

ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY



FORTY-THIRD REGULAR SESSION
La Antigua, Guatemala
June 4-6, 2013

PROCEEDINGS

VOLUME I

AG/DEC. 71 (XLIII-O/13) - AG/DEC. 73 (XLIII-O/13)
AG/RES. 2765 (XLIII-O/13) - AG/RES. 2813 (XLIII-O/13)

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/XLIII-O.2
3 October 2013
Volume I

FORTY-THIRD REGULAR SESSION
La Antigua, Guatemala
June 4-6, 2013

PROCEEDINGS

VOLUME I

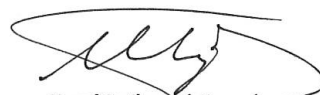
AG/DEC. 71 (XLIII-O/13) - AG/DEC. 73 (XLIII-O/13)
AG/RES. 2765 (XLIII-O/13) - AG/RES. 2813 (XLIII-O/13)

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-third regular session, held in La Antigua, Guatemala, from June 4 to 6, 2013.

A handwritten signature in black ink, consisting of stylized initials and a surname, enclosed within a large, thin oval stroke.

José Miguel Insulza
Secretary General
Organization of American States

TABLE OF CONTENTS

		<u>Page</u>
AG/DEC. 71 (XLIII-O/13)	Human Rights Education	1
AG/DEC. 72 (XLIII-O/13)	Declaration on the Question of the Malvinas Islands	3
AG/DEC. 73 (XLIII-O/13) corr. 1	Declaration of Antigua Guatemala “For a Comprehensive Policy against The World Drug Problem In The Americas”	5
AG/RES. 2765 (XLIII-O/13)	Support from CITELE for the Implementation of the Outcomes of the Sixth Summit of the Americas and the High-Level World Conferences held in 2012 and in Preparation for International Telecommunication Events for the 2013-2014 Cycle.....	13
AG/RES. 2766 (XLIII-O/13)	Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter.....	17
AG/RES. 2767 (XLIII-O/13)	Free Trade and Investment in the Hemisphere	23
AG/RES. 2768 (XLIII-O/13)	Strengthening the Activities of the Inter- American Program of Judicial Facilitators	25
AG/RES. 2769 (XLIII-O/13)	Network for Consumer Safety and Health and Inter-American Rapid Product-Safety Warning System.....	27
AG/RES. 2770 (XLIII-O/13)	Promotion of Women’s Human Rights and Gender Equity and Equality and Strengthening of the Inter-American Commission of Women.....	31
AG/RES. 2771 (XLIII-O/13)	Prevention and Eradication of Sexual Exploitation and Smuggling of and Trafficking in Minors.....	35
AG/RES. 2772 (XLIII-O/13)	Support for and Follow-up to the Summits of the Americas Process	39

AG/RES. 2773 (XLIII-O/13)	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.....	45
AG/RES. 2774 (XLIII-O/13)	Progress Toward Accountability, Efficiency and Effectiveness, and Results in the OAS General Secretariat	51
AG/RES. 2775 (XLIII-O/13)	Preparation of the Plan of Action of the Social Charter of the Americas	57
AG/RES. 2776 (XLIII-O/13)	Financing of the 2014 Program-Budget of the Organization.....	59
AG/RES. 2777 (XLIII-O/13)	Strengthening the Topic of Migration in the OAS.....	63
AG/RES. 2778 (XLIII-O/13)	Strengthening the Inter-American Council for Integral Development: Policy Dialogue and Partnership for Development	65
AG/RES. 2779 (XLIII-O/13)	Advancing Hemispheric Initiatives on Integral Development	91
AG/RES. 2780 (XLIII-O/13)	Promoting Integrated Water Resource Management in the Americas	103
AG/RES. 2781 (XLIII-O/13)	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)	107
AG/RES. 2782 (XLIII-O/13)	Strengthening the Activities of the Justice Studies Center of the Americas.....	109
AG/RES. 2783 (XLIII-O/13)	Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas	111
AG/RES. 2784 (XLIII-O/13)	Recognition and Promotion of the Rights of People of African Descent in the Americas	113
AG/RES. 2785 (XLIII-O/13)	Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities and Its Technical Secretariat.....	117

AG/RES. 2786 (XLIII-O/13)	Follow-Up on the Inter-American Convention against Corruption and on the Inter-American Program of Cooperation to Fight Corruption.....	121
AG/RES. 2787 (XLIII-O/13)	Prevention and Reduction of Statelessness and Protection of Stateless Persons in the Americas	125
AG/RES. 2788 (XLIII-O/13)	Effective Public Management Strengthening and Innovation Initiative in the Americas.....	129
AG/RES. 2789 (XLIII-O/13)	Human Rights Defenders: Support for Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas	131
AG/RES. 2790 (XLIII-O/13)	The Human Rights of Migrants, including Migrant Workers and their Families	135
AG/RES. 2791 (XLIII-O/13)	Inter-American Program for the Development of International Law	141
AG/RES. 2792 (XLIII-O/13)	Draft Inter-American Convention on Protecting the Human Rights of Older Persons.....	143
AG/RES. 2793 (XLIII-O/13)	Draft American Declaration on the Rights of Indigenous Peoples	147
AG/RES. 2794 (XLIII-O/13)	Persons Who Have Disappeared and Assistance to Members of Their Families.....	149
AG/RES. 2795 (XLIII-O/13)	Promotion of and Respect for International Humanitarian Law.....	153
AG/RES. 2796 (XLIII-O/13)	Observations and Recommendations on the Annual Report of the Inter-American Commission on Human Rights	159
AG/RES. 2797 (XLIII-O/13)	Observations and Recommendations on the Annual Report of the Inter-American Court of Human Rights	163
AG/RES. 2798 (XLIII-O/13)	Adoption of Progress Indicators for Measuring Rights under the Protocol of San Salvador	167
AG/RES. 2799 (XLIII-O/13)	Protecting Human Rights and Fundamental Freedoms While Countering Terrorism	169

AG/RES. 2800 (XLIII-O/13)	Right to the Truth.....	173
AG/RES. 2801 (XLIII-O/13)	Toward Autonomy for Official Public Defenders/Criminal and Civil Legal Aid Providers as a Guarantee of Access to Justice	177
AG/RES. 2802 (XLIII-O/13)	Promotion and Protection of Human Rights of People Vulnerable to, Living with, or Affected by HIV/AIDS in the Americas.....	181
AG/RES. 2803 (XLIII-O/13)	Implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, “Convention of Belém do Pará”.....	187
AG/RES. 2804 (XLIII-O/13)	Inter-American Convention against All Forms of Discrimination and Intolerance.....	191
AG/RES. 2805 (XLIII-O/13)	Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance.....	205
AG/RES. 2806 (XLIII-O/13)	Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee.....	219
AG/RES. 2807 (XLIII-O/13) corr. 1	Human Rights, Sexual Orientation, and Gender Identity and Expression	221
AG/RES. 2808 (XLIII-O/13)	Rules on Footnotes.....	227
AG/RES. 2809 (XLIII-O/13)	Advancing Hemispheric Security: A Multidimensional Approach	229
	I. Activities of the Committee on Hemispheric Security and Member States.....	230
	- Execution of the Hemispheric Plan of Action against Transnational Organized Crime and strengthening of hemispheric cooperation	231
	- Future of the mission and functions of the instruments and components of the inter-American defense system.....	231
	- Confidence- and security-building in the Americas	232
	- Hemispheric efforts to combat trafficking in persons	232

	- Follow-up to the Special Conference on Security	233
	- Declaration of San Salvador on Citizen Security in the Americas	233
	- The Americas as an antipersonnel-land-mine-free zone	234
	- Meetings of Ministers Responsible for Public Security in the Americas	235
	- Special Security Concerns of the Small Island States of the Caribbean	235
	II. Legal Instruments	236
	- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA)	236
	- Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC)	237
	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	238
	- Inter-American Drug Abuse Control Commission (CICAD)	238
	- Inter-American Committee against Terrorism (CICTE)	239
	- Inter-American Defense Board (IADB)	240
	IV. Follow-Up and Reporting	240
AG/RES. 2810 (XLIII-O/13)	Elimination of Neglected Diseases and Other Poverty-Related Infections	243
AG/RES. 2811 (XLIII-O/13)	Access to Public Information and Protection of Personal Data	245
AG/RES. 2812 (XLIII-O/13)	Vote of Appreciation to the People and Government of the Republic of Guatemala	249
AG/RES. 2813 (XLIII-O/13)	Place and Date of the Forty-fourth Regular Session of the General Assembly	251

AG/DEC. 71 (XLIII-O/13)

HUMAN RIGHTS EDUCATION

(Adopted at the second plenary session, held on June 5, 2013)

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), AG/RES. 2673 (XLI-O/11), and AG/RES. 2732 (XLII-O/12) regarding the inclusion of human rights content in the curricula of formal education centers, as required by Articles 13 and 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”;

BEARING IN MIND the Inter-American Consultation on Human Rights Education, which was the basis for the Second Inter-American Meeting of Ministers of Education: Human Rights Education, convened by the Ministry of Education of Guatemala and the Inter-American Institute of Human Rights (IIHR), and which addresses the phenomenon of violence affecting schools and the serious phenomenon of drug trafficking, use, and possession in educational communities in the Americas;

RECOGNIZING the progress made by member states with respect to human rights education in the formal education system in the Americas, as reflected in the periodic reports prepared by the IIHR from 2002 to 2011, taking into account the areas covered by the Inter-American Pact for Human Rights Education; and

EMPHASIZING that since 2002, the IIHR has supported the inter-American system in the effective inclusion of curricular content,

DECLARES:

1. The need for member states to make an effort to advance public policies on human rights in formal education in the Americas.
2. The importance that member states progressively adopt the recommendations contained in the reports prepared by the Inter-American Institute of Human Rights (IIHR) from 2002 to 2011.
3. The need for member states that are party to the Inter-American Pact for Human Rights Education to implement their obligations thereunder and to strengthen international cooperation for the exchange of information and experiences in this area.

4. That it is important that member states and permanent observers make voluntary contributions to the IIHR and that the latter formally recognize the contributions made by member states.

5. That it is important that those OAS member states that have not yet done so consider ratifying or acceding to the Protocol of San Salvador.

AG/DEC. 72 (XLIII-O/13)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

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

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

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

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

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

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

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

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

AG/DEC. 73 (XLIII-O/13) corr. 1

DECLARATION OF ANTIGUA GUATEMALA
“FOR A COMPREHENSIVE POLICY AGAINST
THE WORLD DRUG PROBLEM IN THE AMERICAS”

(Adopted at the fourth plenary session, held on June 6, 2013)

THE MINISTERS OF FOREIGN AFFAIRS AND HEADS OF DELEGATION OF THE MEMBER STATES OF THE ORGANIZATION OF AMERICAN STATES (OAS) gathered in La Antigua Guatemala, Guatemala, at the forty-third regular session of the OAS General Assembly,

RECOGNIZING that the world drug problem, including its political, economic, social, and environmental costs, has become an increasingly complex, dynamic, and multicausal challenge that creates negative effects on health, social relations, citizen security, and on the integrity of democratic institutions, public policies, development, and economic activities and that, under the principle of common and shared responsibility, requires a comprehensive, balanced, multidisciplinary approach, built on a framework of full respect for human rights and fundamental freedoms;

MINDFUL of the complexity of the world drug problem and that addressing it must take into account the different realities of member states;

RECALLING that General Assembly resolutions AG/RES. 2556 (XL-O/10) and AG/RES. 2621 (XLI-O/11) endorsed the Hemispheric Drug Strategy and its Plan of Action on Drugs 2011-2015, which reflect significant updates and reforms from earlier documents and serve as the foundation and guide for our joint hemispheric drug control efforts;

DEEPLY MOVED by the large number of human lives lost and cut short, as well as the great suffering caused by the world drug problem;

REITERATING the need to cooperate through a comprehensive approach, based on scientific evidence and experience, taking into account the needs and realities of each country in order to more efficiently and effectively face the challenges, threats, risks, and vulnerabilities generated by the world drug problem;

RECOGNIZING the efforts and progress made at the national, subregional and hemispheric levels to address the world drug problem and that they continue to be challenged by persistent illicit channels of production, distribution, and trafficking of drugs that are dominated by transnational and local criminal organizations that tend to replicate and focus on each country to varying degrees;

CONVINCED that policies to reduce illicit drug demand should focus on the welfare of individuals and their environment, so that, from a multisectoral and multidisciplinary approach and using available scientific evidence and best practices, they can be based on approaches to mitigate the negative impact of drug abuse and dependence, reinforce the social fabric, and strengthen justice, human rights, health, development, social inclusion, citizen security, and collective well-being;

REITERATING the need to strengthen state institutions, public policies and strategies, particularly those related to education, health, and citizen security in order to enhance prevention of drug abuse and dependence, violence and drug-related crimes, with full respect for human rights and fundamental freedoms;

