013 Work Plan, with a view to strengthening capacity in the culture sector and furthering cooperation in the thematic areas agreed at the Fourth Inter-American Meeting of Ministers and Highest Authorities of Culture in the Framework of CIDI, held in Barbados in 2008; and

That it is incumbent upon CIDI to foster regional dialogue and cooperation activities for integral and sustainable development in the field of culture,

RESOLVES:

1. To endorse the communiqué “Culture: Common Denominator for Integral Development” (CIDI/REMIC-V/doc.6/11 rev. 1) adopted at the Fifth Inter-American Meeting of Ministers and Highest Authorities of Culture in the Framework of CIDI.

2. To ask the General Secretariat, through the Executive Secretariat for Integral Development, to assist the Inter-American Committee on Culture with the design and implementation of a work plan, taking into consideration the communiqué “Culture: Common Denominator for Integral Development.”

3. To thank the ministers and highest authorities of culture of the member states, the General Secretariat, cultural organizations, and other actors for their contributions to the activities of the Inter-American Year of Culture.

4. To reiterate the importance of continuing the dialogue process among ministers and highest authorities of culture in the Hemisphere in the framework of the Inter-American Council for Integral Development (CIDI).

5. To request that CIDI report to the General Assembly at its forty-third regular session on the implementation of this resolution and on the actions it has taken to support its financing. 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. 2743 (XLII-O/12)

REPORT OF THE XIX INTER-AMERICAN TRAVEL CONGRESS AND HOLDING OF THE
TWENTIETH INTER-AMERICAN CONGRESS OF MINISTERS AND
HIGH-LEVEL AUTHORITIES OF TOURISM

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1 (XX-E/94), “General Policy Framework and Priorities: Partnership for Development”; AG/RES. 1426 (XXVI-O/96), “Support for OAS Tourism Activities”; CIDI/RES. 17 (II-O/97) and AG/RES. 1517 (XXVII-O/97), “Sustainable Tourism Development”; CIDI/RES. 152 (IX-O/04) and AG/RES. 1987 (XXXIV-O/04), “XVIII Inter-American Travel Congress”; AG/RES. 2083 (XXXV-O/05), “Strengthening of Micro, Small, and Medium-Sized Enterprises”; AG/RES. 2089 (XXXV-O/05), “XIX Inter-American Travel Congress”; AG/RES. 2201 (XXXVI-O/06), “Strategic Plan for Partnership for Integral Development (2006-2009)”; AG/RES. 2212 (XXXVI-O/06), “Fostering the Development of Tourism”; AG/RES. 2314 (XXXVII-O/07), “Natural Disaster Reduction, Risk Management, and Assistance in Natural and Other Disaster Situations”; CIDI/RES. 243 (XV-O/10) and AG/RES. 2591 (XL-O/10), “The Importance of Tourism Cooperation in the Americas”; CIDI/RES. 249 (XVI-O/11) and 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”; and CIDI/RES. 265 (XVII-O/12), “Report of the XIX Inter-American Travel Congress and Holding of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism.”;

HAVING SEEN ALSO the Declaration of San Salvador for Sustainable Tourism Development in the Americas (CIDI/TUR-XIX/DEC.1/11 rev. 1) and the resolution, “Key Topics for Partnership for Development in the Tourism Sector under the Special Multilateral Fund of the Inter-American Council for Integral Development” (CIDI/TUR-XIX/RES.1/11 rev. 1), both adopted by the XIX Inter-American Travel Congress, as well as the Report of the XIX Inter-American Travel Congress (CIDI/TUR-XIX/doc.10/11);

CONSIDERING that in the framework of the XIX Inter-American Travel Congress the delegations of Ecuador and Honduras offered to host the next two meetings of the Congress;

HAVING SEEN:

The note from the Government of Ecuador offering to host the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism in Quito from September 11 to 13, 2012 (CEPCIDI/INF.143/11), as well the announcement of the theme of that ministerial meeting: “Conscientious Tourism”; and

Resolution CEPCIDI/RES. 190 (CLXXV-O/11), “Convocation of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism”;

CONSIDERING:

That the XIX Inter-American Travel Congress created a hemispheric tourism fund composed of voluntary contributions that allows the possibility of giving consideration to the participation of the private sector and international organizations, in order to support communities that live in extreme poverty and have tourism potential in their environment but cannot fully achieve development; and

That in the framework of the XIX Inter-American Travel Congress, the ministers of tourism of Belize, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and Trinidad and Tobago made financial pledges which will serve as seed capital for the Hemispheric Tourism Fund;

CONSIDERING ALSO that pursuant to the mandate from the General Assembly and the Inter-American Council for Integral Development (CIDI), the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) prepared Draft Rules of Procedure of the Inter-American Committee on Tourism (CEPCIDI/doc.1040/12) in keeping with the guidelines laid down by the XIX Inter-American Travel Congress;

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 to 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 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 the responsibility of 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,

RESOLVES:

1. To endorse the Declaration of San Salvador for Sustainable Tourism Development in the Americas (CIDI/TUR-XIX/DEC.1/11 rev. 1) and to thank the Government and people of El Salvador for holding the XIX Inter-American Travel Congress.

2. To thank the Government of Ecuador for its offer to host the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism, to be convened in Quito, Ecuador, from September 11 to 13, 2012.

3. To urge the ministers and high-level authorities of tourism to participate in the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism.

4. To adopt the Rules of Procedure of the Inter-American Committee on Tourism (CITUR) contained in document CIDI/doc.5/12 and to instruct the Permanent Executive Committee of the Inter-American Council for Integral Development to support the first CITUR meeting programmed for July 30 and 31, 2012, in order to put the decisions of the XIX Inter-American Travel Congress into effect and prepare the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism.

5. To note with satisfaction the creation of the Hemispheric Tourism Fund and to continue, in the XX Inter-American Congress of Ministers and High-level Authorities of Tourism, studying its proper incorporation into cooperation mechanisms that exist in the framework of the Inter-American Council for Integral Development (CIDI).

6. To thank the delegations of Belize, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and Trinidad and Tobago for their pledges to the Hemispheric Tourism Fund and to invite the other member states, the private sector, and international organizations to consider adding their own voluntary contributions in order, through this fund, to support communities that live in extreme poverty and have tourism potential in their environment but cannot fully achieve development.

7. To instruct the Executive Secretariat for Integral Development to support the organization and the preparatory process of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism and to redouble its efforts to support member states in fostering sustainable tourism development.

8. To request that CIDI 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.

AG/RES. 2744 (XLII-O/12)

SEVENTH REGULAR MEETING OF THE
INTER-AMERICAN COMMITTEE ON PORTS

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the resolutions of the General Assembly of the Organization of American States and of the Inter-American Council for Integral Development (CIDI) on the Inter-American Committee on Ports (CIP), including resolutions CIDI/RES. 257 (XVI-O/11) and AG/RES. 2648 (XLI-O/11), "Improving Transparency and Effectiveness of the Inter-American Committee on Ports"; and CIDI/RES. 266 (XVII-O/12), "Seventh Regular Meeting of the Inter-American Committee on Ports";

CONSIDERING that, at its seventh regular meeting, held in Lima, Peru, on March 15 and 16, 2012, the CIP approved the Declaration and Plan of Action of Lima, as well as various resolutions containing guidelines for improving the functioning of the Committee;

CONSIDERING ALSO:

That Articles 5.e and 87 of the Rules of Procedure of the CIP empower it to propose amendments to its Rules of Procedure; and

That, in resolution CIDI/CIP/RES. 120 (VII-12) the CIP recommended to CIDI various amendments to the CIP Rules of Procedure, with the aim of improving its functioning,

RESOLVES:

1. To take note of the Declaration and Plan of Action of Lima, CIDI/CIP/DEC. 1 (VII-12) and CIDI/CIP/RES. 117 (VII-12) respectively, and of the resolutions adopted at the Seventh Regular Meeting of the Inter-American Committee on Ports (CIP).

2. To welcome the amendments made by Inter-American Council for Integral Development (CIDI) to the CIP Rules of Procedure in resolution CIDI/RES. 266 (XVII-O/12).

3. To request the CIP Secretariat to continue presenting its quarterly financial reports to the Permanent Executive Committee of the Inter-American Council for Integral Development.

4. To thank the Government of Peru and the National Port Authority (APN) for their successful conduct of the Seventh Regular Meeting of the CIP, and to thank the CIP Secretariat for its valuable contributions to the event.

5. To request that CIDI 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.

AG/RES. 2745 (XLII-O/12)

INTER-AMERICAN PROGRAM ON
EDUCATION FOR DEMOCRATIC VALUES AND PRACTICES

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1907 (XXXII-O/02), "Promotion of Democracy"; AG/RES. 1869 (XXXII-O/02), "Promotion of Democratic Culture"; AG/RES. 1960 (XXXIII-O/03), "Program for Democratic Governance in the Americas"; AG/RES. 1957 (XXXIII-O/03), "Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter"; AG/RES. 2045 (XXXIV-O/04), "Program for Democratic Governance in the Americas"; AG/RES. 2044 (XXXIV-O/04) and AG/RES. 2119 (XXXV-O/05), "Promotion and Strengthening of Democracy"; and AG/RES. 2164 (XXXVI-O/06), AG/RES. 2320 (XXXVII-O/07), AG/RES. 2423 (XXXVIII-O/08), AG/RES. 2481 (XXXIX-O/09), CIDI/RES. 235 (XV-O/10), AG/RES. 2571 (XL-O/10), AG/RES. 2683 (XLI-O/11), and CIDI/RES. 267 (XVII-O/12), "Inter-American Program on Education for Democratic Values and Practices";

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 the Inter-American Democratic Charter 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, held in Santiago, Chile from June 8 to 10, 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, “Securing Our Citizens’ Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability,” adopted 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 reaffirmed their “commitment to the 2008 Declaration of Medellín on Youth and Democratic Values”;

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 held 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 OAS General Assembly at its fortieth regular session held 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”;

That in the Declaration of Quito, “Better Opportunities for the Youth of the Americas: Rethinking Secondary Education,” adopted by the Sixth Inter-American Meeting of Ministers of Education, held in Quito, Ecuador, from August 12 to 14, 2009, the ministers entered upon 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; and

That in the Declaration of San Salvador on Citizen Security in the Americas adopted at the forty-first regular session of the General Assembly, held in June 2011, the ministers of foreign affairs of the member states declared “[t]hat 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”;

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 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 of member states, academics, and civil society experts, as well as other appropriate interested parties;