REITERATING ALSO the importance of greater allocation of public and private resources for the implementation of prevention, treatment, rehabilitation, and social reintegration programs for the most vulnerable populations;

REITERATING FURTHER the importance of participation by civil society organizations in addressing the world drug problem, including the design, execution, and evaluation of public policies, based on their experience and knowledge;

MINDFUL of the need to reduce crime and violence associated with the activities of criminal organizations involved in illicit drug trafficking and related crimes, strengthening the role of the State as a guarantor of peace;

RECOGNIZING that women and minors may be victims of exploitation by illicit drug trafficking networks, posing harm to families and society at large;

CONCERNED because the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials have become factors that feed and strengthen organized criminal groups that engage in illicit drug trafficking;

RECOGNIZING that money laundering and corruption related to illicit drug trafficking activities impact the rule of law, democratic institutions and governance, and can distort the operation of economies;

CONCERNED at the prevalence of drugs and their abuse in the Americas;

RECOGNIZING that regulatory measures to prevent diversion of chemical substances and precursors used in the illicit manufacture of narcotic and psychotropic substances represent an important tool against illicit drug trafficking;

RECOGNIZING ALSO that the experiences and new approaches that different governments and societies have developed in relation to the world drug problem may provide global lessons for the evolution of current policies on drugs, particularly when they consider human beings, their environment, social integration and human dignity, using criteria for mitigating negative effects of drug abuse and dependence, and taking into account the principles set forth in the international instruments in force, including the three United Nations drug control conventions and international human rights instruments consistent with parties' obligations;

RECOGNIZING FURTHER the role of the Inter-American Drug Abuse Control Commission (CICAD) as a consultative and advisory body of the OAS on the abuse and production of, and illicit trafficking in, drugs, as well as its contribution to promoting multilateral cooperation among member states and strengthening their capacity to address the world drug problem;

RECALLING the mandate of the Heads of State and Government, gathered at Cartagena de Indias, Colombia, for the Sixth Summit of the Americas,^{1/ 2/} to analyze the results of the current policy on drugs in the Americas and to explore new approaches to strengthen this struggle and to become more effective; and

TAKING NOTE of the “Report on the Drug Problem in the Americas” presented by the Secretary General of the OAS pursuant to the mandate from the Heads of State and Government gathered at the Sixth Summit of the Americas,^{2/}

DECLARE:

1. That it is essential that the Hemisphere continue to advance in a coordinated manner in the search for effective solutions to the world drug problem with a comprehensive, strengthened, balanced, and multidisciplinary approach with full respect for human rights and fundamental freedoms that fully incorporates public health, education, and social inclusion, together with preventive actions to address transnational organized crime, and the strengthening of democratic institutions, as well as promotion of local and national development.

2. That they encourage the consideration of new approaches to the world drug problem in the Americas based on scientific knowledge and evidence.

3. That it is necessary, based on the principle of common and shared responsibility, to bolster and promote hemispheric cooperation by mobilizing different resources to coordinate and consolidate a comprehensive, balanced, and multidisciplinary approach that recognizes, *inter alia*, the different impacts and manifestations of the world drug problem in each country, allows the challenges, threats, risks, and vulnerabilities generated thereby to be effectively confronted, and includes mechanisms for the exchange of information and experiences among countries.

4. The importance of fully implementing the three international drug control conventions (including the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol; the Convention on Psychotropic Substances, 1971; and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988) that constitute the framework of the international drug control system, as well as the importance of ratifying or acceding to, and implementing, as appropriate, the United Nations Convention against Corruption (2003); the United Nations Convention against Transnational Organized Crime (2000) and the three protocols thereto—Protocol against the Smuggling of Migrants by Land, Sea and Air; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition—; the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA); the Inter-American Convention against Corruption; and the Inter-American Convention on Mutual Assistance in Criminal Matters.

-
1. The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, ...
 2. The Government of Nicaragua considers that the reference to the Summit in Cartagena de Indias, Colombia, and the appeal to strengthen the so-called “Summit of the Americas” are inappropriate, ...

5. That they recognize the Multilateral Evaluation Mechanism (MEM) as the only valid hemispheric tool for evaluating drug control policies in the countries that make up the inter-American system.

6. That they recall that the evaluation of drug control policies must be a multilateral exercise.^{3/}

7. That they encourage broad and open debate on the world drug problem so that all sectors of society participate and continue offering, as appropriate, their experience and knowledge of the different aspects of the phenomenon and thereby contribute to the strengthening of national strategies as fundamental elements for the effectiveness of public policies.

8. Their commitment to strengthening the capacity of their states and institutions by fostering professionalization and improving policies and mechanisms for coordination, oversight, and transparency, in order to deal with the threats associated with the world drug problem, as well as its causes and consequences.

9. That drug abuse and dependence are also a public health problem and, therefore, it is necessary to strengthen public health systems, particularly in the areas of prevention, treatment, and rehabilitation and, at the same time, develop evidence-based national monitoring mechanisms that will enable us to identify current drug-use trends, demand for and access to health services, and institutional capacities to respond to this phenomenon.

10. That drug policies must have a crosscutting human rights perspective consistent with the obligations of parties under international law, including the American Convention on Human Rights and other applicable human rights instruments, as well as the American Declaration of the Rights and Duties of Man, in order to promote and achieve, *inter alia*, the well-being of individuals, their social inclusion, and access to justice and health.

11. That public policies to address the world drug problem must necessarily be designed and implemented with gender awareness, where appropriate.

12. Their commitment to make greater efforts to effectively reduce demand for drugs.

13. Their commitment to strengthen efforts at reducing the illicit supply of drugs.

14. That to reduce the levels of violence associated with the world drug problem and related crimes it is essential to implement and strengthen more effective measures to prevent illicit manufacturing of and trafficking in firearms, ammunition, explosives and related materials and their diversion to organized criminal groups, among other security measures.

3. The United States respects the sovereign right of states to determine how and under what conditions their resources may be allocated. We fully support the concept that evaluations of drug policies ...

15. Their commitment, within the framework of each state's domestic laws, to increase efforts to prevent, detect, and punish operations that launder the proceeds of criminal activities, particularly illicit drug trafficking and corruption, and to strengthen international cooperation to prevent those proceeds from entering into, transiting through, or egressing from our financial systems and other asset-exchange activities, as they can distort the operation of economies and affect other spheres of society.

16. That they urge those countries that produce, export, import and transit chemical substances and precursors that are used in the illicit manufacture of narcotic and psychotropic substances to strengthen, in cooperation with the private sector, their measures for controlling production, distribution, and domestic and foreign sales of chemical substances and precursors, in order to prevent their diversion toward illicit activities, and to encourage international cooperation and strategic public-private partnerships.

17. That they encourage member states, in the framework of international cooperation and based on scientific knowledge and research, to analyze and share experiences, lessons learned and outcomes of, *inter alia*, their demand-reduction strategies and their impact on health, crime, the judicial system, and the prison population.

18. That they encourage member states, in accordance with their domestic law, to continue strengthening measures and policies, including a gender perspective, as appropriate, to reduce overcrowding in prisons, while promoting greater access to justice for all, and establishing penalties that are reasonable and proportionate to the severity of the crime, and supporting alternatives to incarceration in appropriate cases, particularly by increasing access to rehabilitation, comprehensive health care, and social reintegration programs; and, in that regard, they encourage member states to strive to incorporate the relevant provisions of the United Nations Standards and Norms into their practices.

19. That they encourage member states to consider, as part of their national policies, comprehensive and sustainable alternative development programs and measures—including, where appropriate, preventive alternative development—aimed at eliminating the factors that cause poverty, social exclusion, and environmental degradation in order, *inter alia*, to avert the involvement of vulnerable populations in activities connected with illicit drug production and trafficking.

20. To initiate a process of consultation, taking into account the contents of the present declaration, the general debate in the plenary, the resolutions and mandates about this matter approved in the current regular session as well as the "Report on the Drug Problem in the Americas" presented by the Secretary General.

This process will take place, among others, in the following instances:

- a. at the national level, as decided by each member state;
- b. in regional multidisciplinary groups to consider actions strategies, according to what each interested country decides;
- c. in the Inter-American Drug Abuse Control Commission at its fifty-fourth regular session;

- d. in the Meeting of Ministers Responsible for Public Security in the Americas (MISPA), to be held in Medellin, Colombia in November 2013; and
- e. in specialized meetings coordinated by the General Secretariat of the OAS with other regional organizations and entities.

On the basis of the results obtained from these processes, the Permanent Council is instructed to call for a special session of the General Assembly to be held no later than 2014.^{4/ 5/}

21. That they request the General Secretariat to support implementation of this Declaration, at the request of member states, and subject to existing financial resources in the program-budget of the Organization and other resources.

4. The United States believes that the decision on how to continue the dialogue on drugs is best suited for the Permanent Council. If the Permanent Council decides that a special session of the OAS ...

5. The delegation of Saint Vincent and the Grenadines understands that the various mechanisms articulated in the paragraph are sufficient to inform the next steps in the process and is, further, ...

FOOTNOTES

1. ... on April 14 and 15, 2012, without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

2. ... 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.

3. ... are best conducted in a collaborative manner.

4. ... General Assembly is desirable, we believe such a meeting should be held in 2015, so as not to conflict with or detract from the March 2014 high level meeting of the Commission on Narcotic Drugs (CND), and to provide enough time to incorporate the outcomes from the CND into the special session of the OAS General Assembly. We further believe that the special session of the OAS General Assembly should focus specifically on strengthening the Hemispheric Drug Strategy and considering whether to undertake a new Plan of Action for 2016-2020 through CICAD. Any additional special sessions of the OAS General Assembly should be funded by voluntary contributions.

5. ... of the view that the stipulation of an indicative date for holding a special session of the General Assembly is premature.

AG/RES. 2765 (XLIII-O/13)

SUPPORT FROM CITEL FOR THE IMPLEMENTATION OF
THE OUTCOMES OF THE SIXTH SUMMIT OF THE AMERICAS^{1/2/} AND
THE HIGH-LEVEL WORLD CONFERENCES HELD IN 2012 AND IN PREPARATION
FOR INTERNATIONAL TELECOMMUNICATION EVENTS
FOR THE 2013-2014 CYCLE

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING:

That by resolution COM/CITEL RES. 242 (XXV-11), "Contribution by CITEL to the Sixth Summit of the Americas," the Permanent Executive Committee of CITEL invited the member states of the Inter-American Telecommunication Commission (CITEL) to forward to the National Coordinator of the Sixth Summit of the Americas documents arising from different CITEL meetings that reflected the positive impact of telecommunications and of information and communication technologies (ICTs) on matters of high importance to the region, such as social inclusion, citizen security, natural-disaster prevention and mitigation, and promotion of access to and use of technology;

That the activities of CITEL in the International Telecommunication Union (ITU) consolidate inter-American proposals, strengthen the regional bloc, and protect the interests of the countries of the Americas;

That CITEL discusses issues important to the member states, including those related to utilization of the digital dividend, plans for broadband, the definition and harmonization of frequency bands for access to mobile services, and emergency communications, among others;

The great effort made by CITEL, as the regional telecommunication organization for the Americas, at the 2012 World Radiocommunication Conference (WRC-12) of the ITU in presenting over 200 inter-American proposals to amend the Radio Regulations, the international treaty governing the use of the radio spectrum and geostationary and non-geostationary satellite orbits;

That by a decision of Permanent Consultative Committee I: Telecommunications/Information and Communication Technologies (PCC.I) at its third plenary session, 14 inter-American proposals were forwarded to the 2012 World Telecommunication Standardization Assembly (WTSA-12) held in Dubai, United Arab Emirates from November 20 to 29, 2012; and 39 inter-American proposals to the World Conference on International

-
1. The Government of Nicaragua considers that the reference to the Summit in Cartagena de Indias, Colombia, and the appeal to strengthen the so-called "Summit of the Americas" are inappropriate, ...
 2. The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, ...

Telecommunications (WCIT-12) held in Dubai, United Arab Emirates from December 3 to 14, 2012; and

That CITELE participated actively in the preparations for the "Connect the Americas" Summit held in Panama City, Panama from July 17 to 19, 2012, the overarching objective of which was to mobilize the human, financial, and technical resources required to implement the results of the World Summit on the Information Society (WSIS);

CONSIDERING:

That at the Sixth Summit of the Americas, mandates were adopted in the areas of "integration of physical infrastructure in the Americas"; "access to and use of information and communication technologies"; "poverty, inequality, and inequity"; disaster risk reduction and management"; and "citizen security and transnational organized crime," which contain provisions directly related to the work of CITELE;

That WRC-12 adopted resolutions of high impact in the areas of mobile broadband, the digital dividend, interference, and the coordination and notification of satellite networks, and that it developed the agenda for WRC-15, which includes items with high impact on the region, since the radio spectrum is a finite resource, but frequency requirements and the numerous radiocommunication applications are increasing, so that regulatory procedures must be evaluated on an ongoing basis to ensure that needs of administrations are met;

That WTSA-12 adopted resolutions of great importance to world telecommunication evolution and development and to ongoing market innovation and growth;

That WCIT-12 updated the International Telecommunication Regulations (ITRs), the binding global treaty that contains the principles governing international voice, data, and video traffic and lays the foundations for ongoing innovation and market growth; and

That the Sixth Regular Meeting of the Assembly of CITELE will be held in Santo Domingo, Dominican Republic from February 10 to 13, 2014; that the Assembly is the inter-American forum for the exchange of views and experiences by the highest telecommunication/ICT authorities of the member states of CITELE, taking appropriate decisions to guide their activity; and that preparations for this meeting of the Assembly are to begin in 2013; and

REAFFIRMING:

That, in its capacity as the leading multilateral forum of the Hemisphere, the OAS has an exceptional part to play in strengthening connectivity in the region in order to contribute to its socioeconomic development; and

That the CITELE has a crucial part to play by establishing a reference point in the Americas with regard to the information society and that it has proven an effective mechanism for facilitating contributions by member states to international conferences,

RESOLVES:

1. To invite the member states to participate actively in the activities related to the preparations for 2015 World Radiocommunication Conference (WRC-15); the sixth regular meeting of the Assembly of Inter-American Telecommunication Committee (CITEL), to be held in Santo Domingo, Dominican Republic from February 10 to 13, 2014; the 2014 World Telecommunication Development Conference to be held in Sharm El Sheik, Egypt, from March 31 to April 11; and the 2014 Plenipotentiary Conference, to be held in Busan, Republic of Korea, from October 20 to November 7, as applicable, so that they come to these conferences with a strong and consensus-based regional position.

2. To emphasize that the core competencies of CITEL in the field of information and communication technologies (ICTs), such as assistance in bridging the digital divide; regional and international cooperation; radio spectrum management; and information dissemination, are of crucial importance in building the information society.

3. To urge CITEL to promote the development, coordination, and implementation of strategies, as applicable, in order to expand the use of ICTs, with support from the private sector and social actors of the Hemisphere, in accordance with commitments undertaken at the Sixth Summit of the Americas.

4. To instruct the General Secretariat of the Organization of American States to continue providing CITEL with the financial support necessary to ensure continuity in the implementation of its mandates.

5. To encourage the member states and associate members of CITEL to present proposals and contributions for the meetings of CITEL and, if possible, to provide voluntary financial contributions for efforts to promote the development, coordination, and implementation of strategies to develop and promote inter-American proposals pursuant to operative paragraph 1, and projects, as applicable, in order to expand access to and the use of ICTs in the Americas.

6. To request CITEL to report to the General Assembly at its next regular session on the implementation of this resolution.

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

FOOTNOTES

1. ... 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.

2. ... on April 14 and 15, 2012, without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

AG/RES. 2766 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

REAFFIRMING the provisions and essential purposes and principles identified in the Charter of the Organization of American States;

SHARING the conviction expressed in the Declaration of the Latin American and Caribbean Unity Summit that democracy is one of our region's most valued conquests and that the peaceful transmission of power through constitutional means and in strict compliance with the constitutional rules of each of our states is the product of a continuous and irreversible process in which the region admits no interruptions or setbacks;

AWARE that the Charter of the Organization of American States establishes in its preamble that "representative democracy is an indispensable condition for the stability, peace and development of the region" and that one of the essential purposes of the Organization is "to promote and consolidate representative democracy, with due respect for the principle of nonintervention";

AWARE ALSO that the Charter of the Organization of American States establishes that "every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems";

RECALLING that the Inter-American Democratic Charter states that "the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it" and that "democracy 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 "the 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";

RECALLING that the Social Charter of the Americas recognizes that social justice and equity are essential for democracy;

RECOGNIZING that the Inter-American Democratic Charter establishes that “essential elements of representative democracy include, *inter alia*, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, 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 of the Organization of American States (OAS) continuing to develop programs and activities aimed at promoting democratic principles and practices and strengthening a democratic culture in the Hemisphere, as well as the advisability of the OAS consulting and cooperating on an ongoing basis with member states;

RECALLING that the Inter-American Democratic Charter establishes that “the 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 “it 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”; and AG/RES. 2327 (XXXVII-O/07), AG/RES. 2422 (XXXVIII-O/08), AG/RES. 2480 (XXXIX-O/09), AG/RES. 2555 (XL-O/10), AG/RES. 2694 (XLI-O/11), and AG/RES. 2705 (XLII-O/12), “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), the reports of the Secretary General on the implementation of resolutions AG/RES. 1993 (XXXIV-O/04) [CP/CISC-174/05]; resolution AG/RES. 2327 (XXXVII-O/07); and 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 effective means of promoting and strengthening democratic governance in the respective countries; and

TAKING NOTE of the Final Report of 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, inequality, 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 support the Permanent Council and the member states that so request in the implementation of the Inter-American Program on Education for Democratic Values and Practices.

4. To reaffirm, as applicable, the mandates contained in resolution AG/RES. 2705 (XLII-O/12), "Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter," and in that context, to reiterate the request to the Secretary General to present a report to the Permanent Council on all cases in which action on his part is called for in the Charter of the Organization of American States and the Inter-American Democratic Charter.

5. To highlight the substantive contribution made by the Organization of American States (OAS) to the strengthening and development of electoral processes and systems in the member states, through OAS electoral observation missions, electoral advice, and technical cooperation, upon the request of a member state and consistent with the Declaration of Principles for International Election Observation.

6. To request the General Secretariat to provide assistance to member states that so request in the implementation of recommendations contained in the reports of OAS electoral observation missions.

7. To encourage donors to pursue, through the General Secretariat, a coordinated donor approach to the support of OAS electoral observation missions in order to facilitate the early planning of missions.

8. To recommend to the General Secretariat that it support the modernization and strengthening of democratic institutions in the member states that so request, and promote cooperation and dialogue among these institutions as a means to build capacity and share experiences, including in the fields of civil registry, legislative cooperation and modernization and electoral technologies, 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-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. 2767 (XLIII-O/13)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the second plenary session, held on June 5, 2013)

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), AG/RES. 2684 (XLI-O/11), and AG/RES. 2701 (XLII-O/12); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/CG-1955/13 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. 2701 (XLII-O/12).
2. To request the Permanent Council to report to the General Assembly at its forty-fourth 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. 2768 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

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;

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

RECALLING the decisions adopted by the General Assembly in resolution AG/RES. 2703 (XLII-O/12),

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 in member states to establish national judicial facilitator services as well as in training justice operators.

2. To urge member states to consider the usefulness of participating in the Inter-American Judicial Facilitators Program so they can avail themselves of its benefits according to their own needs and within the sphere of competence they may be assigned.

3. To invite member states and permanent observers to make voluntary contributions to support the Inter-American Program of Judicial Facilitators.

4. To instruct the Permanent Council to entrust the study and follow-up of the topic of judicial facilitators to the Committee on Juridical and Political Affairs with a view to including it on its agenda before the forty-fourth regular session of the General Assembly.

5. To urge the General Secretariat to continue assisting member states that ask to establish National Judicial Facilitator Services and to train their judicial personnel through the Inter-American Program of Judicial Facilitators.

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.

AG/RES. 2769 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

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"; 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," and AG/RES. 2712 (XLII-O/12), "Network for Consumer Safety and Health and 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 the inter-American rapid product-safety warning system (IAPSW), as well as the reports presented by the General Secretariat to the Permanent Council on the matter;

RECOGNIZING WITH SATISFACTION:

The joint coordination by the OAS and the Pan American Health Organization in 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 third annual postgraduate course on the RCSS was held in partnership with Pompeu Fabra University, targeting authorities from national agencies responsible for supervising markets for consumer-good safety, in

particular consumer protection, health, metrology, and standardization, with the participation of civil society, academia, and other stakeholders;

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 the IAPSWs will help protect consumers through rapid detection and coordinated action to prevent the entry of unsafe consumer goods into markets in the Americas; and that the RCSS web page (www.oas.org/rcss) receives over a thousand hits a week, demonstrating its usefulness for the member states,

RESOLVES:

1. To thank the governments that have made voluntary financial and in-kind contributions to strengthen the Network for Consumer Safety and Health (RCSS), especially the Governments of Argentina, Brazil, Canada, Colombia, Peru, and the United States; 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 to strengthen the RCSS and establish the Inter-American Rapid Product-Safety Warning System (IAPSWs). In addition, to welcome with satisfaction Brazil's commitment to contribute US\$100,000 for strengthening the RCSS.

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 IAPSWs, 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 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 prepare, in conjunction with the member states, a medium- and long-term planning proposal for the activities of the RCSS.

8. To request the General Secretariat, in consultation with the stakeholders, to present the Permanent Council with a proposed structure to guide the work of the RCSS.

9. To instruct the General Secretariat to report on 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. 2770 (XLIII-O/13)

PROMOTION OF WOMEN'S HUMAN RIGHTS AND
GENDER EQUITY AND EQUALITY AND STRENGTHENING OF THE
INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECOGNIZING the importance that the Organization of American States (OAS) has ascribed to women's human rights, gender equity and equality, and strengthening the Inter-American Commission of Women (CIM) in order to support their full realization;

CONCERNED that, despite progress in terms of promotion and formal recognition of women's human rights in the region, many women are still unable to exercise those rights on an equal basis with men, free from discrimination and violence;

HAVING SEEN:

The Declaration of San José on the Economic and Political Empowerment of the Women of the Americas [CIM/DEC. 14 (XXXVI-O/12) rev. 1] and the Triennial Program of Work 2013-2015 of the CIM, adopted by the thirty-sixth Assembly of Delegates of the CIM in San José, Costa Rica, on October 29 and 30, 2012;

Resolution AG/RES. 2709 (XLII-O/12) and all the earlier resolutions on this matter, which take note of the outcomes of the steps taken to follow up on implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP) by the organs, agencies, and entities of the OAS;

Resolution AG/RES. 2710 (XLII-O/12) and all the earlier resolutions on this matter, which encourage member states and the OAS General Secretariat to strengthen the CIM, allocating it the necessary personnel and resources to carry out its mandates and including its projects and programs in the list of priorities presented with a view to raising funds from external donors;

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 pursuant to Resolution AG/RES. 2709 (XLII-O/12) to the Forty-third Regular Session of the General Assembly (CP/doc.4829/13); and

The Report of the Secretary General on the Implementation of Resolution AG/RES. 2710 (XLII-O/12), "Strengthening the Inter-American Commission of Women," to the Forty-third Regular Session of the General Assembly (CP/doc.4828/13); and

The Annual Report of the Inter-American Commission of Women to the Forty-third Regular Session of the General Assembly (CP/doc.4827/13) in which the Chair of the CIM presents the progress made by the CIM in implementing its 2011-2016 Strategic Plan;

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 promote women's human rights and to integrating a gender perspective in all spheres of public life in order to attain equality of rights and opportunities between women and men; and

CONSIDERING that, despite the progress made by the CIM in consolidating a hemispheric work program to advance women's human rights and gender equality in the areas of democracy, human rights, development, and security, the human and financial resources allocated to the CIM remain insufficient for it to carry out all its mandates effectively,

RESOLVES:

1. To continue to support the work of the Inter-American Commission of Women (CIM), as the principal forum for generating hemispheric policy on women's human rights and gender equity and equality, and to follow up on the goals set in the IAP, particularly with respect to gender equity and equality mainstreaming, at ministerial meetings convened by the Organization of American States (OAS) and in the follow-up for the mandates of the Summits of the Americas.

2. To support the CIM in addressing relevant new and emerging areas, within available financial resources, and request the Executive Secretariat of the CIM to submit periodic reports to the Permanent Council of the OAS and its respective organs on specific and relevant aspects of the situation of women in the Americas.

3. To urge member states to:

- a. Harmonize their laws with those set down in international treaties and conventions to which they are party, particularly the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," as appropriate, in order to advance the full exercise of women's rights and the attainment of gender equality;
- b. Continue their efforts to ensure that, where they exist, such laws are enforced and such policies fully implemented and monitored; and
- c. Support the CIM in the full realization of the goals of the IAP, allocating it financial, human, and in-kind resources.

4. 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 succeed in mainstreaming women's

human rights and a gender equity and equality perspective in all OAS programs, activities, and policies;

- b. Promote the inclusion of women's human rights and gender equity and equality in reports published by the OAS;
- c. Provide the CIM, as a specialized agency of the OAS, with sufficient human and financial resources to enhance its capacity to carry out its mandates, particularly those recognized as priorities by member states; and
- d. Report, through the Permanent Council, to the General Assembly at its forty-fourth regular session on the implementation of this resolution.