That in the Declaration of Paramaribo, “Transforming the Role of the Teacher to Meet the Challenges of the 21st Century,” adopted at the Seventh Inter-American Meeting of Ministers of Education held in Suriname on March 1 and 2, 2012, the ministers underscored “the importance of education as a fundamental aspect of development and, therefore, as essential to improving social, economic, cultural and democratic conditions in the member states,” and recognized “the importance of expanding access to ICTs in education at all levels and in all sectors, particularly as a contributing factor in the preparation of students, their learning, and their active and democratic participation in the political, social, cultural, and productive arenas”;

That in the Declaration of Paramaribo the ministers also reiterated their recognition of the progress made in implementing the Inter-American Program on Education for Democratic Values and Practices, “given its contribution to strengthening a democratic and nonviolent culture, through formal and nonformal education, promoting active and meaningful participation by youth in the decisions that affect them, and providing teachers with tools that will support them in making their classrooms more democratic”; and instructed the Inter-American Committee on Education (CIE), with the support of the Executive Secretariat for Integral Development (SEDI), to draw up a work plan for 2012 and 2013, the central objective of which should be “to implement and follow up on [their] decisions, with special attention to strengthening horizontal cooperation and technical assistance in lines of action that include (1) promoting and monitoring policies of quality, equity, and inclusion; (2) strengthening initial teacher preparation, professional development, and the teaching profession; (3) comprehensive early childhood care and education; (4) education in democratic values and practices; and (5) the use of information and communication technologies in the teaching and learning process”;

That, in the Declaration of Mar del Plata, “Creating Jobs to Fight Poverty and Strengthen Democratic Governance,” adopted 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 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”; and

That the Declaration of Medellín, “Youth and Democratic Values,” adopted by the OAS General Assembly at its thirty-eighth regular session, held in June 2008, 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, “Better Opportunities for the Youth of the Americas: Rethinking Secondary Education,” 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 CIE, with the support of 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,

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 activities that promote horizontal cooperation, exchange of best practices, informed dialogue, and the production of knowledge in the area of education for democratic citizenship, contributes to capacity-building in public and private-sector institutions, universities, and civil society organizations in member states of the Organization of American States for designing and strengthening quality education policies, programs, and initiatives that encourage the integral development of children and youth and better prepare them to participate in decision-making processes that concern the development of their communities.

2. To instruct the General Secretariat to continue carrying out the various activities covered by the three components of the Program—research and analysis, professional and material resource development, and exchanges of information and experiences—such as the Cooperation Fund for Technical Assistance Missions of the Program and the creation of a cooperation framework that

includes, *inter alia*, horizontal, South-South, and triangular cooperation in order to foster technical assistance among institutions in member states.

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 report on the progress, outcomes, and impacts of the activities and projects carried out under the Inter-American Program on Education for Democratic Values and Practices.

4. 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.

5. To instruct the Inter-American Committee on Education, 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.

6. To thank those member states that have contributed financial, logistical, and human resources to support the strengthening and continuity of the Program's activities as well as to implement new projects.

7. To invite the member states and permanent observers, as well as individuals, public and private enterprises, and international organizations to make voluntary contributions to support the development and sustainability of the different activities under the Program.

8. To request CIDI, with the support of SEDI, to report to the General Assembly on the implementation of this resolution at its forty-third regular session. 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. 2746 (XLII-O/12)

STRENGTHENING PARTNERSHIP FOR INTEGRAL DEVELOPMENT

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 268 (XVII-O/12), “Strengthening Partnership for Integral Development,” and CIDI/RES. 273 (XVII-O/12), “Promotion and Incorporation of New Forms of Cooperation for Integral Development;

Resolutions CIDI/RES. 213 (XIII-O/08), “Strengthening Partnership for Development: Policy Dialogue, Technical Cooperation, Structure, and Mechanisms,” CIDI/RES. 224 (XIV-O/09), “Specialized CIDI Meeting of High-Level Cooperation Authorities,” and CIDI/RES. 231 (XV-O/10), “Report of the Specialized CIDI Meeting of High-Level Cooperation Authorities”; and

Resolution AG/RES. 2390 (XXXVIII-O/08), “Strengthening Partnership for Development: Policy Dialogue, Technical Cooperation, Structure, and Mechanisms”;

RECALLING that resolution AG/RES. 2641 (XLI-O/11) extended the term of the Strategic Plan for Partnership for Development, establishing the policy framework and priorities for strengthening cooperation for development partnerships, until December 31, 2012;

BEARING IN MIND the importance of maintaining the visibility of partnerships for integral development within the Organization of American States and of actions taken within that framework, through the inclusion and adoption of resolutions and/or declarations at the General Assembly; and

TAKING INTO ACCOUNT that progress has been made in strengthening the Inter-American Council for Integral Development (CIDI) during the process of reflection and consultation on the mechanisms for policy dialogue and the partnership for development operational scheme, particularly through the efforts of the CEPCIDI Working Group to Strengthen CIDI and its Organs (GTFORCIDI),

RESOLVES:

1. To recognize the work carried out by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) and, in particular, by the CEPCIDI Working Group to Strengthen CIDI and its Organs (GTFORCIDI), during the process of reflection and consultation on the mechanisms for policy dialogue within the framework of the Inter-American Council for Integral Development (CIDI) and the partnership for development operational scheme.

2. To underscore the importance of multilateral cooperation for integral development within the framework of the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) and to urge its strengthening.

3. To urge the member states to hold meetings of High-Level Cooperation Authorities every three years, in order to direct partnership for development policies within the Organization.

4. To request that, in considering possible courses of action for strengthening its organs as well as the mechanisms for policy dialogue and technical cooperation, and should it identify the need to introduce regulatory amendments, CIDI propose such amendments taking into consideration the recommendations of the Management Board of the Inter-American Agency for Cooperation and Development (MB/IACD) and adopt them *ad referendum* of the General Assembly, as appropriate.

5. To urge the top sectoral authorities to define, within the framework of the corresponding inter-American committees, concrete themes and lines of action that will enable them, to the extent possible, to guide cooperation for development actions more precisely within the Organization.

6. To request that CIDI and the Executive Secretariat for Integral Development 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.

AG/RES. 2747 (XLII-O/12)

REPORT OF THE SEVENTEENTH INTER-AMERICAN CONFERENCE OF
MINISTERS OF LABOR AND SUPPORT FOR THE INTER-AMERICAN NETWORK
FOR LABOR ADMINISTRATION

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 223 (XIV-O/09) and AG/RES. 2470 (XXXIX-O/09), “XVI Inter-American Conference of Ministers of Labor”; CIDI/RES. 238 (XV-O/10) and AG/RES. 2584 (XL-O/10), “Report of the XVI Inter-American Conference of Ministers of Labor”; CEPCIDI/RES. 172 (CLXIII-O/10), “Convocation of the XVII Inter-American Conference of Ministers of Labor”; CEPCIDI/RES. 182 (CLXX-O/11), “Change of Date of the XVII Inter-American Conference of Ministers of Labor”; CIDI/RES. 247 (XVI-O/11) and 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”; and CIDI/RES. 269 (XVII-O/12) “Report of the Seventeenth Inter-American Conference of Ministers of Labor and Support for the Inter-American Network for Labor Administration;

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 their 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 International Labor Organization (ILO), as appropriate, to endorse, at the 16th IACML to be held in 2009, a work programme that advances these objectives”;

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 XVII IACML was held in San Salvador, El Salvador, from October 31 to November 1, 2011;

That the discussions among the ministers of labor in the framework of the XVII IACML revolved around the theme of "Advancing economic and social recovery with sustainable development, decent work, and social inclusion" and examined issues of particular relevance for the region, such as the centrality of jobs in strategies to create a strong, sustainable, and balanced economy, bringing about fairer working conditions, and preventing and eradicating the worst forms of child labor;

That during the XVII IACML, the First Hemispheric Dialogue between Ministers of Labor and Ministers of Women's Affairs or High-Ranking Authorities Responsible for the Advancement of Women's Affairs in the member states was held in partnership with the Inter-American Commission of Women (CIM), in order to share perspectives and put forward recommendations to achieve greater equality between men and women in the workplace;

That the XVII IACML adopted the Declaration and Plan of Action of San Salvador [CIDI/TRABAJO/DEC. 1 (XVII-O/11) rev. 1 and CIDI/TRABAJO/doc.5/11 rev. 3, respectively], along with resolution CIDI/TRABAJO/RES. 2 (XVII-O/11), "Solidarity with the Peoples and Governments of El Salvador and Central America in Light of the Recent Natural Disasters";

That the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL) adopted in the framework of the XVII IACML a joint declaration entitled "Youth and Decent Work";

That the IACML authorities, comprising its past (Argentina), current (El Salvador), and future (Colombia) chairs as well as the chairs and vice chairs of its working groups, accompanied by members of COSATE and CEATAL and by representatives of the OAS, ILO, Pan American Health Organization (PAHO), Inter-American Development Bank (IDB), and Economic Commission for Latin America and the Caribbean (ECLAC), held a planning meeting on February 7, 2012, at OAS headquarters in Washington, D.C., and approved the 2012-2013 IACML Work Schedule, which envisages follow-up on the Declaration and Plan of Action of San Salvador that establishes the following activities: Working Group Meeting 2012 jointly with a RIAL Workshop on freedom of association and collective bargaining, RIAL Workshop on Child Labor, Working Group Meeting in 2013 jointly with a RIAL Workshop on fairer labor conditions and non-discrimination, Preparatory Meeting of the XVIII IACML, and the holding of the XVIII IACML in 2013; and

That the Government of Colombia has formally offered to host the XVIII IACML in 2013, marking the 50th anniversary of the Conference that had its origins in Bogota, Colombia;

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; and

That the Government of Canada, through the Labour Program of the Department of Human Resources and Skills Development Canada, 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 San Salvador Plan of Action adopted at the XVII IACML in 2011, established that “the IACML recognizes that the Inter-American Network for Labor Administration (RIAL) has achieved significant results in institutional strengthening and deepening cooperation between the Ministries of Labor in the region and as such, reiterates its full support and commitment to this mechanism” and that “the IACML confirms the creation of the RIAL Voluntary Contribution Fund, established by the Working Groups of the IACML in July 2010 and incorporated in the Technical Secretariat”; and

RECOGNIZING:

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 ILO, the IDB, and ECLAC, among others,

RESOLVES:

1. To endorse the Declaration and Plan of Action of San Salvador, adopted by the ministers of labor at the Seventeenth Inter-American Conference of Ministers of Labor (IACML).
2. To congratulate the Government of El Salvador for successfully organizing and holding the XVII IACML.
3. To thank the Government of Colombia for its offer to host the XVIII IACML in 2013, which marks the 50th anniversary of the Conference that had its origins in Bogota, Colombia.

4. To urge the ministers of labor to continue contributing to the fulfillment of the objectives of the Declaration of San Salvador adopted at the XVII IACML and to the implementation of the Plan of Action of San Salvador.