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

AG/RES. 2771 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

Resolution AG/RES. 2707 (XLII-O/12), “Prevention and Eradication of 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 sexual exploitation, human smuggling, and trafficking in persons;

The importance of the United Nations Convention on the Rights of the Child of 1989 and of its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography of 2000; the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children; the Hemispheric Plan of Action against Transnational Organized Crime of 2006; the First Meeting of National Authorities on Trafficking in Persons, held in Venezuela; the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents of 2008; and 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, in 2010;

RECALLING the resolutions adopted by the Directing Council of the Inter-American Children’s Institute (IIN) regarding the prevention and eradication of sexual exploitation, smuggling, and trafficking in children and adolescents, particularly resolution CD/RES. 10 (82-R/07), adopted in Cartagena de Indias, Colombia in 2007, which established the Inter-American Program for the Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Children, 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 made by the IIN in fulfillment of its mandates in the framework of the implementation of the Action Plan 2011-2015, which has been described 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 sexual exploitation of children (SEC) in the member states, pursuant to the mandate contained in AG/RES. 1667 (XXIX-O/99);

CONSIDERING:

That the sexual exploitation and smuggling of and trafficking in minors continues to have a considerable impact on our states, and, therefore, that 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; and

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

BEARING IN MIND that the IIN has made progress in implementing the Inter-American Cooperation Program for the Prevention and Eradication of the Sexual Exploitation, Smuggling of and Trafficking in Children, which involves three areas of work: (1) Gathering and updating information about the topic of SEC in the region and making it available to the States Parties; (2) creating information and knowledge on the topic of SEC 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 the Sexual Exploitation, Smuggling of and Trafficking in Children and to express its satisfaction at the approval of the new Plan of Action of the Inter-American Children's Institute (IIN), which includes a proposal for continuing the activities of the Inter-American Cooperation Program, while extending and developing them, in order to improve protection for minors against new forms of sexual exploitation in the Hemisphere.

2. To welcome with satisfaction the decision taken by the Directing Council of the IIN at its 87th regular meeting in San José, Costa Rica, in September 2012, to rename the Inter-American Program in light of the proposal put forward by the General Assembly, at its regular session held in Cochabamba, Bolivia, in June 2012, and bearing in mind international definitions in this field, as the "Inter-American Cooperation Program for the Prevention and Eradication of the Sexual Exploitation, Smuggling of and Trafficking in Children."

3. To urge the IIN to continue developing, with the support of the member states, new approaches to training human resources and strengthening technical capacities at the IIN.

4. To acknowledge the work carried out by the IIN, within the framework of the Inter-American Cooperation Program, to restructure the architecture of the ANNA Observa Observatory so as to encourage greater interaction and the publication of a virtual Spanish and English newsletter that enables states to receive periodic updated news in this area, notably on the use of new technologies in these activities.

5. To applaud the IIN's efforts in the area of cooperation with the national commissions against sexual exploitation of the member states of the inter-American system, resulting in technical liaisons, to date, in 30 of the 34 OAS member states and to urge the IIN to continue promoting and strengthening horizontal cooperation and the coordination of efforts between these governmental agencies and within states, as well as encouraging, with respect for human rights, the adoption and application of effective legal standards to prevent and eradicate such criminal acts.

6. To continue with the 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 offers recommendations and information to organizations for adolescents to bolster their capacity to protect themselves against different forms of sexual exploitation.

7. To request the IIN, given the demand for knowledge in this area voiced by the states, to disseminate as broadly as possible its Twelfth Report to the Secretary General, which focuses on analysis of the region's experiences with strategies for restitution of the rights of victims of SEC.

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 and the SMS to continue coordinating actions designed to provide advice to 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 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.

11. To encourage the IIN and member states to continue promoting the holding of regional and subregional meetings on "Prevention, Protection, and Restoration of the Rights of Children Against Commercial Sexual Exploitation in the Caribbean," such as those held in Central America (Costa Rica, 2010), the Caribbean (Jamaica, 2011), and South America (Asunción, Paraguay, 2012), which led to the publication of the series entitled "Best Practices."

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

13. To urge the Director General of the IIN to include information on the follow-up to resolution AG/RES. 2707 (XLII-O/12) in the management report that it is to present at the 88th meeting of the Directing Council, to be held in Medellín, Colombia, on September 19 and 20, 2013.

14. 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.

15. 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 the Inter-American Cooperation Program and the Specific Fund of the Inter-American Observatory on Prevention and Eradication of Sexual Exploitation and Smuggling of and Trafficking in Minors, as well as the work of the OAS Anti-Trafficking in Persons Coordinator.

16. 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.

17. To request the IIN 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. 2772 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

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 of the Americas Secretariat;

RECALLING that at Summits of the Americas, the heads of state and government have recognized the important role played by the OAS in the implementation of decisions of the Summits of the Americas and as technical secretariat of the Summits process;

RECOGNIZING the work of the Joint Summit Working Group (JSWG), which comprises the Organization of American States (OAS), the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Central American Bank for Economic Integration (CABEI), the Andean Development Corporation (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 enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, ...
 2. The Government of Nicaragua considers that the reference to the Summit in Cartagena de Indias, Colombia, and the appeal to strengthen the so-called "Summit of the Americas" are inappropriate, ...

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 (SIRG) held in the framework of the fortieth regular session of the General Assembly at Lima, Peru, in June 2010, the Secretary General of the OAS launched the Summits of the Americas Virtual Community (SVC) as a tool for modernizing the mechanisms for dialogue among all the actors involved in the Summits process,

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 and follow up on the activities assigned to the Organization of American States (OAS) by the Summits of the Americas.

3. To instruct the organs, agencies, and entities of the Organization to continue to give the highest priority to carrying out the initiatives assigned to them by the General Assembly, in accordance with the mandates of the Summits of the Americas, and to report regularly on these activities, as appropriate, to the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the CISC.

4. To request that the General Secretariat, through the Summits Secretariat, continue to serve as the institutional memory and secretariat of the Summits of the Americas process, advising the host country of the Summit and member states, as requested, in general on all aspects related to the Summits process, supporting follow-up and dissemination of Summit mandates, offering support to member states in implementing existing mandates and those of future Summits, and supporting preparatory activities and technical coordination for the next Summit of the Americas, to be held in the Republic of Panama in 2015.

5. To instruct the Permanent Council and, when appropriate, the Summit Implementation Review Group (SIRG), to continue to promote and facilitate the participation of social actors, including civil society, labor organizations, indigenous groups, the private sector, and youth, in the Summits of the Americas process and in activities related to topics assigned to the OAS by that process, as well as the efforts of member states to foster such participation.

6. To urge member states, through the SIRG, to report annually on the implementation and follow-up of the mandates established in the Summits of the Americas process.

7. 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.

8. 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 report thereon to the CISC and the SIRG.

9. To request that the JSWG continue to provide assistance in the preparations 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 states in following up on and implementing Summit mandates, and in the use of the Summits of the Americas Follow-up System.

12. To request the General Secretariat to make efforts, through the Summits Secretariat and member states, to promote and disseminate among the stakeholders in the Summits 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 methods for promoting and increasing awareness and the participation of social actors in the Summits process, through the use of the Summits of the Americas Virtual Community (SVC) and other information and communication technologies, among others.

14. 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.

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

16. 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.

17. To instruct the General Secretariat to report to the General Assembly at its forty-fourth regular session on the implementation of this resolution.

FOOTNOTES

1. ... on April 14 and 15, 2012, without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

2. ... 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. 2773 (XLIII-O/13)

INCREASING AND STRENGTHENING THE PARTICIPATION OF CIVIL SOCIETY
AND SOCIAL ACTORS IN THE ACTIVITIES OF THE ORGANIZATION OF
AMERICAN STATES AND IN THE SUMMITS OF THE AMERICAS PROCESS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolution 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”;

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 Organization of American States and resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations in OAS Activities”;

TAKING INTO CONSIDERATION the “Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities” adopted by the Permanent Council in resolution CP/RES. 840 (1361/03) and endorsed by the General Assembly in resolution AG/RES. 1915 (XXXIII-O/03), which requested “the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) to follow up on these strategies; to evaluate their implementation; and, if appropriate, to propose amendments to them or new mechanisms for increasing and strengthening participation by civil society organizations in OAS activities”;

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

UNDERSCORING that, in paragraph 94 of the Declaration of Commitment of Port of Spain, the Heads of State and Government committed “to continue encouraging the participation of our peoples, through the engagement of our citizens, communities and civil society in the design and

execution of development policies and programmes, by providing technical and financial assistance, as appropriate, and in accordance with national legislation to strengthen and build their capacity to participate more fully in the inter-American system”;

RECOGNIZING the participation of civil society and social actors in the Sixth Summit of the Americas,^{1/2/} held in Cartagena de Indias, Colombia, on April 14 and 15, 2012;

RECALLING resolution AG/RES. 2737 (XLII-O/12), “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”;

CONSIDERING that the Social Charter of the Americas recognizes the importance of citizen participation for social development, with Articles 6 and 34, respectively, establishing that “[t]he individual is at the center, as principal participant and beneficiary, of an inclusive, just, and equitable economic development process,” and that “[m]ember states will foster conscious and creative public participation in their development process”;

NOTING the establishment of the Specific Fund of voluntary contributions to support the participation of civil society organizations in OAS activities and in the Summits of the Americas process, by resolution CP/RES. 864 (1413/04), for the purpose of supporting participation by civil society organizations and other social actors in OAS activities, including the dialogue among heads of delegation of member states, the Secretary General, and civil society organization representatives and other social actors, 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), “Increasing and Strengthening Civil Society Participation in OAS Activities”;

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

-
1. The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, ...
 2. The Government of Nicaragua considers that the reference to the Summit in Cartagena de Indias, Colombia, and the appeal to strengthen the so-called “Summit of the Americas” are inappropriate, ...

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 and social development in all member states;

NOTING the contributions and recommendations suggested by civil society organizations and social actors at the On-line Forum held from April 18 to May 3, 2013, and the Tenth Hemispheric Forum with Civil Society and Social Actors that took place on May 9, 2013, on the theme of the forty-third regular session of the General Assembly, “For a Comprehensive Policy against the World Drug Problem in the Americas,” and the priorities on the inter-American agenda, as well as the comments received by the OAS General Secretariat on the draft Declaration; and

BEARING IN MIND the contributions and input that civil society and social actors provided during the consultation “Connecting the Americas: Advancing Partnerships for Action” that took place on March 18, 2013, and the On-line Forum on the same topic held from March 5 to 15, 2013, in follow-up to the implementation of the mandates of the Summits of the Americas process,

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 continue facilitating the implementation of the strategies for increasing and strengthening participation by civil society organizations and other social actors 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 participation by civil society and other social actors 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 other social actors and their participation in OAS activities, and in its organs, agencies, and entities, with the support of the General Secretariat and in accordance with resolution CP/RES. 759 (1217/99), “Guidelines for the Participation of Civil Society Organizations in OAS Activities.”

5. To encourage all member states, permanent observers, and other donors, as defined in Article 74 of the General Standards to Govern the Operations of the General Secretariat and in other rules and regulations of the Organization, to consider contributing to the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas process, in order to sustain and promote the effective participation of civil society organizations and other social actors in OAS activities in accordance with the goals set by the General Assembly and by the Heads of State and Government in the Summits of the Americas process, including the dialogue among the heads of delegation of the member states, the Secretary General, and 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 Government of the Republic of Guatemala as host country of the forty third regular session of the General Assembly to work together 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, within the framework of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC), analyzing the Draft Strategy for Strengthening Civil Society Participation in the Activities of the Organization of American States (OAS) (CP/CISC-422/09 rev. 1), with a view to completing it, and to request the Permanent Council to consider the final draft in order to promote a coordinated approach that facilitates civil society participation in OAS activities.

10. To instruct the General Secretariat to continue to support member states that so request in their efforts to increase the institutional capacity of their governments to receive, integrate, and incorporate civil society input and advocacy.

11. To ask the General Secretariat to prepare a follow-up report on the implementation of the strategies for increasing and strengthening participation by civil society organizations in OAS activities and those of its organs, agencies, and entities, in keeping with resolution CP/RES. 840 (1361/03), in order to identify the topics from civil society organizations that have been included on the Organization's thematic agenda and to strengthen synergies.

12. To request the General Secretariat to report to the Permanent Council before the forty-fourth 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. ... on April 14 and 15, 2012, without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

2. ... 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. 2774 (XLIII-O/13)

PROGRESS TOWARD ACCOUNTABILITY, EFFICIENCY AND EFFECTIVENESS,
AND RESULTS IN THE OAS GENERAL SECRETARIAT

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING that the General Assembly of the Organization of American States (OAS), through resolutions AG/RES. 2353 (XXXVII-O/07), AG/RES. 2437 (XXXVIII-O/08), AG/RES. 1 (XXXVI-E/08), AG/RES. 1 (XXXVIII-E/09), AG/RES. 1 (XL-E/10), AG/RES. 1 (XLII-E/11) rev. 1, and AG/RES. 1 (XLIII-E/12), has requested the General Secretariat to pursue efforts, for the purpose of improving the transparency and efficiency of the General Secretariat's operations, to establish appropriate planning, control, and evaluation systems that will enable the member states to follow up on budget programming and fiscal supervision;

TAKING NOTE of document CP/CAAP-3215/13, "Lessons learned from the 2013 Program-Budget Review Process, Views from Delegations and Chair's Recommendations";

RECOGNIZING the progress made with the exercise to evaluate and establish priorities for the Organization's mandates;

STRESSING the need to continue efforts in aligning the program-budget of the OAS to the assigned mandates;

EMPHASIZING the importance of upholding the highest standards of transparency and quality of information provided by the General Secretariat;

RECOGNIZING the progress made in developing the Comprehensive Human Resources Strategy of the General Secretariat;

RECOGNIZING ALSO the challenges involved in the current program-budget review process;

TAKING NOTE of document CP/CAAP-3225/13 rev. 1, "Implementation of International Public Sector Accounting Standards in the General Secretariat of the OAS";

BEARING IN MIND the difficult financial situation facing the Organization and the terms of resolution AG/RES. 2439 (XXXIX-O/09), "Optimizing Resources: Use of Videoconference and Other Communication Technologies," and that communication technologies offer the possibility of achieving increased efficiency, transparency, and lower costs, which will lead to better use of the Organization's time and economic resources;

CONSIDERING that the adoption of a biennial program-budget would permit long-range planning of the Organization's programs and, at the same time, would facilitate forecasting, the apportionment of expenditures, and a results-based approach; and

TAKING NOTE of the presentation of the documents "Business Modernization Initiative to Strengthen the OAS" (CP/CAAP-3228/13) and "Implementing the Business Modernization Strategy" (CP/CAAP-3228/13 add. 1) to the Permanent Council,"

RESOLVES:

1. Mandate Prioritization

- a. To reaffirm that the General Assembly, as the supreme organ of the Organization of American States (OAS), is responsible for determining the mandates of the Organization and for undertaking a regular review thereof under the advice of the Permanent Council, to inform priority-setting.
- b. To instruct the Permanent Council to convene a special meeting no later than September 10, 2013, to hold a policy-level discussion of the Secretary General's program-budget proposal for 2014, in order to provide general guidance to the Committee on Administrative and Budgetary Affairs (CAAP) for its detailed examination of the proposed program-budget and to discuss the mandate prioritization exercise and course of action in regard to future mandates.

2. Human Resource Policies

To instruct the Permanent Council to continue considering the working document CAAP/GT/RVPP-182/13 rev. 9 in consultation with all interested parties and authorize it to approve the necessary amendments to Chapter III (Personnel) of the General Standards to Govern the Operations of the General Secretariat of the OAS, ad referendum of the next General Assembly session on the program-budget.

3. Efficiency measures

- a. To instruct the General Secretariat to:
 - i. Continue its work in the implementation of the International Public Sector Accounting Standards (IPSAS) with a view to adopting them, as recommended by the Board of External Auditors, starting with the fiscal year beginning on January 1, 2015, and in subsequent periods;
 - ii. Take the necessary measures, whenever permitted by the progress in implementation of the IPSAS, to ensure that financial and budgetary reports presented to the CAAP are consistent with the guidelines provided in the aforementioned Standards; and

- iii. Continue to report in the Quarterly Resource Management and Performance Reports on progress in this endeavor.
 - b. To request the General Secretariat to report to the Permanent Council by July 22, 2013, on all the communication technologies that it has or that are available for use by the Organization, with an indication of the areas where they could be best applied.
 - c. To instruct the Permanent Council, through the CAAP, to conduct an analysis of the report to be presented by the General Secretariat, and to present an optimized application plan of the communication technologies existing or available within the Organization, along with a financial study on the savings that could be made thereby.
4. Budgetary review process
- a. To instruct the General Secretariat, in direct collaboration with the different secretariats of the Organization, to adopt a rigorous approach to developing, presenting, executing, and evaluating the program-budget according to Chapters IV to VIII of the General Standards. The proposed program-budget shall include proposals' rationale as well as explanations of variances from the previous year and of human and financial resources requirements in line with expected results.
 - b. To request that the General Secretariat include in its proposed program-budget specific budget lines for expenditures under the appropriations assigned to the Department of Conferences and Meetings Management (DCMM) by the respective committees, subcommittees, and working groups within the Permanent Council and the Inter-American Council for Integral Development. Furthermore, the General Secretariat shall report quarterly to the Permanent Council on the use of the resources of the DCMM by those bodies, and actively encourage the practice of informal consultations between the General Secretariat and member states, as well as among member states, as a means of reducing the costs related to conferences and meetings.
 - c. To request that the General Secretariat continue holding on a regular basis informal technical meetings with the delegations on the entire budgetary process and topics under review in preparation for formal discussions in order to promote a culture of trust and transparency.
 - d. To request the CAAP to establish, on an annual basis, a working group to conduct the technical review of the program-budget. The CAAP shall form said working group no later than at its second meeting after the regular session of the General Assembly and shall appoint the chair and vice chairs of that working group.

- e. The working group shall receive guidance and technical support from the General Secretariat in order to execute its mandates, which include:
 - i. Reviewing the budgetary implications of the Organization's current mandates and submitting to the CAAP its technical recommendations for consideration in the preparation of the program-budget for the following budgetary period;
 - ii. Reviewing the budgetary implementation of the mandates approved at the preceding General Assembly session;
 - iii. Reviewing and submitting to the CAAP comments on the quarterly resource management reports and examining the expenditures and outcomes against budget appropriation; and
 - iv. Addressing such other requests as the CAAP may make.
- f. To adopt a biennial program-budget system beginning with the year 2015 budgetary cycle. In pursuit thereof, the Permanent Council, with the assistance of the Committee on Administrative and Budgetary Affairs, shall review and amend the General Standards, ad referendum of the General Assembly, in order to bring them into line with the demands of a biennial program-budget and the corresponding transition period. To this end:
 - i. The overall budget level for the second year will be considered a tentative planning figure; and
 - ii. It is understood that member states' commitments are made on an annual basis.

5. Business modernization

- a. To instruct the General Secretariat to consider the following methodological guide for continuing with the Organization's administrative reform process based on the following principles:
 - planning and results;
 - effectiveness and efficiency; and
 - accountability.
- b. In pursuit thereof, to instruct the General Secretariat:
 - i. Planning and results
 - (a) To prepare a strategic plan for each budget period that includes a set of strategic objectives per pillar, in accordance with the General Assembly's instructions on the prioritization of mandates.

- (b) To integrate those strategic objectives into a results-based program-budget using performance indicators, and to inform the member states on compliance therewith and on the resources used, through the quarterly reports on resource management and performance.

ii. Effectiveness and efficiency

- (a) To report, within 30 days following the conclusion of regular sessions of the General Assembly, on the cost of the mandates contained in the approved resolutions and on their impact on the program-budget.
- (b) Within the program-budget, the General Secretariat shall submit for the Permanent Council's consideration a proposal to simplify operations, create efficiencies, and avoid waste and duplicated efforts.
- (c) That proposal shall include an organizational chart in line with the Organization's mandates and human and financial resources.

iii. Accountability

- (a) Prior to September 1, 2013, the General Secretariat shall make the following updated information available to the public on the Organization's website, in accordance with the Organization's legal structure:
 - (1) Organizational structure and functions of each administrative unit;
 - (2) Goals and objectives of the administrative units in accordance with their operational programs;
 - (3) The results of evaluations, monitoring, and audits of programs and operations;
 - (4) Staffing per administrative unit, also including the salary scale and other benefits, as well as vacant positions; and
 - (5) Results-based contracts awarded for both consultants and goods and services, pursuant to applicable regulations.
- (b) The information referred to in this paragraph shall be published in such a way as to facilitate its use and understanding and ensure its quality, accuracy, timeliness, and reliability.

- (c) To instruct the Secretary General to present a proposed amendment to Article 72 of the General Standards in order to introduce transparent procedures for the use of the Reserve Subfund.

AG/RES. 2775 (XLIII-O/13)

PREPARATION OF THE PLAN OF ACTION OF THE SOCIAL CHARTER
OF THE AMERICAS

(Adopted at the second plenary session, held on June 5, 2013)

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 (XXXIX-O/06), AG/RES. 2278 (XXXVII-O/07), AG/RES. 2363 (XXXVIII-O/08), AG/RES. 2449 (XXXIX-O/09), AG/RES. 2542 (XL-O/10), AG/RES. 2695 (XLI-O/11), and AG/RES. 2699 (XLII-O/12), “Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”;

BEARING IN MIND:

That at its forty-second regular session, held in Cochabamba, Bolivia, the General Assembly adopted the Social Charter of the Americas contained in document AG/doc.5242/12 and instructed the Permanent Council and the Inter-American Council for Integral Development (CIDI) to jointly prepare a draft plan of action for that Charter that would include the principles governing social development and establish specific targets and objectives to strengthen the already existing instruments in the Organization of American States on democracy, integral development, and the fight against poverty, and to submit the results of their work to the General Assembly for consideration at its next session;

That, in September 2012, the Joint Working Group of the Permanent Council and CIDI was formed to take up that mandate;

That the Social Charter of the Americas, the Draft Plan of Action of the Social Charter of the Americas (GTC/CASA/doc.201/12), and the Explanation of Reasons for Elaborating the Draft Plan of Action of the Social Charter of the Americas (GTC/CASA/doc.201/12 add. 1) are the basis documents that were used to start the formal negotiation process for drafting the Plan of Action of the Social Charter of the Americas; and

That, although the Working Group has made significant progress with drafting the aforementioned Plan of Action, the diversity and complexity of the issues addressed in the Social Charter of the Americas make it necessary to consult with numerous sectors, which, in turn, requires extending the Working Group’s mandate; and

CONVINCED of the need to make every effort to expedite the drafting of the Plan of Action of the Social Charter of the Americas,

RESOLVES:

1. To extend the mandate of the Joint Working Group of the Permanent Council and the Inter-American Council for Integral Development (CIDI) and urge it to conclude the Draft Plan of Action of the Social Charter of the Americas prior to the forty-fourth regular session of the General Assembly.

2. To request the General Secretariat to continue providing the Joint Working Group of the Permanent Council and CIDI with the technical support it needs to conclude its work, in coordination with all the competent areas of the Organization and specialized international organizations.

3. To request member states to encourage dissemination of the Social Charter of the Americas.

4. To request the General Secretariat to disseminate the Social Charter of the Americas, to include it as one of the basic documents of the Organization, and to create a direct link to this document on the OAS website.

5. 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 contained in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2776 (XLIII-O/13)

FINANCING OF THE 2014 PROGRAM-BUDGET OF THE ORGANIZATION

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Report of the Preparatory Committee to the General Assembly (AG/doc.5357/13 corr. 1);

The Report of the Chair of the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee of the General Assembly (AG/CP/Sub.AAP-379/13) on the financing of the 2014 program-budget of the Organization;

The annual report of the Board of External Auditors (CP/doc.4860/13) presented to the Permanent Council on May 3, 2013;

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 (XLIII-E/12) 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-third regular session, to be held in June 2013, to establish the overall budget level and the sources of financing for the 2014 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 (XLIII-E/12) that the total expenditure on personnel (object 1) should not exceed 64.38 percent of the overall budget level of the 2014 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 2014 program-budget, which will be adopted by the General Assembly at a special session to be held no later than October 30, 2013;

That, based on Article 80 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States, the General Secretariat shall submit to the Permanent Council 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;

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; and

That further work remains to be carried out on streamlining mandates, developing a strategic vision for the Organization, and implementing the business modernization initiative currently being considered by the member states,

RESOLVES:

1. To assess the quotas through which the member states will finance the Regular Fund of the Organization for 2014 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 2014.”

2. To set the overall budget level of the 2014 Regular Fund program-budget at US\$82,978,200 and to finance it as follows:

a. Net contributions of member states in the form of quota payments to the Regular Fund totaling US\$80,552,200, 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\$553,200 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.
 - b. Contribution of US\$126,000 from Special Multilateral Fund of the Inter-American Council for Integral Development (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 2013 for execution in 2014;
 - 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\$800,000 for, *inter alia*, interest and refunds.
3. To set the overall expenditure ceiling of the Indirect Cost Recovery Fund account at US\$5,250,000, which excludes the transfer of US\$1,500,000 to the Regular Fund as established in paragraph 2.c above, in accordance with the General Standards, provided that said amount is actually collected.
4. To request the Secretary General to see to it that the proposed program-budget for 2014 reflects a proportional, across-the-board impact among the budgetary chapters and sub-programs of the absorption of the statutory pay increases in and reduction of total income compared to the previous budgetary period.