5. To congratulate the Inter-American Conference of Ministers of Labor (IACML) and the Inter-American Commission of Women (CIM) for having held the first inter-ministerial dialogue on gender equality in the workplace during the XVII IACML in San Salvador and to express the hope that cooperation and dialogue will continue, at the national and hemispheric levels, between the ministries of labor and mechanisms for the advancement of women.

6. To declare its support for the Inter-American Network for Labor Administration (RIAL), to back the 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.

7. 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 for the Network, and to report periodically on this process to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI).

8. 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. 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. 2748 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CEPCIDI/RES. 181 (CLXVIII-O/11), "Convocation of the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI"; AG/RES. 2388 (XXXVIII-O/08) and CIDI/RES. 211 (XIII-O/08), "Second Meeting of Ministers and High Authorities on Science and Technology"; AG/RES. 2642 (XLI-O/11) and CIDI/RES. 253 (XVI-O/11), "Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI"; and CIDI/RES. 270 (XVII-O/12), "Report of the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI";

TAKING INTO ACCOUNT that the Heads of State and Government gathered at the Fourth Summit of the Americas undertook to improve the quality of science education and to incorporate science, technology, engineering, and innovation as principal factors in national strategies and plans for social and economic development, for the fundamental purpose of helping to reduce poverty and generate decent jobs, and that, in that regard, they expressed support for the Declaration and Plan of Action of Lima adopted at the First Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI;

TAKING INTO ACCOUNT ALSO:

That the Heads of State and Government gathered at the Fifth Summit of the Americas, taking note of the outcomes of the Second Meeting of Ministers and High Authorities on Science and Technology, held in Mexico City in 2008, pledged to create conditions for increasing public investment, 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 area of science and technology has been considered a priority area in the Summits of the Americas process, which was reconfirmed in the 2006-2009 Strategic Plan for Partnership for Integral Development; and

CONSIDERING:

That the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI took place on November 17 and 18, 2011, in Panama City;

That the Dialogue of Ministers and High Authorities on Science and Technology focused on the topic “Translational Science, Technology, and Innovation: Knowledge for Competitiveness and Prosperity”;

That the Ministers and High Authorities on Science and Technology considered the document “Towards a Vision 20/25 in Science, Technology and Innovation for the Americas: Hemispheric Cooperation for Competitiveness and Prosperity in a Knowledge Economy (Vision 20/25),” which presents a regional road map for fostering hemispheric cooperation, strengthening partnerships, and applying knowledge on science, technology, and innovation to meeting basic needs and promoting socioeconomic development and prosperity;

That the Ministers and High Authorities on Science and Technology adopted the Plan of Action of Panama: Translational Science, Technology and Innovation: Knowledge for Competitiveness and Prosperity (CIDI/REMCYT-III/doc.6/11 rev. 4) to advance the implementation of the ministerial mandates by creating working groups in the framework of the Inter-American Committee on Science and Technology (COMCyT) and establishing clear actions and cooperation mechanisms to ensure their effective and sustained functioning; and

That the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) received the report of the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI (CIDI/REMCYT-III/doc.10/12) and convened the Seventh Regular Meeting of the COMCyT [CEPCIDI/RES. 189 (CLXXVIII-O/12)] to evaluate progress in implementing the agreements reached under the Plan of Action of Panama, agreed upon at the Third Meeting of Ministers and High Authorities on Science and Technology in the Framework of CIDI,

RESOLVES:

1. To support the Plan of Action of Panama: Translational Science, Technology, and Innovation: Knowledge for Competitiveness and Prosperity (CIDI/REMCYT-III/doc.6/11 rev. 4).
2. To congratulate the Government of Panama on the success of 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.
3. To emphasize the importance of continuing the ministerial dialogue on science and technology in the framework of the Inter-American Council for Integral Development (CIDI) and to instruct the Inter-American Committee on Science and Technology (COMCYT) to follow up on the implementation of the Plan of Action of Panama.
4. To instruct the General Secretariat, through the Executive Secretariat for Integral Development, to continue supporting preparations for and follow-up on meetings in the science and technology sector and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development on the preparatory process.

5. To request that CIDI 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.

AG/RES. 2749 (XLII-O/12)

INTERNATIONAL YEAR OF QUINOA, 2013

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

RECALLING that the Charter of the Organization of the American States establishes that one of the Organization's essential purposes is to "eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere";

BEARING IN MIND that resolution 66/221, adopted by the General Assembly of the United Nations (91st plenary session, December 22, 2011), declares 2013 "International Year of Quinoa," noting that quinoa is a natural food high in nutritional value;

BEARING IN MIND ALSO:

That said resolution recognizes "that Andean indigenous peoples, through their traditional knowledge and practices of living well, in harmony with nature, have maintained, controlled, protected and preserved quinoa in its natural state, including its many cultivated and landraces, as food for present and future generations"; and

That said resolution affirms "the need to focus world attention on the role that quinoa biodiversity can play, owing to the nutritional value of quinoa, in providing food security and nutrition and in the eradication of poverty";

AFFIRMING the need to heighten public awareness of the nutritional, economic, environmental, and cultural properties of quinoa;

RECALLING the Rome Declaration on World Food Security and the World Food Summit Plan of Action, the Declaration of the World Food Summit: five years later, and the Declaration of the World Summit on Food Security;

CONSIDERING that in the Declaration of Mar del Plata of the Fourth Summit of the Americas, the Heads of State and Government reaffirmed their "commitment to fight poverty, inequality, hunger, and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas";

RECALLING that quinoa is one of the oldest crops in the Andean region and that great cultures, such as the Tiahuanacotas and the Incas, have participated in its preservation; and

TAKING INTO ACCOUNT:

That at the Second Meeting of Ministers and High-level Authorities of Social Development within the Framework of CIDI, held in Cali, Colombia, on July 8 and 9, 2010, it was agreed to

promote the implementation and strengthening of government strategies that integrate the work of different ministries and public agencies to ensure greater impact in efforts to confront poverty and inequality, and reiterated that intersectoral coordination is essential to maximize the impact of various social-policy interventions, including strengthening food security policies, among others; and

Resolution AG/RES. 2346 (XXXVII-O/07), “Support for Efforts to Eradicate Child Malnutrition in the Americas,” which urged member states “to give top priority in their poverty reduction strategies to eradication of child malnutrition in the Hemisphere” and to promote horizontal cooperation in the region as well as strengthening of national bodies dedicated to coordinating efforts to combat child malnutrition,

RESOLVES:

1. To welcome with satisfaction the declaration of 2013 as “International Year of Quinoa.”
2. To invite member states and permanent observers to develop initiatives to heighten the public’s awareness of the nutritional, economic, environmental, and cultural properties of quinoa.
3. To invite the organs, agencies, and entities of the inter-American system to contribute, within their areas of competence and existing resources, to the efforts of member states to reduce rates of malnutrition in the Hemisphere by providing support for food crops, among them, quinoa.
4. To invite governments and relevant regional and international organizations to make voluntary contributions and provide other forms of support for the celebration of the “International Year of Quinoa,” and to invite nongovernmental organizations, other interested parties and the private sector to make voluntary contributions and support the celebration of that year.

AG/RES. 2750 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

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 AG/RES. 2492 (XXXIX-O/09), CIDI/RES. 245 (XV-O/10), AG/RES. 2610 (XL-O/10), CIDI/RES. 259 (XVI-O/11), AG/RES. 2647 (XLI-O/11), and CIDI/RES. 272 (XVII-O/12), “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);

ALSO TAKING NOTE 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 periodically assess and strengthen, when necessary, 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 developing prevention, mitigation, and response mechanisms;

UNDERSCORING the importance of implementing the guidelines arising from the Hyogo Framework of Action and reaffirming that disaster-risk management is a priority of national public policies and their development strategies;

MINDFUL that in achieving rapid and efficient assistance to persons in disaster situations, it is essential to coordinate with the affected state and to have specific legislation on disaster risk management;

CONVINCED of the importance of migration, customs, and tax agreements, among others, to facilitate the receipt, donation, or transit of humanitarian inputs in disaster or emergency situations;

EMPHASIZING the importance of supporting 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), reinforcing complementarity without duplicating efforts; 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 agencies and organizations, social actors, and civil society organizations, in respect of risk management, disaster assistance, avoiding duplication of efforts, and combining synergies of existing mechanisms in the interest of the region,

RESOLVES:

1. To endorse the Inter-American Plan for Disaster Prevention and Response and the Coordination of Humanitarian Assistance contained in the General Framework (CEPCIDI/doc.1053/12 rev. 1) to be implemented on a voluntary basis by the member states.

2. To request the General Secretariat of the Organization of American States (OAS) to implement, through the Department of Sustainable Development (DSD), a mechanism that takes advantage of the online database of the Inter-American Network for Disaster Mitigation (INDM) to update, analyze, and systematize, periodically, the experiences and best practices implemented and/or informed voluntarily by member states in accordance with the recommendations of the “Inter-American Plan for Disaster Prevention and Response and the Coordination of Humanitarian Assistance”. The necessary resources for the implementation of this mechanism shall come from voluntary contributions of member states and external funds.

3. To invite the member states to submit annual reports to the Inter-American Council for Integral Development (CIDI) on the voluntary implementation of the recommendations contained in the aforementioned Plan.

4. To instruct the General Secretariat of the OAS to lend support to CIDI, through the DSD, subject to the availability of resources from voluntary contributions of member states and/or external funds, in the implementation of this resolution.

5. To consider the mandates contained in AG/RES. 2647 (XLI-O/11), “Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance among the Member States,” fulfilled with the adoption of this resolution; and to consider the activities of the Joint Working Group on Existing Mechanisms for Disaster Prevention and Response and Humanitarian Assistance successfully concluded.

6. To request CIDI to report to the General Assembly at its forty-third regular session on implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources from voluntary and/or other external financing, and in no case will be defrayed by the Regular Fund in the Organization's program-budget.