TABLE A
ORGANIZATION OF AMERICAN STATES
REGULAR FUND
REGULAR FUND QUOTA ASSESSMENTS FOR 2014



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			50,600
Barbados	0.045%	36,700	12,000 (b)		48,700
Belize	0.022%	17,900		537	17,363
Bolivia	0.049%	40,000			40,000
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		17,114	838,586
Costa Rica	0.221%	180,300		3,606	176,694
Dominica	0.022%	17,900			17,900
Dominican Republic	0.257%	209,600			209,600
Ecuador	0.258%	210,500		2,105	208,395
El Salvador	0.114%	93,000			93,000
Grenada	0.022%	17,900			17,900
Guatemala	0.168%	137,000		2,749	134,251
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		202,656	6,552,544
Nicaragua	0.034%	27,700		277	27,423
Panama	0.158%	128,900			128,900
Paraguay	0.093%	75,900		1,528	74,372
Peru	0.688%	561,200			561,200
Saint Kitts and Nevis	0.022%	17,900			17,900
Saint Lucia	0.022%	17,900			17,900
Saint Vincent and the Grenadines	0.022%	17,900			17,900
Suriname	0.034%	27,700		554	27,146
Trinidad and Tobago	0.180%	146,800			146,800
United States	59.470%	48,512,700	6,300,000 (b)		54,812,700
Uruguay	0.214%	174,600			174,600
Venezuela	2.186%	1,783,200			1,783,200
Subtotal	99.425%	81,105,400	6,312,000	553,206	86,864,194
Cuba (c)	0.575%	469,100			469,100
TOTAL	100.000%	81,574,500	6,312,000	553,206	87,333,294

a. Represents 1% of 2013 quota assessment if full payment of 2013 quota was received by March 31, 2013, plus 2% of any payment received before February 28, 2013 and 3% if received by January 31, 2013.

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. 2777 (XLIII-O/13)

STRENGTHENING THE TOPIC OF MIGRATION IN THE OAS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2738 (XLII-O/12), “Strengthening the Topic of Migration in the OAS: Establishment of the Committee on Migration Issues,” AG/RES. 2729 (XLII-O/12), “The Human Rights of Migrants, Including Migrant Workers and Their Families,” and all relevant past resolutions;

HIGHLIGHTING 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;

MINDFUL that all member states are countries of origin, transit, destination, and/or return of migrants and that they are entitled to regulate the migration of persons to their territory;

RECOGNIZING the establishment of the Committee on Migration Issues (CAM) and its incorporation in the Statutes of the Inter-American Council for Integral Development (CIDI) and the Rules of Procedure of the Regular and Special Meetings of CIDI;

REAFFIRMING the guidelines for the operation of the CAM contained in resolution AG/RES. 2738 (XLII-O/12) and in the above Rules of Procedure of CIDI;

RECALLING resolution CIM/RES. 252 (XXXIV-O/08) of the Inter-American Commission of Women, which urged the Special Committee on Migration Issues (CEAM) to continue to integrate a gender perspective in its analysis of international migration, which the CAM has incorporated into its functions under Article 58 of the above Rules of Procedure of CIDI;

TAKING NOTE of the efforts made in the framework of the CAM in the 2012-2013 term, notably the holding of the course on international migration, organized in collaboration with the International Organization for Migration (IOM), whose key theme was “International Migration: Main Opportunities and Challenges,” and of the progress made in the process of review of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families; and

CONSIDERING the need to allocate the necessary resources for CIDI in the program-budget of the Organization of American States in order to ensure that the CAM functions properly as a permanent committee of CIDI,

RESOLVES:

1. To instruct the Committee on Migration Issues (CAM) to continue 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, and to submit a report to the General Assembly on the results obtained.

2. To invite the Inter-American Council for Integral Development (CIDI), through the CAM, prior to the forty-fifth regular session of the General Assembly, in cooperation with the International Organization for Migration (IOM), and with support from the Executive Secretariat for Integral Development (SEDI), to organize a course with a focus on the existing relationship of migration, development, and human rights for staff of the permanent missions of the member states, consular offices of member states, and of the General Secretariat, as well as other interested parties.

3. To instruct SEDI to identify effective mechanisms to facilitate sustainable funding for the report on the Continuous Reporting System on International Migration for the Americas (SICREMI) so as to ensure its continuity.

4. To urge member states, permanent observers, and regional, international, and civil society organizations and other social actors to consider making voluntary contributions to the work of the CAM.

5. To instruct the CAM to consult and coordinate with member states, through inter-governmental mechanisms and forums on migration, so that the link between migration and development is taken into account in the post-2015 development agenda, in the context of respect for the human rights of migrants, including migrant workers and their families.

6. To instruct the CAM to contribute inputs, in the form of a report regarding specific activities of the OAS in the area of migration, to the President of the General Assembly of the United Nations before the second High-Level Dialogue on International Migration and Development, which will be held October 2013.

7. To instruct the Secretary General to identify and to allocate the resources necessary for the operation of the CAM in the second half of 2013, and to take into consideration, when preparing the proposed program-budget of the Organization for 2014, the increase in the number of meetings under CIDI following the creation of the CAM as one of its permanent committees.

8. To request CIDI 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. 2778 (XLIII-O/13)

STRENGTHENING THE INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT:
POLICY DIALOGUE AND PARTNERSHIP FOR DEVELOPMENT

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Charter of the Organization of American States, in particular, Chapter VII, “Integral Development,” and Chapter XIII, “The Inter-American Council for Integral Development”; and the Social Charter of the Americas;

HAVING SEEN ALSO resolutions AG/RES. 2741 (XLII-O/12), “Extension of the Term of the Strategic Plan for Partnership for Integral Development 2006-2009”; AG/RES. 2739 (XLII-O/12), “Optimization of the Structure of the Inter-American Council for Integral Development”; AG/RES. 2740 (XLII-O/12), “Extension of the Mandate of the CEPCIDI Working Group to Strengthen CIDI and Its Organs”; AG/RES. 2746 (XLII-O/12), “Strengthening Partnership for Integral Development”; and AG/RES. 2751 (XLII-O/12), “Promotion and Incorporation of New Forms of Cooperation for Integral Development” adopted by the General Assembly at its forty-second regular session held in Cochabamba, Bolivia;

TAKING INTO ACCOUNT:

That the Strategic Plan for Partnership for Integral Development^{1/} is essential for coordinating policies, programs, and measures for action in the area of partnership for integral development, in the framework of the general policy and priorities defined by the General Assembly as well as mandates from the Inter-American Council for Integral Development (CIDI), including from its sectoral meetings of ministers and high-level authorities;

That said Strategic Plan establishes a framework for action at two strategic levels. The first, the policy level, aims at strengthening the dialogue as well as the institutional arrangements and mechanisms that are critical to the ability of both governments and the General Secretariat to implement the Plan. The second, the programmatic level, identifies a number of priority areas to ensure a focused and effective implementation of the Plan that are of special concern to member states and in which the Organization of American States (OAS) enjoys a comparative advantage; and

That the Statutes of CIDI stipulate that the Strategic Plan “shall have a four-year planning target period, subject to adjustment when the General Assembly considers it appropriate” and 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;

1. The Government of the Bolivarian Republic of Venezuela reiterates its reservations to the FTAA, as formulated in the declarations and plans of action of the Summits of the Americas ...

CONSIDERING:

That CIDI has launched a process of substantive dialogue with a view to supporting the process of reflection by the states to focus the work of the OAS in the area of integral development, maximize existing resources, and take advantage of comparative advantages;

That a process of reflection and consultation is taking place within the CIDI framework in order to explore alternatives for strengthening CIDI and its organs and for improving how they function; and

That the Inter-American Agency for Cooperation and Development (IACD) must consider innovative modalities of cooperation and financing mechanisms now under implementation in the framework of the OAS, and provide, with support from the Secretariat, recommendations and guidelines to promote and consolidate such modalities and link them with existing and potential financing mechanisms;

TAKING NOTE of the “Proposed Adjustments to the Transitional Modus Operandi of FEMCIDI” (CIDI/GT/FORCIDI/doc.85/13 rev. 1) presented by the Chair of the CIDI Working Group to Strengthen CIDI and its organs;

HAVING SEEN Article 79 of the Charter of the Organization of American States, under which each Council shall prepare its own statutes and submit them to the General Assembly for approval;

CONSIDERING that resolution AG/RES. 2739 (XLII-O/12), “Optimization of the Structure of the Inter-American Council for Integral Development,” eliminated the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI); instructed CIDI to amend its Statutes, its Rules of Procedure, and the rules of procedure of its organs; and instructed and authorized the Permanent Council to amend the General Standards to Govern the Operations of the General Secretariat of the Organization of American States; and

CONSIDERING FURTHER that in the framework of the mandate review exercise being carried out by the committees of the Permanent Council and of CIDI, the CIDI Ad Hoc Working Group to Review Integral Development Mandates concluded the review and by-topic classification of the mandates for the 2007-2012 period, as shown in document CIDI/doc.19/12, which was agreed upon by CIDI and transmitted to the Permanent Council so that it might serve as an input for the decisions of the member states on such matters,

RESOLVES:

I. STRENGTHENING POLICY DIALOGUE AND
PARTNERSHIP FOR DEVELOPMENT

1. To instruct the Inter-American Council for Integral Development (CIDI), with the support of the Executive Secretariat for Integral Development (SEDI), to continue strengthening substantive policy dialogue in the framework of its monthly regular meetings and seeking synergies and complementarities between the topics it addresses and the sectoral ministerial processes.

2. To instruct CIDI to review and update its long-term priorities, through substantive policy dialogue, taking into account, *inter alia*, the guidelines from the Permanent Council on the mandate review and prioritization process, with a view to a comprehensive approach to development in the Hemisphere.

3. To extend the mandate of the Working Group to Strengthen CIDI and its Organs until the forty-fourth regular session of the General Assembly and request it to present its recommendations to CIDI by April 15, 2014.

4. To request CIDI, if in its consideration of possible measures for strengthening CIDI, its organs, and mechanisms for policy dialogue and technical cooperation it finds it necessary to make changes to CIDI, the Special Multilateral Fund of CIDI (FEMCIDI), and the Inter-American Agency for Cooperation and Development (IACD), including to their statutes or rules of procedure, to approve them ad referendum of the General Assembly, as appropriate.

5. To instruct SEDI to continue working to maximize synergies within and among its departments in order to realize greater efficiencies, build on the linkages among the topics under its responsibility, and strengthen the formulation and implementation of programs, projects, and activities.

Strategic Plan for Partnership for Development

6. To extend the term of the Strategic Plan for Partnership for Integral Development 2006-2009 until December 31, 2014.

7. To instruct CIDI to launch a dialogue before the forty-fourth regular session of the General Assembly on the content of the next Strategic Plan for Partnership for Integral Development and to review its linkages with the Social Charter of the Americas and its future Plan of Action, among other relevant instruments; and on the contribution to Organization of American States (OAS) development activities compared to those of other institutions of the inter-American system, with a view to identifying areas of relative impact and cost-effectiveness.

Regulatory adjustments to the Inter-American Council for Integral Development

8. To adopt the amendments to the Statutes of CIDI and to the Statutes of the IACD, contained in documents CIDI/doc.38/13 and CIDI/doc.41/13 appended to this resolution and

approved by CIDI, ad referendum of the General Assembly, through its resolution CIDI/RES. 289 (XXVI-O/13).

9. To adopt the amendments to the General Standards to Govern the Operations of the General Secretariat of the Organization of American States contained in document CIDI/doc.43/13.

II. STRENGTHENING COOPERATION MECHANISMS AND MODALITIES

Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI)

10. To recognize the value of FEMCIDI and the benefits it has delivered in member states through partnership for development activities that it has financed, and to underscore the need to evaluate its current structure, with a view to strengthening and adapting it to the new realities of cooperation in the Hemisphere.

11. To recognize, too, the voluntary contributions by member states to FEMCIDI and to reiterate the importance of maintaining their level and, where possible, of considering increasing them.

12. To instruct the Working Group to Strengthen CIDI and its Organs to continue, with Secretariat support, to discuss and study the document "Proposed Adjustments to the Transitional Modus Operandi of FEMCIDI" (CIDI/GT/FORCIDI/doc.85/13 rev. 1), so that it might submit its recommendations to CIDI by September 30, 2013, with a view to having in place a final operational structure for FEMCIDI.

13. To instruct CIDI to consider and approve before November 30, 2013, a final operational structure for FEMCIDI, including any necessary regulatory adjustments, so that, by January 31, 2014, SEDI can issue the call for proposals for cooperation under the final FEMCIDI structure with the voluntary contributions made by member states in 2012.