AG/RES. 2751 (XLII-O/12)

PROMOTION AND INCORPORATION OF NEW FORMS OF
COOPERATION FOR INTEGRAL DEVELOPMENT

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 273 (XVII-O/12) "Promotion and Incorporation of New Forms of Cooperation for Integral Development" and CIDI/RES. 268 (XVII-O/12), "Strengthening Partnership for Integral Development";

The report entitled "Recommendations of the Working Group to Strengthen CIDI, Broad Topic 1: Other cooperation projects to be developed in the OAS framework" (CEPCIDI/GT/FORCIDI/doc.50/11);

RECALLING:

That, by resolution AG/RES. 2469 (XXXIX-O/09) the General Assembly welcomed the outcomes of the Special Technical Meeting of National Cooperation Authorities and Experts, held on October 17 and 18, 2008, in Playa del Carmen, Mexico, on October 17 and 18, 2008 (CIDI/COOPTEC/doc.6/08), at which the member states, represented by their high authorities and experts in cooperation, pledged to promote inclusive mechanisms conducive to horizontal, South-South, and triangular cooperation activities, supplementing the traditional forms of cooperation already practiced at the Organization of American States (OAS);

That the Inter-American Council for Integral Development (CIDI) at its sixteenth regular meeting held at the headquarters of the OAS on May 9 and 10, 2011, considered the topic "Innovative modalities for cooperation and financing mechanisms";

That the CEPCIDI Working Group to Strengthen CIDI and its Organs, in document CEPCIDI/GT/FORCIDI/doc.50/11, recommended to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) that it request the Management Board of the Inter-American Agency for Cooperation and Development (MB/IACD) to prepare a set of basic guidelines to be taken into account for incorporating horizontal, triangular, South-South and other forms of cooperation;

That, at its meeting on February 23, 2012, the MB/IACD adopted as the strategic objective of its Work Plan 2012 (AICD/JD/doc.127/12 rev. 2), "new appreciation for and incorporation of new cooperation modalities" in addition to traditional modalities such as South-South, horizontal, and triangular cooperation, updating the practices of the OAS and aligning them with global trends in the partnership for development area, while strengthening the multilateral aspect of efforts in that regard; and

TAKING INTO ACCOUNT:

That the momentum of international cooperation for development is suffering from the effects of the recent global financial crisis, which translate into diminished availability of financing for cooperation for development activities;

That it is imperative to seek new forms of cooperation that, in addition to, and complementing traditional modalities, enrich cooperation for development; and

That the heterogeneous and diverse nature of the players involved in inter-American cooperation make for greater plurality in the instruments and arrangements applicable to cooperation for development, and that, in that context, South-South and triangular cooperation become particularly relevant because in them the emphasis is less on financing and more on the sharing of knowledge in a framework of mutual collaboration,

RESOLVES:

1. To highlight the importance of forms of cooperation based on the exchange of technical knowledge, comprising technical assistance activities and/or skills-building, in addition to other types of cooperation.

2. To instruct the Inter-American Council for Integral Development (CIDI) and its subsidiary organs to consider and approve mechanisms for incorporating new forms of cooperation, such as horizontal, South-South, and triangular cooperation, in cooperation for integral development in the framework of the Organization of American States (OAS).

3. To request the Management Board of the Inter-American Agency for Cooperation and Development to prepare a set of basic guidelines for the incorporation of the aforementioned forms of cooperation for integral development in the OAS, giving due consideration to any contributions provided by member states and other organs of CIDI.

4. To urge member states to encourage and strengthen the new modalities of cooperation in the framework of the OAS, particularly Horizontal, South-South and triangular cooperation, both within the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) and within other schemes of cooperation in such a way that it constitutes a bridge between countries of different levels of development.

5. To instruct the General Secretariat to support these efforts, especially by gathering information regarding precedents and experiences of the member states with these new forms of cooperation.

6. To request that CIDI 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.

AG/RES. 2752 (XLII-O/12)

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

(Adopted at the second plenary session, held on June 4, 2012)

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"; CIDI/RES. 254 (XVI-O/11) and AG/RES. 2643 (XLI-O/11), "Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI;" and CIDI/RES. 275 (XVII-O/12), "Report of the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI";

Resolution 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 Second Summit of the Americas, held in Santiago, Chile, on April 18 and 19, 1998, the Heads of State and Government reiterated the commitment of the First Summit of the Americas to ensure, by the year 2010, universal access to and completion of quality primary education for 100 percent of children and access for at least 75 percent of young people to quality secondary education, with increasing percentages of young people who complete secondary education, and assumed responsibility for providing the general population with opportunities for life-long learning;

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 reaffirmed their commitment to achieving a gross secondary education enrollment rate of at least 75 percent by the year 2010 and called on the Ministers of Education, with the support of the Organization of American States, specialized international and regional institutions and civil society organizations, to develop strategies to make quality secondary education accessible to all our young people by 2015, especially the most vulnerable groups and those with special education needs and that 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; and

That, at the Sixth Summit of the Americas, held in Cartagena, Colombia, on April 14 and 15, 2012, the Heads of State and Government reaffirmed that equal and timely access to quality education is essential and constitutes an effective tool for reducing inequality and creating conditions for development and for the wellbeing of the population, and that policies to strengthen teaching practice and the teaching profession, as well as access to information and communication technologies (ICTs) and their proper use, are vital to improving the quality of education.^{1/2/}

TAKING INTO ACCOUNT:

That it is incumbent on the Inter-American Council for Integral Development (CIDI), in the framework of the current Strategic Plan for Partnership for Integral Development, to foster dialogue to promote the development of education as one of its priority areas;

That the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI was held in Paramaribo, Suriname, on March 1 and 2, 2012, and that at that meeting the Ministers of Education adopted the Declaration of Paramaribo “Transforming the role of the teacher in response to 21st-century challenges” (CIDI/RME/DEC. 1/12);

That the dialogue of ministers of education of the Americas chose as its theme “Transforming the role of the teacher to meet the challenges of the 21st century” and ministers had the opportunity to exchange views on the teacher that today’s students need; schools as learning communities: the context of effective teaching; and policies to promote teacher quality: the role of governments;

That the ministers of education recognized the essential role of governments in promoting quality education for all and that special attention must be paid to the design and implementation of policies that strengthen the teaching profession and foster the educator’s strategic role in facilitating learning and promoting values;

That the ministers of education emphasized “the importance of expanding access to ICTs in education at all levels and in all sectors, particularly as a contributing factor in the preparation of students”; and the importance of “generat[ing] knowledge and exchang[ing] good practices concerning innovative policies and programs for initial preparation, professional development, improvement of labor conditions, and strengthening the teaching profession”, for which they “entrust[ed] the Inter-American Committee on Education (CIE), with support from its Technical Secretariat, with following up on this issue through the region’s cooperation mechanisms, including the Inter-American Teacher Education Network (ITEN)”;

That the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI held elections for the officers of the CIE and the CIE Executive Committee; and

-
1. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15 ... (*The text of this footnote continues on page 194.*)
 2. The Government of Nicaragua considers that the reference to the Summit in Cartagena, Colombia, and the appeal to strengthen the so-called ... (*The text of this footnote continues on page 194.*)

That the Ministers of Education gathered in Paramaribo welcomed the offer of the Ministry of Education of Paraguay to host the Eighth Inter-American Meeting of Ministers of Education within the Framework of CIDI in 2013; and

TAKING INTO ACCOUNT ALSO that the Government of Suriname also held, with the support of the OAS General Secretariat, the event Virtual Educa Caribbean, a multilateral initiative addressing education, innovation, competitiveness, and development through the application of ICTs, with the purpose of extending the benefits of its programs to the entire region, with specific focus on the non Spanish-speaking Caribbean,

RESOLVES:

1. To welcome the Declaration of Paramaribo “Transforming the role of the teacher in response to 21st-century challenges” (CIDI/RME/DEC. 1/12).
2. To congratulate the Government of the Republic of Suriname on the success of the Seventh Inter-American Meeting of Ministers of Education within the Framework of CIDI.
3. To thank and welcome the offer of the Government of Paraguay to host the Eighth Inter-American Meeting of Ministers of Education within the Framework of CIDI.
4. To congratulate the officers of the Inter-American Committee on Education (CIE) and the CIE Executive Committee on their election, and to urge them to continue their contributions to achieving the objectives established in the Declaration of Paramaribo and at the previous ministerial meetings on education in the framework of the Inter-American Council for Integral Development (CIDI), especially on the effort to expand access to information and communication technologies (ICTs) in education and the strengthening of the teaching profession, with support from the Technical Secretariat, through regional cooperation mechanisms such as the Inter-American Teacher Education Network (ITEN).
5. To request the CIE, with the assistance of the Executive Secretariat for Integral Development, to continue supporting the process of preparation and follow-up of meetings in the education area, and to provide regular updates on that process to the Permanent Executive Committee of the Inter-American Council for Integral Development.
6. To request CIDI 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. ... in Cartagena de Indias, Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts, as applicable.

2. ... “Summit of the Americas” are inappropriate in that during that Summit, the Heads of State and Government were not able to consider or approve the Political Declaration, which reflected the common will of the countries of Latin America and the Caribbean to have the sister Republic of Cuba participate in that forum unconditionally and on the basis of equal sovereignty. We reaffirm that the “Summit of the Americas” cannot take place without the presence of Cuba. The mandates and operative aspects of the thematic areas were part of the Political Declaration and, as the latter was not adopted, the former were not adopted either. For that reason, Nicaragua is not in favor of referring to these documents and mandates, which were not adopted.

AG/RES. 2753 (XLII-O/12)

PROMOTION OF CORPORATE SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolutions AG/RES. 2687 (XLI-O/11) and CIDI/RES 276 (XVII-O/12), “Promotion of Corporate Social Responsibility in the Hemisphere”;

RECALLING the 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. 2336 (XXXVII-O/07), 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 those 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 FURTHER 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 United Nations, the Summit of the Americas, the Group of 20 (G20), the Group of Eight (G8), the Major Economies Forum, the Asia-Pacific Economic Cooperation (APEC), and the Organization for Economic Co-operation and Development (OECD), are taking important steps to foster and promote responsible corporate practices;

RECOGNIZING 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 21st century for businesses of all sizes, engaged in any activity; and

TAKING INTO CONSIDERATION the implementation by the Organization of American States, 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 VIII Inter-American Conference on Corporate Social Responsibility organized by the Inter-American Development Bank (IDB) and held in Asuncion, Paraguay, from May 24 to 26, 2011 and the IX Inter-American Conference on Corporate Social Responsibility held in Quito, Ecuador, from May 21 to 23, 2012.

2. To take note also of the holding of the national workshops, regional workshops, and roundtable dialogues on corporate social responsibility (CSR) among small and medium-sized enterprises (SMEs) organized by the Department of Economic Development, Trade and Tourism of the Executive Secretariat for Integral Development (SEDI) of the Organization of American States, including the Green Business Forum, held from April 4 to 5, 2011 in Mexico City, as well as the workshops held jointly with the Secretariat of Political Affairs to share knowledge and integrally promote CSR awareness among Parliamentarians of Latin America, held in Bogota, Colombia on May 4 and 5, 2011, and in Montevideo, Uruguay, on June 16, 2011.

3. To encourage member states to support the SEDI program to promote CSR principles and guidelines that contribute to information exchange and capacity-building and enable member states to promote CSR in private sector communities, including local organizations, and to support capacity-building and CSR promotion initiatives within member states.

4. To further encourage member states to consider training and mentoring opportunities for SMEs to engage in CSR initiatives.

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.