Promotion and Incorporation of Other Cooperation Mechanisms and Modalities

14. To underscore the importance of multilateral partnership for integral development within the FEMCIDI framework and to urge its strengthening.

15. To highlight the importance of forms of cooperation based on the exchange of technical knowledge, comprising technical assistance activities and/or capacity-building, in addition to other types of cooperation.

16. To instruct CIDI and its subsidiary bodies to continue efforts to make cooperation within the FEMCIDI framework more efficient and effective, to strengthen it, and to conclude its restructuring process.

17. To promote support for the various modalities of OAS, horizontal, South-South, and triangular cooperation, which constitute mechanisms for knowledge transfer, solidarity, and commitment to democracy and development in the Hemisphere.

18. To instruct CIDI to promote and strengthen existing mechanisms and modalities of cooperation—in particular, FEMCIDI and horizontal, South-South, and triangular cooperation—bearing in mind that they contribute to the transfer of knowledge among countries of different levels of development, and serve also as a bridge for solidarity and commitment to democracy.

19. To urge the member states to hold meetings of high-level cooperation authorities every three years, in order to steer partnership for development policies within the Organization.

20. To also urge sectoral high authorities to determine an appropriate frequency and format for their ministerial meetings, in order to better articulate political dialogue, reduce costs, and allow sufficient time for the planning, implementation and evaluation of their activities; and, in particular, to consider the advisability of holding their meetings in a regular manner, at most once every three years.

21. 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 partnership for development actions more precisely within the Organization.

22. To request the Management Board of the IACD to draw up before the forty-fourth regular session of the General Assembly basic guidelines for the incorporation of new modalities of cooperation—such as horizontal, South-South, and triangular cooperation—with the objective of deepening partnership for development in the OAS, giving due consideration to such contributions as may be provided by member states and other organs of CIDI in that regard as well as other relevant efforts to develop approaches to ensure that development cooperation in the OAS is effective and supports the achievement of results. To further instruct CIDI to consider and approve those guidelines and to direct the General Secretariat to support these efforts by furnishing such information as may be requested of it.

III. REPORTING AND FOLLOW-UP

23. To instruct SEDI to present by September 30, 2013 an annual work plan of the activities it intends to carry out to support this resolution and other current CIDI mandates. This work plan should take into consideration, *inter alia*, the instructions provided to the General Secretariat on management reports and on the strategic planning and evaluation on delivery of the program-budget for 2013 [AG/RES. 1 (XLIII-E/12)]. A report on the execution, adjustment, and updating of this work plan, should also be presented to CIDI on a quarterly basis.

24. To request CIDI 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. ... (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. The content of this footnote applies to all mentions of the Strategic Plan for Partnership for Integral Development included in this resolution.

APPENDIX I

OEA/Ser.W
CIDI/doc.38/13
6 May 2013
Original: Spanish

STATUTES OF THE INTER-AMERICAN COUNCIL
FOR INTEGRAL DEVELOPMENT

(Agreed upon at the 26th regular meeting, held on April 30, 2013)

CHAPTER I
NATURE AND PURPOSE

Article 1. Nature

The Inter-American Council for Integral Development (CIDI) is an organ of the Organization of American States (OAS) that reports directly to the General Assembly and has decision-making power in matters of partnership for integral development. It is also a forum for inter-American dialogue on issues of hemispheric interest related to such matters.

Article 2. Purpose

The purpose of CIDI is to promote partnership for development among the member states of the OAS for the furtherance of their integral development and, in particular, to help eliminate poverty. It achieves its objectives through the implementation of the Strategic Plan for Integral Development.

CHAPTER II
FUNCTIONS AND POWERS

Article 3. Functions and Powers of CIDI

CIDI shall have the following functions and powers:

- a. To formulate and recommend the Strategic Plan to the General Assembly;
- b. To formulate proposals for strengthening inter-American dialogue on integral development;
- c. To promote, coordinate and oversee execution of the Strategic Plan;

- d. To convene regular meetings of the Council at the ministerial or equivalent level; regular monthly meetings; special meetings; and sectoral or specialized meetings;
- e. To propose to the General Assembly the holding of specialized conferences in their respective areas of competence to deal with special technical matters or to develop specific aspects of inter-American cooperation; to convene them in urgent cases, in accordance with the provisions of resolution AG/RES. 85 (O/72); and to coordinate, when appropriate, the holding of these specialized conferences in the framework of specialized or sectoral meetings of CIDI;
- f. To promote cooperative relations with the corresponding United Nations agencies and with other national and international bodies, particularly as regards coordination of inter-American technical cooperation programs;
- g. To adopt the policies and general guidelines which the Management Board of the Inter-American Agency for Cooperation and Development (IACD) and the Executive Secretariat for Integral Development (SEDI) should follow in carrying out the cooperation activities of the IACD;
- h. To convene high-level meetings and seminars to study problems related to development and identify efforts that could be undertaken in the CIDI framework, including those resulting from the application of Article 37 of the Charter of the Organization of American States;
- i. To periodically evaluate the execution of cooperation activities with a view to adopting decisions it finds appropriate for their improvement and for the most efficient use of funds, and report to the General Assembly;
- j. To coordinate and organize the activities of the subsidiary bodies of CIDI;
- k. To establish mechanisms for consultation and dialogue between CIDI's regular and special meetings and the inter-American committees;
- l. To receive, analyze, and take action on the reports and recommendations of its subsidiary bodies, as well as on the reports of other organs entrusted with the execution of CIDI projects;
- m. To elect the members of the Management Board of the IACD;
- n. To adopt criteria for the allocation of additional resources mobilized by the IACD for which the donor has not specified purposes and limitations;
- o. To approve the Rules of Procedure of the Management Board of the IACD and amendments thereto;

- p. To approve guidelines, policies, and priorities, on its own initiative or as recommended by the IACD, for the preparation, adoption, and execution of the program-budget of the IACD;
- q. To consider and, as appropriate, approve the annual budget of the IACD proposed by the Management Board;
- r. To participate in the preparation of the program-budget of the Organization in the area of cooperation;
- s. To instruct the General Secretariat and SEDI regarding the execution of tasks and support activities for the fulfillment of the mandates and functions assigned to CIDI;
- t. To approve or refer to other organs, as appropriate, proposals from the IACD for amending the rules and regulations relating to the personnel, budget, operations, and administration of the IACD;
- u. To authorize special budgetary appropriations from the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) to address unforeseen situations or activities, and identify the source of the necessary resources, in accordance with Article 96 of the General Standards to Govern the Operations of the General Secretariat; and
- v. To fulfill, in addition to the functions established by these Statutes, such other functions as may be entrusted to it by the Charter of the Organization of American States and other inter-American instruments, the General Assembly, and the Meeting of Consultation of Ministers of Foreign Affairs, as envisaged at in its Article 70, and to make recommendations in its area of authority.

CHAPTER III STRUCTURE

Article 4. Composition of CIDI, Representation, and Meetings:

CIDI is composed of all the OAS member states, whose delegates shall represent them at the CIDI meetings envisaged in Article 96 of the Charter and Articles 19 to 21 of these Statutes.

Article 5. Subsidiary Bodies of CIDI

CIDI shall have the following subsidiary bodies:

- a. Inter-American Agency for Cooperation and Development;
- b. Nonpermanent specialized committees (CENPES);
- c. Inter-American committees;

- d. Permanent committees of CIDI; and
- e. Other subsidiary bodies and agencies created by the Council.

Article 6. Inter-American Agency for Cooperation and Development (IACD)

The IACD is the subsidiary body of CIDI created to promote, coordinate, manage, and facilitate the planning and execution of programs, projects, and activities within the scope of the OAS Charter and, in particular, the framework of the Strategic Plan for Partnership for Integral Development of CIDI. The IACD is composed of its Management Board and SEDI.

Article 7. Functions of the IACD

The specific functions of the IACD, its Management Board, and SEDI are set out in the Statutes of the IACD.

Article 8. Nonpermanent Specialized Committees (CENPES)

CENPES are technical bodies which support CIDI in dealing with specialized matters or in developing specific aspects of inter-American cooperation in the priority cooperation areas approved by the General Assembly. They shall be established by CIDI for a duration decided upon at the time of their creation and shall not exceed the number of said priority areas.

Article 9. Functions of the CENPES

Within their respective areas of competence, CENPES shall have the following functions:

- a. To assist CIDI in the formulation of sectoral policies and programs of the Strategic Plan;
- b. To coordinate and examine proposals for cooperation programs, projects and activities to be financed by FEMCIDI and submit them with their recommendations to SEDI for consideration by the IACD Management Board;
- c. To periodically study the execution of cooperation activities and their results, and present to the IACD Management Board recommendations that they consider pertinent;
- d. To support, within their areas of competence, the preparation of meetings of CIDI and the IACD; and
- e. To fulfill the specific mandates assigned by CIDI and the IACD Management Board, and report to them in that regard.

Article 10. Composition of the CENPES

Each nonpermanent specialized committee shall consist of no more than seven specialists of recognized competence in their area of specialization, who shall be elected by CIDI from among the candidates proposed by the member states for a period established at the time of election. No committee shall have more than one specialist of the same nationality. Each committee shall elect its chair.

Article 11. Ad Hoc Coordinating Committee of the CENPES

The chairs of nonpermanent specialized committees will comprise an ad-hoc committee to coordinate sectoral cooperation activities in an integral manner and contribute to the preparation of CIDI meetings, in which they shall participate in an advisory capacity, upon request.

Article 12. Inter-American Committees of CIDI

CIDI may establish, with the approval of two thirds of the member states, inter-American committees related to the priority areas of the Strategic Plan. CIDI shall define in each case the nature, purpose, structure, and operation of the committees that it establishes.

Article 13. Purpose of Inter-American Committees

The purpose of inter-American committees shall be to lend continuity to sectoral dialogue on partnership for development in a given sector, follow up on mandates agreed at the ministerial level, and identify multilateral cooperation initiatives.

Article 14. Composition of Inter-American Committees

Inter-American committees shall comprise sectoral authorities at the policy-making and technical levels, accredited by the government of each member state.

Article 15. Functions of Inter-American Committees

In their areas of competence, the inter-American committees shall have, *inter alia*, the following functions, as appropriate:

- a. To propose and promote partnership-for-development policies;
- b. To support the preparation and follow-up of specialized or sectoral meetings at the ministerial or equivalent level;
- c. To contribute to the preparation and implementation of inter-American partnership-for-development programs;
- d. To formulate guidelines for drafting and presenting proposals for partnership-for-development projects and activities, in keeping with the Strategic Plan for

Partnership for Development, the Statutes of FEMCIDI, the specific inter-American program, and other pertinent documents;

- e. Define and implement strategies for attracting and mobilizing additional resources to finance partnership-for-development programs, projects, and activities; and
- f. Carry out other functions that are consistent with their objectives, as well as those assigned to them by the General Assembly or CIDI.

Article 16. CIDI may create such permanent committees as it deems necessary to facilitate its work. Permanent committees shall be governed by the Rules of Procedure for Regular and Special Meetings of CIDI.

Article 17. Other Subsidiary Bodies and Agencies of CIDI

The nature, purpose, structure, and workings of the subsidiary bodies and agencies that CIDI creates shall be determined by the Council itself.

Article 18. Functions and Responsibilities of the Executive Secretariat for Integral Development (SEDI)

SEDI shall have the functions and responsibilities established in the IACD Statutes. In addition, SEDI shall:

- a. Support CIDI and its bodies in managing and coordinating the participation of other inter-American and international entities, as well as of cooperation agencies of member and permanent observer states, in cooperation activities;
- b. Coordinate, through mechanisms established by the Secretary General, the cooperation activities that the Organization carries out through all its areas; and
- c. Be accountable to CIDI and the IACD Management Board for the execution and coordination of cooperation activities supported by the OAS within the CIDI framework, for the use of resources allocated by member states for their execution, and for their progress and results.

CHAPTER IV FUNCTIONING

Article 19. Regular Meetings of CIDI

In the exercise of the functions established in Article 3 of these Statutes, CIDI shall hold regular meetings as needed, at least once a month, preferably on the last Tuesday of each month. The accredited permanent representative of each member state shall serve as the principal representative of that state at regular meetings of CIDI, and each state may designate such alternate representatives or advisors as it deems necessary to represent it at such meetings.

Article 20. Sectoral and Specialized Meetings of CIDI

CIDI may hold sectoral and specialized meetings at the ministerial or equivalent level. Each member state shall appoint a head of delegation and such alternate delegates and advisors as it considers necessary to represent it at such meetings. Sectoral and specialized meetings may:

- a. Make recommendations concerning hemispheric policies;
- b. Promote initiatives to develop and strengthen fora for hemispheric dialogue;
- c. Recommend the development of specialized, sectoral and intersectoral inter-American programs which could be included in the Strategic Plan;
- d. Recommend the establishment of nonpermanent specialized committees (CENPES) and other subsidiary bodies and agencies of CIDI to address specialized topics within the priorities and areas of competence of CIDI. The competence, operation, and membership of CENPES and other subsidiary bodies and agencies that may be established shall be specified by the corresponding sectoral or specialized meetings;
- e. Periodically examine the execution of cooperation activities, evaluate their results, and make such recommendations as they see fit; and
- f. Adopt the measures necessary to ensure their smooth operation and the follow-up on their decisions.