7. To urge member state governments to promote corporate social responsibility programs and initiatives among the private sector, the community and other stakeholders, with special emphasis on value chains and on effective stakeholder 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 among businesses operating in or from their countries 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 “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework”; 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.

9. To invite member states to support initiatives aimed at strengthening their capacity to manage and develop natural resources in an environmentally protective, financially transparent, and socially responsible manner, such as, *inter alia*, the Extractive Industries Transparency Initiative, the Communities and Small-scale Mining initiative, and the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development.

10. 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, the ILO, the World Bank, and other regional and international organizations, such as the Latin American Mining Association and the Regional Association of Oil, Gas and Biofuels Sector Companies in Latin America and the Caribbean, and the Latin American Energy Organization, 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.

11. To request the Inter-American Council for Integral Development, with the support of SEDI, 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.

AG/RES. 2754 (XLII-O/12)

AMENDMENTS TO CHAPTERS VIII AND IX OF THE GENERAL STANDARDS TO GOVERN
THE OPERATIONS OF THE GENERAL SECRETARIAT: THE INSPECTOR GENERAL

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Chair of the Committee on Administrative and Budgetary Affairs (CAAP) on Amendments to Chapters VIII and IX of the General Standards to Govern the Operations of the General Secretariat: The Inspector General;

BEARING IN MIND that the Inspector General has the function of verifying compliance with standards through systematic and selective examination of transactions and procedures related to the resources administered by the General Secretariat and that his investigations and audits include administrative and financial operations;

TAKING INTO ACCOUNT that the reports of the Inspector General should reflect pertinent data on compliance with standards and procedures of the General Secretariat, the effectiveness and efficiency of operations, and the reliability of financial information;

TAKING INTO ACCOUNT ALSO resolution CP/RES. 995 (1832/11), "Reporting and Work Plan of the Inspector General" (December 9, 2011); and

CONSIDERING that it is essential to give the Inspector General greater autonomy and to establish a number of guidelines for his appointment, length of term, removal, and performance, to which end it is necessary to amend the relevant chapters of the General Standards to Govern the Operations of the General Secretariat (the General Standards),

RESOLVES:

1. To amend Chapter VIII of the General Standards as follows:

CHAPTER VIII

CONTROL AND EVALUATION OF FINANCIAL AND BUDGETARY
MANAGEMENT

Article 114. Fiscal Supervision by the Permanent Council. Fiscal supervision by the member states rests primarily with the Permanent Council, the Board of External Auditors, and the Inspector General.

The Permanent Council shall directly or through the CAAP oversee compliance with these General Standards and may delegate oversight functions to the Board of External Auditors and to the Inspector General.

The General Secretariat shall facilitate for the member states direct access to the electronic system of financial and budgetary execution reports of the General Secretariat.

The Secretary General shall inform the Permanent Council about any matter which, in his opinion, implies a significant change in the current or foreseen financial condition of the General Secretariat.

Article 115. Evaluation by the CAAP. The CAAP shall consider the annual evaluation reports which the Secretary General presents to the Permanent Council pursuant to Article 116 of these Standards and, on that basis, shall evaluate the overall efficiency of the programs, projects, and activities of the Organization; shall issue any recommendations it deems pertinent; and shall submit such recommendations to the Permanent Council for consideration and possible referral to the Preparatory Committee for consideration by the General Assembly together with the proposed program-budget.

Article 116. Evaluation by the General Secretariat. The Secretary General is responsible for establishing a formal evaluation system for the programs, services, and activities of the General Secretariat.

Before April 1 of each year, the General Secretariat shall present to the Permanent Council reports on these evaluations to the Councils, as well as to units and other dependencies as it sees fit. The recipients of these reports shall present their comments and suggestions so that these may be taken into account in the preparation of the proposed program-budget for the following year.

2. To amend Chapter IX of the General Standards as follows:

CHAPTER IX

ADVISORY SERVICES, AUDITING, AND FISCAL CONTROL

SUBCHAPTER A: THE INSPECTOR GENERAL

Article 117. Internal Audit. The Office of the Inspector General shall be the dependency responsible for exercising the functions of financial, administrative, and operational auditing, for the purpose of determining the level to which the General Secretariat achieves the objectives of diverse programs and the efficiency and economy with which resources are used, as well as issuing recommendations to improve management of the General Secretariat.

To achieve the aforementioned purpose, the Inspector General shall establish appropriate internal auditing procedures that reflect international best practices, to verify compliance with the standards and regulations in force, through critical, systematic, and impartial examination of official transactions and operational procedures related to the resources administered by the General Secretariat. To that end, the Secretary General shall issue an Executive Order regulating such activities.

Article 118. Activity Plan. In accordance with the approved budget and in accordance with these General Standards, the Inspector General shall present to the Permanent Council, before the end of each year, a plan of activities for investigation and audit of the programs, services, and activities of the General Secretariat for the next two years and shall update it annually. The Permanent Council may request the inclusion of specific investigations or audits, once it reviews the plan.

Article 119. The Inspector General. The Inspector General is responsible for carrying out the audit and investigation functions mentioned above. To that end, he shall enjoy the independence needed to initiate, perform, and report to the Permanent Council and to the Secretary General on the audits, investigations, and inspections required to ensure the correct use and administration of the Organization's resources and to safeguard its assets. The Inspector General shall also enjoy the necessary independence to report to the Permanent Council on the overall efficacy of the functions of the Office of the Inspector General and on the overall qualifications and performance of the staff and independent contractors providing services in the Office of the Inspector General. The Inspector General shall make recommendations directly to the Secretary General on the need to hire or terminate the services of staff and independent contractors providing services in the Office of the Inspector General.

The Inspector General and the professional staff of the Office of the Inspector General should have the suitable skills, training, and experience necessary to fulfill these functions, based on integrity and proven ability in one or more of the following disciplines: accounting, auditing, financial analysis, law, management skills, public administration, or investigation. The Inspector General shall have held a position with similar functions for a minimum period of fifteen years.

Article 120. Appointment, length of appointment, and removal of the Inspector General.

- a. The Secretary General shall appoint the Inspector General from among the five candidates selected according to the following process:
 - i. The candidates for Inspector General shall be selected in an open competition publicized broadly throughout the member states.
 - ii. The process of selecting the candidates for Inspector General shall be conducted by an internationally prestigious company

specializing in human resources and executive recruitment, selected by the General Secretariat for this specific purpose.

- iii. The terms of reference for the selection of the company charged with the selection of the candidates for Inspector General shall be approved in advance by the CAAP.
 - iv. The terms of reference for the selection of candidates for Inspector General shall be approved in advance by the CAAP. These terms of reference shall reflect the guidelines provided in the second paragraph of Article 119 of these General Standards.
 - v. In selecting the candidates, paramount consideration shall be given to competence and integrity, with due regard for the principles of rotation and equitable geographical representation that are priorities in the Organization.
 - vi. Before presenting the five selected candidates to the Secretary General, the company shall submit the qualifications of these candidates to the Board of External Auditors for certification.
 - vii. The company shall present to the Secretary General the five candidates selected for the post of Inspector General.
- b. In the event the Inspector General's post becomes vacant, the Secretary General may appoint an Interim Inspector General, who shall perform these functions until such time as the new Inspector General assumes the post. No more than 12 months shall elapse between the time the post becomes vacant and the time the new Inspector General assumes it.
 - c. The appointment of the Inspector General shall be for a period of four years, renewable only once for an additional period of four years. The renewal shall be made by the Secretary General in consultation with the Permanent Council.
 - d. In order that the Secretary General may proceed to remove the Inspector General, or to apply any other disciplinary measure, he shall consult with the Permanent Council on his decision and inform it of the grounds on which it is based. Before consulting with the Permanent Council, the Secretary General shall offer the Inspector General a special hearing to hear his statement concerning the decision that he intends to take. For purposes of the consultation, the file on the special hearing shall be made available to the Permanent Council, which shall take such measures of confidentiality as it

deems necessary. The articles of these General Standards and of the Staff Rules pertaining to disciplinary measures do not apply to the Inspector General.

- e. A person who has been appointed Inspector General may not work for the General Secretariat, whether as a staff member, as an independent contractor, or as an employee of or consultant to an independent contractor, after leaving the post.

Article 121. Audit Reports. The Inspector General shall provide the Secretary General with reports on the audits, investigations, and inspections he conducts. These reports shall be made available to the Permanent Council, which shall take such measures of confidentiality as it deems necessary.

The Inspector General shall present quarterly and annual reports to the Permanent Council on the observations and recommendations emanating from the audits conducted, as well as on measures taken by the General Secretariat to implement them. Likewise, said reports shall pay particular attention to proposals made by the Board of External Auditors and to the adequacy of the resources allocated to auditing and inspection functions.

Article 122. Obligation to Act. The Secretary General shall have 30 days in which to respond to the Inspector General's reports or to take steps to ensure compliance with his recommendations. If no observations are put forward within that period of time, the Inspector General shall assume that his report has been accepted, shall proceed to request implementation of his recommendations, and shall so report to the Permanent Council.

Article 123. Meetings. The Inspector General shall meet as necessary with the CAAP and with CEPICIDI, as appropriate, in order to exchange information and views on matters that fall within their purview.

Article 124. Budget of the Office of the Inspector General. Any decision that would involve a reduction in the budget appropriated to the Office of the Inspector General in accordance with the program-budget approved by the General Assembly shall be consulted upon in advance with the Permanent Council.

Article 125. Evaluation of the Audit Function. The Permanent Council may request that an external audit firm evaluate the activities of the Office of the Inspector General.

3. With the exception of the last article of Chapter IX, the remaining articles of that chapter, which are not amended in any way other than the numbering, will now be in a new Subchapter B, entitled "THE BOARD OF EXTERNAL AUDITORS."

4 The last article of Chapter IX will now be in a new Subchapter C, entitled "BUDGETARY AND FINANCIAL REPORTS."

AG/RES. 2755 (XLII-O/12)

HUMAN RESOURCE POLICY OF THE GENERAL SECRETARIAT
OF THE ORGANIZATION OF AMERICAN STATES

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

BEARING IN MIND the General Standards to Govern the Operations of the General Secretariat, the Staff Rules, and the strategic planning and evaluation process, as defined in paragraph III.A.6 of resolution AG/RES. 1 (XLII-E/11) rev. 1;

HAVING SEEN:

The Comprehensive Human Resource Management Plan presented by the General Secretariat on March 31, 2011, and the Comprehensive Human Resource Management Strategy presented by the General Secretariat on April 24, 2012; and

The annual report of the Board of External Auditors (CP/doc.4707/12), presented to the Permanent Council on May 2, 2012;

TAKING INTO ACCOUNT resolution AG/RES. 1 (XLII-E/11) rev. 1, "Program-Budget of the Regular Fund of the Organization for 2012 and Contributions to FEMCIDI";

CONSIDERING that there have been delays in holding the competitions established in Articles 20 and 44 of the General Standards for those staff members who are occupying posts that were eligible for competition or who are occupying posts that have been reclassified; and

RECALLING that it is important to maintain a culture and practice of economy, efficiency, accountability, effectiveness, transparency, and prudence in the use, execution, and management of the Organization's resources,

RESOLVES:

1. To instruct the General Secretariat to present a revised Comprehensive Human Resource Strategy by August 30, 2012, including any required revisions of Chapter III – Personnel, of the General Standards to Govern the Operations of the General Secretariat, and the deployment of human resource information tools, including organigrams, position descriptions, and supervisory arrangements for all staff positions, in order for it to be considered by the Permanent Council and approved before November 2012. The revised Comprehensive Human Resource Strategy should also include a plan to reform the current set of competitive, contracting, classification, promotion, advancement, and performance evaluation mechanisms to ensure an efficient, transparent, and competitive recruitment process in the General Secretariat for all staff contracts, including Series A fixed-term contracts.

2. To approve amendments to paragraphs (a) and (b) (v) of Article 21 of the General Standards titled “Trust Personnel” and to add a new paragraph (b) (vi), as follows:

- a. Identification of Trust Positions: The following shall be considered positions of trust: the Executive Secretary for Integral Development, designated Director General of the IACD, as well as the Secretaries, advisers, and assistants to the Secretary General and to the Assistant Secretary General.
- b.v. As a general rule, no person shall be appointed to a trust position below the P-4 level. Exceptions may be made for staff assigned to the Secretary General’s Office and household and the Office of the Assistant Secretary General. The number of trust appointments funded by the Regular Fund should not exceed four percent of the posts financed by that Fund.
- b.vi. A person who has been appointed to a position of trust may not work for the General Secretariat, whether as a staff member, except through external competition pursuant to Article 44 of the General Standards, as an independent contractor, or an employee or consultant to an independent contractor, after leaving the trust position. This prohibition shall remain in force for a period of two years after the person leaves his/her position of trust.

This provision is inapplicable to career service staff members, staff members with continuing contracts, and any person who had a Series B fixed-term contract financed by the Regular Fund when he/she was appointed to a position of trust. Similarly, it does not prevent a person whose appointment to a position of trust terminates from being appointed to another position of trust.

The other paragraphs of Article 21 remain unchanged.

3. To approve a new Article 21 bis of the General Standards, as follows:

Secretaries, Executive Secretaries, and Directors of the CJI, IACHR, Specialized Organizations, and Entities

- a. Secretaries, Executive Secretaries, and Directors, as the case may be, of the Inter-American Juridical Committee (CJI), the Inter-American Commission on Human Rights (IACHR), the specialized organizations, and the other entities established pursuant to the last paragraph of Article 53 of the Charter will be recruited in accordance with their respective statutes.

- b. The periods of employment of the Secretaries, Executive Secretaries, and Directors mentioned in the preceding paragraph will not be taken into account in establishing eligibility for a continuing contract.
4. To approve a new Article 21 ter of the General Standards, as follows:

All Department Director positions shall be considered Managerial Personnel positions. Candidates for these positions will be recruited and selected through external competition, in accordance with Article 44 of these General Standards.
5. That incumbents of positions covered by paragraphs 3 and 4 above as of the date of adoption of the present resolution may remain in their current contracts until the vacancies are announced. Competitions for these positions will be open to all applicants.
6. The rights of Department Directors appointed under continuing contracts prior to the date of the present resolution shall be protected, in keeping with Articles 19 and/or 21 of the General Standards, and, when previously selected for a post of the same grade, shall not be required to participate in a new competition, in accordance with Article 44 of the General Standards.
7. To request that the Secretary General complete no later than July 2014 the competition process for all staff members who have waited longer than the period provided in the General Standards for the scheduling of their competitions. Progress reports on this process should continue to be published in the Quarterly Resource Management Reports.
8. To instruct the Permanent Council to continue, through the CAAP and with the assistance of the General Secretariat, to address the matter and, in particular, to develop operating rules or procedures for operative paragraphs 1, 4, 5, and 6 of the present resolution, for incorporation into the General Standards and pertinent regulations.
9. To amend Article 47 of the General Standards to state that the Personnel Register must include Steps (in addition to the Grade) and also the information if the person is receiving Special Duties Allowance in addition to the information already required by said article. The article would read as follows:

Article 47: Register of Staff Members: The General Secretariat shall distribute each quarter to the member states an up-to-date register of the staff members, by dependency, indicating name, type of employment, grade and step, nationality, country of origin, duty station, fund and projects financing the post, gender, date of entry into the General Secretariat, and date of entry into the grade and whether the staff member is receiving Special Duties Allowance. The register shall also include statistics on average grade and ratio of supervisors to employees for each dependency of the General Secretariat and for the General Secretariat as a whole, together with statistics on the distribution of staff members by fund, grade, gender, and geographic distribution. Geographic distribution statistics shall be computed by methods

similar to those used by other major international organizations and shall include both country of origin and nationality.

10. 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. 2756 (XLII-O/12)

INDIRECT COST RECOVERY

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the need to strengthen further the financial management of the Organization of American States (OAS), taking the fullest advantage of all resources, in particular the funds derived from Indirect Cost Recovery (ICR);

CONSIDERING General Provisions of a Financial and Budgetary Nature of the General Standards to Govern the Operations of the General Secretariat of the OAS;

RECOGNIZING that the authority to amend the General Standards to Govern the Operations of the General Secretariat rests with the General Assembly;

BEARING IN MIND the current financial stringencies of the Organization; and

WITH A VIEW TO ENSURING that indirect cost recovery funds are used in compliance with the program-budget and the Regular Fund of the Organization,

RESOLVES:

To approve, in accordance with Articles 54.g and 91.b of the Charter of the Organization of American States (OAS), amendments to Articles 72, 78, and 80 of the General Standards to Govern the Operations of the General Secretariat to read as follows:

- a. Article 72. Subparagraph b. is amended to read as follows:
 - b. The amount of the Reserve Subfund shall be 30 percent of the total of the annual quotas of the Member States. This amount shall be reached through crediting to this Subfund the annual income in excess of the obligations and expenditures of the Operations Subfund and resources from the Indirect Cost Recovery Reserve Subfund (ICRRS), in accordance with Article 80 of these General Standards. To the extent that the Subfund exceeds 30 percent of the total of the annual quotas of the member states, the excess shall be available for any purpose approved by the General Assembly.

- b. Article 78. Subparagraph c. is amended to read as follows:
 - c. Interest earned by each specific fund established under Article 74 of these General Standards shall be credited to the Fund for Indirect Cost Recovery (FICR) referred to in Article 80 (i) of these General Standards.
 - iii. The General Secretariat's quarterly reports to the Permanent Council and CEPICIDI on the use of the Funds administered by the General Secretariat shall include all accreditations to and disbursements from the FICR, including the source and use of the money collected for each technical area within the General Secretariat, and the total interest earned. These reports shall also include disbursements made from that Fund to supplement income to the Regular Fund, as required by the General Assembly in the approved annual program-budget of the Organization.

- c. Article 80
 - 1. Subparagraph d. is amended to read as follows:
 - d. The General Secretariat shall establish the rate for the Indirect Cost Recovery (ICR) for projects funded by the Specific Funds and Trust Funds. The General Secretariat shall submit a quarterly report to the CAAP regarding the ICR resources. The report shall contain any information that may be requested by the CAAP and all information that the General Secretariat considers useful for planning the use of the ICR resources, including:
 - i. A list of exemptions approved by the General Secretariat from ICR relating to specific funds;
 - ii. A budget execution report by each Secretariat;
 - iii. The balance and financial flow affecting the Indirect Cost Recovery Reserve Subfund (ICRRS); and
 - iv. A projection of ICR for the following 12 months.

2. A new subparagraph i. shall be included, to read as follows:^{1/}
 - i. All resources from indirect cost recovery (ICR) shall be assigned to the Fund for Indirect Cost Recovery (FICR). The FICR shall include two Subfunds: the ICR Operations Subfund (ICROS) and the ICR Reserve Subfund (ICRRS). The FICR shall be subject to the following guidelines:
 - i. The General Secretariat shall submit to the Permanent Council a proposed budget for use of the ICR resources, which shall form an integral part of the draft program-budget. This proposal shall be based on projected revenue equivalent to 90% of the average ICR obtained in the three years immediately preceding the year in which the program-budget is adopted and shall be applied to the subsequent three years. The average shall be reviewed every three years in adopting the program-budget of the Organization and the General Assembly shall also adopt the ICR budget. In the event that the revenue from ICR collected in the fiscal year concerned is less than the revenue projected, and to the extent that funds are available in the ICRRS, the General Secretariat may transfer from the ICRRS to the ICROS an amount equal to the difference between projected ICR revenue and ICR revenue collected in the current fiscal year. If revenue collected is more than that projected, the surplus shall be deposited in the ICRRS.
 - ii. Every three years, the CAAP shall evaluate the ICRRS level to determine whether transferring funds from the ICRRS to the Reserve Subfund of the Regular Fund is justified. In such event, the Permanent Council shall approve the amount or percentage to be transferred.
 - iii. The ICRRS resources shall be invested in the same way as other funds of the Organization, pursuant to Article 79 of these General Standards.

1. The current subparagraph i. becomes subparagraph j.

AG/RES. 2757 (XLII-O/12)

EXCESSIVE VOLATILITY OF COMMODITY PRICES AND ITS CONSEQUENCES FOR
FOOD SECURITY AND SUSTAINABLE DEVELOPMENT IN THE AMERICAS

(Agreed at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY,

RECALLING the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and wellbeing, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015;

TAKING INTO ACCOUNT the Rome Declaration on World Food Security and the World Food Summit Plan of Action of 1996, as well as the Declaration of the World Summit on Food Security of 2009;

RECALLING that one of the essential purposes of the Organization of American States is to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere, and that in the Charter of the Organization of American States the member states agreed to devote their utmost efforts to achieving proper nutrition, especially through the acceleration of national efforts to increase the production and availability of food;

RECALLING ALSO that in the Charter of the Organization of American States the member states recognized the close interdependence between foreign trade and economic and social development and stated that they should make individual and united efforts to bring about continuity in their economic and social development by means of improved conditions for trade in basic commodities through international agreements, where appropriate; orderly marketing procedures that avoid the disruption of markets, and other measures designed to promote the expansion of markets and to obtain dependable incomes for producers, adequate and dependable supplies for consumers, and stable prices that are both remunerative to producers and fair to consumers;

TAKING INTO ACCOUNT that excessive commodity price volatility has consequences for food security and sustainable development in developing countries, and, in particular, the fact that many commodity-dependent developing countries continue to be highly vulnerable to excessive price fluctuations; and recognizing the need to improve the adequate regulation, functioning, and transparency of financial and commodity markets in order to address excessive commodity price volatility;

UNDERSCORING the importance of international cooperation and solidarity to address the excessive volatility of food prices; and

WELCOMING WITH APPRECIATION the adoption of United Nations General Assembly resolution 66/188 (91st plenary session, December 22, 2011) titled “Addressing excessive price volatility in food and related financial and commodity markets,”

RESOLVES:

1. To invite the member states and permanent observers to take active measures to reduce excessive food price volatility, while acknowledging that there is an incomplete understanding of its causes and that more research needs to be done, and in this regard to underline the need to promote greater transparency and market information at all levels.

2. To invite the organs, agencies, and entities of the inter-American system to contribute, within their areas of competence, to the efforts of member states and permanent observers to reduce excessive price volatility in food and related financial and commodity markets.

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.

AG/RES. 2758 (XLII-O/12)

PROTECTION OF ASYLUM SEEKERS AND REFUGEES IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 5, 2012)

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), AG/RES. 2597 (XL-O/10), and AG/RES. 2678 (XLI-O/11), “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;

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, and that Costa Rica, Mexico, and Nicaragua adopted new regulations to protect refugees over the past year;

NOTING that on December 7 and 8, 2011, at the ministerial meeting held to culminate the commemorations of the sixtieth anniversary of the 1951 Convention Relating to the Status of Refugees initiated by the Office of the United Nations High Commissioner for Refugees (UNHCR), several OAS member states renewed their commitment to continue providing protection for asylum seekers, refugees, and stateless persons;

UNDERSCORING the importance of the Cooperation Agreement signed on November 12, 2007, by the OAS General Secretariat and the UNHCR to promote international refugee law in the Hemisphere, in the framework of which the Third Course on International Refugee Law was held on October 20, 2011, for permanent missions to the OAS;

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;

REITERATING the importance of 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 the signature and ratification of, or accession to, as appropriate, 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 existing international principles on the matter: right of asylum, non-refoulement, non-penalization of illegal entry, non-discrimination, international cooperation, shared responsibility, and solidarity,

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 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 the UNHCR, the Mexico 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 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 policy of the Office of the United Nations High Commissioner for Refugees (UNHCR) in this field.

6. To thank all member states that participated actively in the commemorations initiated by the UNHCR and that considered it advisable to make voluntary commitments to strengthen protection for asylum seekers and refugees in the Hemisphere.

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 refugee-receiving countries of the Hemisphere 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-fourth 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-fourth 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. 2759 (XLII-O/12)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS^{1/}

(Adopted at the fourth plenary session, held on June 5, 2012)

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-3077/12); 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, Barbados, Bolivia, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, and Uruguay, as well as in Colombia, where it held its first regular session away from its seat, 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 position of the Inter-American Public Defender, provided for in the Rules of Procedure of the Inter-American Court of Human Rights, which enables victims without an attorney to be represented in the Court by free legal counsel;

1. The Inter-American Commission on Human Rights and the Inter-American Court of Human Rights must be founded anew. The Bolivarian Republic ... *(The text of this footnote continues on page 220.)*

RECOGNIZING the importance of the entry into force and operation of the Victims' Legal Assistance Fund of the Inter-American Court of Human Rights, which has enabled dozens of victims to cover various litigation costs that they would have been unable to afford otherwise;

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 jurisprudence of the Inter-American Court of Human Rights at both the regional and national levels;

REITERATING ITS CONCERN that the judgments and decisions of the Inter-American Court of Human Rights are not available to all inhabitants of the region, since they cannot be translated into the official languages of the Organization of American States, which deprives those inhabitants of effective access to the Court's jurisprudence;

TAKING NOTE of the meeting on financial strengthening for the inter-American human rights system, organized by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights and held in San Salvador on June 8, 2011, the report of which was published as document CP/CAJP/INF-145/11; 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 take note of the Observations and Recommendations of Member States on the Annual Report of the Inter-American Court of Human Rights (CP/CAJP-3077/12) 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 insist on the provision that the General Secretariat of the Organization of American States (OAS), starting in fiscal year 2013, 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 sessions of the Inter-American Court of Human Rights held away from its seat, given their importance in disseminating information on and raising awareness of the inter-American human rights system and especially of the work of the Court;
- c. The hearings held to monitor compliance with judgments as one of the most effective mechanisms to promote compliance with them;
- d. The implementation of the position of the Inter-American Public Defender and the entry into force of the Victims' Legal Assistance Fund, actions that, *inter alia*, strengthen access to inter-American justice for persons without the financial means to do so, thus guaranteeing the active and egalitarian participation of alleged victims in proceedings before the Court; and
- e. The training activities conducted by the Inter-American Court for judges and others involved in the administration of justice, aimed at promoting effective application of international human rights law at the national level.

7. To instruct the Permanent Council to continue its consideration and study of the following issues: access for 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 of Human Rights through the Regular Fund of the OAS, so that concrete initiatives are taken to implement the strategic guidelines presented by the Court.

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 of Human Rights, so that it may conduct its various activities.

11. To thank Chile, Colombia, Costa Rica, Ecuador, and Mexico, and the Office of the United Nations High Commissioner for Refugees (UNHCR) for their voluntary contributions to the

Inter-American Court of Human Rights, as well as the permanent observers of Norway and Spain, which, through cooperation projects, extend significant support and financing to the Court. Likewise, to thank France for the technical cooperation it provides by appointing a French attorney to work in the Court's Secretariat, as well as the office of the Spanish Agency for International Development Cooperation and the European Union, both with headquarters in Colombia, for their specific contributions to finance the session held in Bogotá.

12. To thank the people and Governments of Barbados and Panama for having allowed the Inter-American Court of Human Rights to hold, successfully, special sessions in their countries in 2011; the people and Government of Colombia for having allowed the Court to hold, successfully, in 2011, its first regular session away from its seat; and the Government of Ecuador for inviting the Court to hold a session in that country in 2012.

13. To encourage member states to continue extending invitations for the Inter-American Court of Human Rights to hold sessions away from its seat.

14. To encourage member states, permanent observers, and other donors to contribute to the Victims' Legal Assistance Fund of the Inter-American Court of Human Rights, expressing appreciation for the contributions made by Norway and Colombia.

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-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 Venezuela expresses its deep and justified mistrust in the inter-American human rights system. The growing deterioration of the system, its bias, its politicization, and its discriminatory and selective attitude toward progressive governments have destroyed the credibility of those institutions, which at other times were upheld by their ethical values and their commitment to human rights.

AG/RES. 2760 (XLII-O/12)

THE HUMAN RIGHT TO SAFE DRINKING WATER AND SANITATION^{1/2/}

(Adopted at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 2347 (XXXVII-O/07), “Inter-American Meeting on Economic, Social, and Environmental Aspects of the Availability of, and Access to, Drinking Water,” and AG/RES. 2349 (XXXVII-O/07), “Water, Health, and Human Rights”;

DEEPLY CONCERNED that millions of people still lack access to safe drinking water and sanitation in the Americas;

RECALLING that resolution 64/292, titled “The human right to water and sanitation,” adopted by the United Nations General Assembly on July 28, 2010, recognizes the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;

REAFFIRMING the importance for each state to continue its efforts to ensure that individuals subject to its jurisdiction have, in keeping with its domestic laws, non-discriminatory access to safe drinking water and sanitation as integral components of the realization of all human rights;

RECOGNIZING that water is fundamental for life and central to socioeconomic development and environmental sustainability, and that nondiscriminatory access by the population to safe drinking water and sanitation services, in the framework of national laws and policies, contributes to the objective of combating poverty;

TAKING NOTE of Principle 2 of the Rio Declaration on Environment and Development, which established that “States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction”;

RECALLING the commitments adopted by the Declaration of Santa Cruz + 10 and the Inter-American Program for Sustainable Development (2006-2009) in the area of integrated water resources management;

-
1. Footnote from the delegation of the United States: The United States remains deeply committed to finding solutions to our world’s water challenges (*The text of this footnote continues on page 223.*) ...
 2. Footnote from the delegation of Canada: With regard to the reaffirmation of the human right to safe drinking water and basic sanitation as essential (*The text of this footnote continues on page 223.*) ...

NOTING that seven meetings of the Inter-American Dialogue on Water Management have been held, including the most recent one in Medellín, Colombia, in November 2011;

NOTING ALSO that World Health Assembly document WHA64.24, "Drinking-Water, Sanitation and Health," dated May 24, 2011, urges member states to promote national strategies for the safe management of drinking water for human consumption,

RESOLVES:

1. To invite member states, in keeping with their national realities, to continue working to ensure access to safe drinking water and sanitation services for present and future generations.
2. To reaffirm the sovereign right of each state to establish rules and regulations on the use of water and water services in its territory.
3. To invite member states to share their public-policy practices in the area of water resources management, as well as their plans and measures for improving their safe drinking water and sanitation services, and to encourage technology transfer on the basis of mutually agreed terms in this area.
4. To instruct the Inter-American Council for Integral Development to report to the General Assembly at its forty-third regular session on follow-up to this resolution.

FOOTNOTES

1. ... and has been working steadily across multiple fronts to put that commitment into action. This includes a government-wide agreement with the World Bank signed last year to improve efforts on water security and a range of programs through USAID to help prevent the further spread of waterborne diseases and increase access to safe drinking water. The United States has joined consensus on several UN Human Rights Council resolutions on this topic, including the groundbreaking September 2010 resolution affirming “that the human right to safe drinking water and sanitation is derived from... the right to an adequate standard of living” and is “inextricably related to the right to the highest attainable standard of physical and mental health.” Both of these tenets are drawn from the Covenant on Economic, Social and Cultural Rights, and they call upon governments to take steps towards the progressive realization of this human right.

The right to safe drinking water and sanitation is not one that is protected in our Constitution, nor is it justiciable as such in U.S. courts, though various U.S. laws protect citizens from contaminated water. As a matter of public policy, our people have created a society in which there is a widespread expectation that all ought to have access to safe drinking water and sanitation. Public authorities throughout the United States take significant measures to provide access to safe drinking water and sanitation.

2. ... for the full enjoyment of life, it is Canada's understanding that this right does not encompass transboundary water issues including bulk water trade, nor any mandatory allocation of international development assistance, and that member states will pursue the progressive realization of access to safe drinking water and basic sanitation for their populations through national and sub-national actions, with a particular emphasis on people living in vulnerable situations.

AG/RES. 2761 (XLII-O/12)

FOLLOW-UP ON THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE
SPECIAL WORKING GROUP TO REFLECT ON THE WORKINGS OF THE
INTER-AMERICAN COMMISSION ON HUMAN RIGHTS WITH A VIEW TO
STRENGTHENING THE INTER-AMERICAN HUMAN RIGHTS SYSTEM^{1/}

(Adopted at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY

RESOLVES:

1. To welcome the report of the Special Working Group to Reflect on the Workings of the Inter-American Commission on Human Rights with a View to Strengthening the Inter-American Human Rights System (AG/doc.5310/12), approved by the Permanent Council on January 25, 2012.
2. To instruct the Permanent Council, on the basis of the report, to draw up proposals for its application in dialogue with all the parties involved.
3. Within a period of six months or no later than the first quarter of 2013, said proposals will be presented for the consideration of a special session of the General Assembly.

1. The United States will not block consensus on this resolution. The United States supports an open, constructive dialogue on how to strengthen ... *(The text of this footnote continues on page 225.)*

FOOTNOTE

1. the inter-American human rights system (IAHRS) This dialogue should include member states, the human rights organs, and civil society. The July 2011-December 2011 reflection process resulted in a set of recommendations that should be considered by all elements of the system. The recommendations include more robust use of friendly settlements and increased funding for the system. The recommendations adopted by the Permanent Council on January 25, 2012 are non-binding and those recommendations directed to the Inter-American Commission on Human Rights (“Commission”) remain within the Commission's purview to implement, as appropriate, in a manner that strengthens its work. No efforts should be undertaken to attempt to force implementation of these non-binding recommendations. Furthermore, each party to whom the recommendations are directed deserves the time to consider and respond to the recommendations. The human rights organs of the OAS are critical to the promotion and protection of human rights in the Hemisphere and are globally recognized and respected. The Commission, in particular, has been, and remains, an important voice in addressing human rights situations in all countries, including our own. Every member state should take pride in the Commission's role, historically and today, as an independent body that is respected throughout the world for its steadfast commitment to human rights, even in the face of the harshest criticism.

AG/RES. 2762 (XLII-O/12)

FINANCING OF THE 2013 PROGRAM-BUDGET OF THE ORGANIZATION

(Adopted at the second plenary session, held on June 4, 2012)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Report of the Preparatory Committee to the General Assembly (AG/doc.5241/12);

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 2013 program-budget of the Organization (AG/CP/Sub.AAP-372/12);

The annual report of the Board of External Auditors (CP/doc.4707/12), presented to the Permanent Council on May 2, 2012; and

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 the measures to encourage the timely payment of quotas, and has since modified those measures by way of resolutions AG/RES. 2157 (XXXV-O/05) and AG/RES. 1 (XLII-E/11) rev. 1;

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 (XLII-E/11) 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-second regular session, to be held in June 2012, to establish the overall budget level and the sources of financing for the 2013 program-budget, including quota income, interest and rental income, contributions for technical supervision and administrative support from the Special Multilateral Fund of the Inter-American Council for Integral Development (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 (XLII-E/11) rev. 1 that the total expenditure on personnel (object 1) should not exceed 64.38 percent of the overall budget level of the 2013 Regular Fund program-budget (also sometimes referred to as “the indicative figure”), including any statutory increases that might be required;

That it is necessary to establish the overall budget level and the sources of financing for the 2013 program-budget, which will be adopted by the General Assembly at a special session to be held no later than November 15, 2012;

That, in resolution AG/RES. 2756 (XLII-O/12), the General Assembly instructed the General Secretariat to submit a proposed budget for use of the indirect cost recovery (ICR) resources, which shall be based on projected revenue equivalent to 90% of the average ICR obtained in the three years immediately preceding the year in which the program-budget is adopted, and that the General Assembly shall also adopt the ICR budget; and

That the Reserve Subfund of the Regular Fund lacks sufficient resources to finance any expenditures in excess of the total income received during the current fiscal year,

RESOLVES:

1. To assess the quotas through which the member states will finance the Regular Fund of the Organization for 2013 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 Annex A, Regular Fund Quota Assessments for 2013.

2. To set the overall budget level of the 2013 Regular Fund program-budget at US\$82,027,807, and to finance it as follows:

- a. Net contributions of member states in the form of quota payments to the Regular Fund totaling US\$78,925,755, computed as follows:
 - i. Total gross assessments of US\$81,105,400 apportioned according to the methodology for calculating the scale of quota assessments adopted in resolution AG/RES. 1 (XXXIV-E/07).
 - ii. A reduction of US\$336,945 in prompt payment discounts accredited pursuant to the measures to encourage the prompt payment of quotas adopted by means of resolution AG/RES. 1757 (XXX-O/00) as amended by AG/RES. 2157 (XXXV-O/05) and AG/RES. 1 (XLII-E/11) rev. 1.

- iii. A reduction of US\$1,842,700, to take into account the risk of nonpayment by member states.

 - b. Contribution of US\$302,052 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 2012 for execution in 2013;

 - c. Income of US\$1,500,000 for technical supervision and administrative support of the trust funds and specific funds; and

 - d. Other income of US\$1,300,000 for interest, rentals, and amortizations, *inter alia*.
3. To set the overall expenditure ceiling of the Indirect Cost Recovery Fund account to US\$6,750,875, which includes the transfer of US\$1,500,000 to the Regular Fund as established in paragraph 2.c above, in accordance with AG/RES. 2756 (XLII-O/12), adopted by the General Assembly, provided that said amount is actually collected.
4. To assign US\$500,000 in the 2013 program-budget to replenish the Reserve Subfund of the Regular Fund.

TABLE A
ORGANIZATION OF AMERICAN STATES
REGULAR FUND
REGULAR FUND QUOTA ASSESSMENTS FOR 2013



Member States	Assessed Percentage	Quota Assessment	Tax Reimbursement	(a) Credits	Total
Antigua and Barbuda	0.022%	17,900			17,900
Argentina	2.408%	1,964,300			1,964,300
Bahamas	0.062%	50,600		1,518	49,082
Barbados	0.045%	36,700	12,000 (b)		48,700
Belize	0.022%	17,900		358	17,542
Bolivia	0.049%	40,000		400	39,600
Brazil	9.941%	8,109,400			8,109,400
Canada	11.972%	9,766,100		292,983	9,473,117
Chile	1.189%	969,900		29,097	940,803
Colombia	1.049%	855,700			855,700
Costa Rica	0.221%	180,300		2,359	177,941
Dominica	0.022%	17,900			17,900
Dominican Republic	0.257%	209,600			209,600
Ecuador	0.258%	210,500		4,210	206,290
El Salvador	0.114%	93,000			93,000
Grenada	0.022%	17,900			17,900
Guatemala	0.168%	137,000		1,410	135,590
Guyana	0.022%	17,900			17,900
Haiti	0.034%	27,700			27,700
Honduras	0.051%	41,600			41,600
Jamaica	0.093%	75,900			75,900
Mexico	8.281%	6,755,200			6,755,200
Nicaragua	0.034%	27,700		277	27,423
Panama	0.158%	128,900		2,608	126,292
Paraguay	0.093%	75,900			75,900
Peru	0.688%	561,200			561,200
Saint Kitts and Nevis	0.022%	17,900		358	17,542
Saint Lucia	0.022%	17,900		536	17,364
Saint Vincent and the Grenadines	0.022%	17,900			17,900
Suriname	0.034%	27,700		831	26,869
Trinidad and Tobago	0.180%	146,800			146,800
United States	59.470%	48,512,700	5,600,000 (b)		54,112,700
Uruguay	0.214%	174,600			174,600
Venezuela	2.186%	1,783,200			1,783,200
Subtotal	99.425%	81,105,400	5,612,000	336,945	86,380,455
Cuba (c)	0.575%	469,100			469,100
TOTAL	100.000%	81,574,500	5,612,000	336,945	86,849,555

a. Represents 1% of 2012 quota assessment if full payment of 2012 quota was received by March 30, 2012, plus 2% of any payment received before February 29, 2012 and 3% if received by January 31, 2012.

b. The amount shown is estimated and may differ from the actual amount billed.

c. Shown only to establish the percentage corresponding to each member state.

AG/RES. 2763 (XLII-O/12)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF
THE PLURINATIONAL STATE OF BOLIVIA

(Adopted at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the forty-second regular session of the General Assembly of the Organization of American States was held in the Plurinational State of Bolivia from June 3 to 5, 2012; and

That during this regular session of the General Assembly the delegations expressed their profound gratitude to His Excellency David Choquehuanca Céspedes, Minister of Foreign Affairs of the Plurinational State of Bolivia, 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 Bolivian people and Government,

RESOLVES:

1. To express its gratitude to His Excellency Evo Morales Ayma, President of the Plurinational State of Bolivia, and particularly to the citizens of the Department of Cochabamba and the cities of Cochabamba and Tiquipaya, for their warm and generous hospitality and the contribution that they have made to the success of the forty-second regular session of the General Assembly of the Organization of American States (OAS).

2. To recognize and commend His Excellency David Choquehuanca Céspedes, Minister of Foreign Affairs of the Plurinational State of Bolivia, on his able leadership as President of the forty-second regular session of the General Assembly.

3. To express its appreciation and gratitude to Ambassador Diego Pary Rodríguez, Permanent Representative of the Plurinational State of Bolivia to the OAS, the members of the Permanent Mission of Bolivia to the OAS, and the officials from the Bolivian Foreign Ministry, whose efficiency, dedication, and professionalism contributed to the success of the forty-second regular session of the General Assembly.

AG/RES. 2764 (XLII-O/12)

PLACE AND DATE OF THE FORTY-THIRD REGULAR SESSION
OF THE GENERAL ASSEMBLY

(Adopted at the fourth plenary session, held on June 5, 2012)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT Articles 43 and 44 of the Rules of Procedure of the General Assembly concerning the holding of regular sessions of the General Assembly and the determination of the date and place for those sessions; and

CONSIDERING:

That the General Assembly of the Organization of American States shall hold a regular session each year, preferably during the second quarter; and

That the Government of the Republic of Guatemala has offered to host the forty-third regular session of the General Assembly of the Organization, which is to be held in 2013, as a reaffirmation of its commitment to the purposes and principles of the Charter of the Organization of American States and as a demonstration of its firm decision to continue participating actively in strengthening the Organization,

RESOLVES:

1. To accept with gratitude the generous offer of the Government of the Republic of Guatemala to host the forty-third regular session of the General Assembly.
2. To determine that the forty-third regular session of the General Assembly will be held in the Republic of Guatemala from June 4 to 6, 2013.

THE ORGANIZATION OF AMERICAN STATES

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 67 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.

ISBN 978-0-8270-5957-3

OEA/Ser.P/XLII-O.2

PROCEEDINGS

VOLUME I

AG/DEC. 69 - 70 (XLII-O/12)

AG/RES. 2699 - 2764 (XLII-O/12)

AG