Article 21. Special Meetings of CIDI

CIDI may hold special meetings in addition to its regular monthly meetings to consider specific issues or for those cases envisaged in Article 37 of the Charter. The principal representative of a member state for CIDI's regular meetings shall also serve as the principal representative of that state at special meetings unless, in the case of a special meeting held at the ministerial level, that member state accredits another head of delegation to take their place for that meeting.

Article 22. Election of the Officers of CIDI

The officers of CIDI shall be elected in accordance with the Rules of Procedure for Regular and Special Meetings of CIDI or with the Rules of Procedure for Sectoral and Specialized Meetings of Ministers and High Authorities in the Framework of CIDI, as appropriate.

Article 23. Quorum

The presence of a simple majority of the member state representatives shall constitute a quorum for meetings of the Council.

Article 24. Voting

Each member state has the right to one vote. The decisions of CIDI that are adopted by voting shall require a majority vote of its members, except as otherwise provided in the Charter, other inter-American instruments, or these Statutes. Budgetary decisions shall require the approval of two thirds of the member states. Procedural decisions shall require the majority established in the Rules of Procedure.

Article 25. Committees

CIDI may establish such committees and working groups as it deems necessary to facilitate its work, in accordance with its Rules of Procedure.

CHAPTER V
STRATEGIC PLAN

Article 26. Content and Structure of the Strategic Plan

The Strategic Plan shall coordinate the policies, programs, and courses of action in the area of partnership for integral development, in keeping with the general policy and priorities for cooperation adopted by the General Assembly. It shall be structured around the inter-American cooperation programs. The Strategic Plan shall have a four-year planning period, subject to adjustment when the General Assembly considers it appropriate.

Article 27. Inter-American Cooperation Programs

The purpose of the inter-American cooperation programs shall be to facilitate inter-American dialogue on integral development, strengthen national programs, and promote cooperation, with an emphasis on multinational activities that take into account the participation of relatively less-developed countries. The inter-American cooperation programs shall include the purposes, goals, strategies, approaches, and spheres of action, as well as guidelines and mechanisms for their evaluation. Projects and other cooperation activities shall be framed within these programs.

CHAPTER VI
FINANCING

Article 28. Financial and Budgetary Provisions Applicable to CIDI

With regard to financial and budgetary provisions, CIDI:

- a. Shall formulate guidelines to the General Secretariat, in accordance with Articles 95(b) and 112(c) of the Charter and the corresponding articles of the General Standards to Govern the Operations of the General Secretariat, for preparing the program-budget in matters of cooperation, on the basis of the Strategic Plan. In

addition, it shall define the means, forms and sources of financing of the programs approved by the member states;

- b. Shall have a chapter in the program-budget of the Organization, as well as a FEMCIDI, whose functions shall be governed by its own Statutes;
- c. Shall, in its regular meetings, establish the rules governing its financing mechanisms and receive from member states pledges of voluntary contributions to FEMCIDI, with an indication, as appropriate, of the respective sub-accounts;
- d. May, in its sectoral or specialized meetings, formulate proposals for encouraging and facilitating contributions of financial, technical, and other resources from public and private institutions of member states and permanent observer states, as well as from international organizations, to support the development of inter-American programs in their respective sectors; and
- e. Shall evaluate compliance with the program-budget guidelines that it has established.

Article 29. Financing for the Participation of Members of CENPES

The program-budget for cooperation shall include the necessary provisions for contributions, when required, to cover the cost of participation by members of CENPES in the meetings that are held.

CHAPTER VII
GENERAL PROVISIONS

Article 30. Rules of Procedure of CIDI and Its Bodies

CIDI shall adopt its own rules of procedure, those of its inter-American committees, and those of its other subsidiary bodies and agencies.

Article 31. Amendments to the Statutes

CIDI shall propose such amendments as it considers appropriate to the General Assembly. Any amendment to these Statutes shall be approved by the General Assembly.

Article 32. Special Committee on Trade

The Special Committee on Trade (CEC) shall be incorporated in the framework of CIDI as a special committee, whose mandate, membership, and structure shall be determined by the instruments that govern

APPENDIX II

OEA/Ser.W
CIDI/doc.41/13
6 May 2013
Original: Spanish

STATUTES OF THE INTER-AMERICAN AGENCY
FOR COOPERATION AND DEVELOPMENT (IACD)

(Agreed upon at the XXVI regular meeting, held on April 30, 2013)

CHAPTER I
NATURE AND PURPOSE

Article 1
Nature

The Inter-American Agency for Cooperation and Development (IACD) is a subsidiary organ of the Inter-American Council for Integral Development (CIDI) created pursuant to Articles 53, 54.a, 77, 93, and 95.c of the Charter and Articles 5 and 17 of the CIDI Statutes.

Article 2
Purpose

The purpose of the IACD is to promote, coordinate, manage, and facilitate the planning and execution of programs, projects, and activities (hereinafter “partnership for development activities”), within the scope of the OAS Charter and, in particular, the framework of the Strategic Plan for Partnership for Development of CIDI (hereinafter “Strategic Plan”).

CHAPTER II
FUNCTIONS AND SCOPE OF AUTHORITY

Article 3
Functions

The IACD shall have the following functions:

1. The administration, evaluation, and supervision of the partnership for development activities established within the framework of the CIDI Strategic Plan and its Inter-American Programs approved by CIDI.

2. The administration and supervision of the fellowship, scholarship and training programs of the OAS.

3. The development and establishment of cooperative relations with Permanent Observers, other states, and national and international organizations, regarding partnership for development activities.

4. Manage and account for the resources of FEMCIDI and other funds raised by and entrusted to the IACD.

5. The mobilization of financial, technical, and other resources in order to strengthen partnership for development activities.

6. The approval, in accordance with Article 9 of these Statutes and of the program and policy guidelines approved by CIDI, of the method of implementation of partnership for development activities and the determination of their level of financing, endeavoring to target the most pressing needs of the member states, especially the relatively less-developed countries and those with smaller economies.

Article 4 Scope of Authority

1. The IACD shall exercise its authority within the framework of the OAS Charter, in particular Article 95c.; the Strategic Plan of CIDI; the CIDI Statutes; these Statutes; the FEMCIDI Statutes; the applicable provisions of the General Standards that Govern the Operations of the General Secretariat; and other guidelines and directives adopted by the General Assembly or CIDI.

2. The IACD is responsible to CIDI.

3. In the event that the IACD exceeds its authority under this Article, CIDI may take any action it deems appropriate, including directing IACD to reconsider such action.

CHAPTER III STRUCTURE

Article 5 Structure

The IACD shall have the following structure:

1. The Management Board;

2. The Executive Secretariat for Integral Development (SEDI).

Article 6
The Management Board

The Management Board is the representative body of the member states established to promote greater efficiency in the management of partnership for development activities and strengthen the Organization's capacity to benefit from expertise in development cooperation and to attract contributions of technical support and other resources from member states, other states, and public and private organizations.

Article 7
Membership of the Management Board

1. The Management Board shall consist of nine member states of the Organization of American States elected by CIDI, observing, in accordance with the provisions of Article 77 of the Charter, the criteria of rotation and equitable geographic representation and guaranteeing that no Member State shall be excluded from the opportunity for election to the Board and that every region shall have the opportunity to be represented at all times.

2. The members of the Management Board shall serve for a term of two years. The election shall be held annually at the Regular Meeting of CIDI held before the OAS General Assembly and shall be arranged so that in the year after the first election four vacancies and in the subsequent year five vacancies shall occur, alternating annually thereafter. CIDI shall establish the procedures governing the conduct and timing of elections and method of determining the initial vacancies.

3. Each member state elected to the Management Board shall designate an official representative who preferably should have recognized experience and expertise in matters pertaining to cooperation and development programs and related activities. Such member state may also designate Management Board alternate representatives and advisers.

4. The Chair of CIDI shall serve ex officio as a non-voting member of the Management Board.

Article 8
Participation in Board Meetings

1. Each State on the Management Board shall accredit its representatives by means of a communication from its Permanent Mission addressed to the Secretary General of the Organization.

2. Each member of the Board shall have the right to one vote.

3. Each member state shall bear the cost of participation of its representatives on the Board.

4. The Management Board shall permit, in accordance with its Rules of Procedure, as approved by CIDI, attendance and participation, without the right to vote, in the Board's meetings and activities by member states which are not on the Management Board and, as appropriate, by

Permanent Observers and other states and international organizations that have demonstrated substantial support for and commitment to technical cooperation and development programs and activities of the Organization of American States.

Article 9
Functions of the Management Board

The Management Board shall:

1. Oversee, analyze and evaluate the implementation of partnership for development activities in accordance with program and policy guidelines approved by CIDI;
2. Provide operational guidance to the Executive Secretariat for Integral Development for implementing, monitoring, and evaluating partnership for development projects within the program and policy guidelines established by CIDI;
3. Determine the execution and the level of financing of partnership for development activities in accordance with the FEMCIDI Statutes and recommendations made by the CENPES;
4. Issue strategies and guidelines for raising additional funds to finance partnership for development activities;
5. Recommend for approval by CIDI, as appropriate, general guidelines for the allocation of resources mobilized by the IACD, which have not had purposes and limitations defined by the donors;
6. Oversee the management of all resources entrusted to the IACD and inform CIDI in this regard when requested;
7. Authorize the establishment of sectoral sub-accounts of FEMCIDI, as appropriate, within the framework of the priorities of the Strategic Plan, in accordance with Article 9 of the FEMCIDI Statutes;
8. Approve guidelines for the establishment of specific and trust funds associated with the objectives and activities of the IACD and the allocation of such funds in accordance with agreements reached with donors;
9. Adopt guidelines for the establishment by IACD of arrangements with banks and other financial institutions for the management of the IACD's financial resources;
10. Submit to CIDI for its consideration the proposed annual budget of the IACD on the basis of the policies and priorities determined by CIDI;
11. Propose to CIDI amendments to the rules and regulations relating to the personnel, budget, operations, and administration of the IACD for its consideration as appropriate or for referral to the competent organs;

12. Approve, within the framework of policies established by CIDI and for the purposes of enhancing resources, guidelines for the IACD to foster cooperative relations with Permanent Observers, other states, national and international organizations, and other entities and persons;

13. Report on the activities of the IACD at least semi-annually to CIDI and, as appropriate, to other entities and persons.

Article 10

The Executive Secretariat for Integral Development

The Executive Secretariat for Integral Development (SEDI), a dependency of the General Secretariat, shall serve as the Executive Secretariat of the IACD and shall be identified in the IACD's rules, regulations, and official documents as the "Executive Secretariat for Integral Development."

Article 11

Functions of the Executive Secretariat for Integral Development

The Executive Secretariat for Integral Development shall:

1. Support member states in strengthening partnership for development in the exchange of experiences, joint action, mutual support, and coordination among agencies responsible for cooperation for development of the member states, as well as among public and private institutions in the member states. To this end, it shall:

- a. Conduct a preliminary evaluation of all requests for cooperation activities submitted.
- b. Prepare the Proposal for Programming Partnership for Development Activities (hereinafter "Programming Proposal") taking into account the guidelines on cooperation that are established in the Strategic Plan.
- c. Conduct an evaluation of results of implementation of projects and activities for inclusion in the reports to the Management Board.

2. Formulate, promote, and implement initiatives and cooperation agreements with development and cooperation entities and public and private entities of member states, Permanent Observers, and other states, as well as international organizations, regional and international cooperation agencies and financial institutions and other entities in order to:

- a. Facilitate fundraising and mobilization of human, technical, and financial resources.
- b. Promote horizontal cooperation, as a significant aspect of partnership-for-development activities, through improved coordination and establishment of the necessary mechanisms.

- c. Promote development of human resources by means of fellowship, scholarship, and training programs, professional and academic exchanges, various forms of distance education, and other similar activities.
 - d. Promote the exchange of experiences and specialized knowledge, identify resources, and coordinate offers and requests for cooperation, by compiling, processing, and disseminating information to facilitate and encourage joint action and related technology transfers.
3. Provide, upon their request, support to the institutions of the member states, especially the relatively less developed countries and those with smaller economies, to identify, formulate, and facilitate the execution and coordination of projects and activities financed by FEMCIDI.
 4. Develop activities and manage projects to be financed by resources raised by or entrusted to the IACD.
 5. Provide specific support to the institutions of member states, upon their request with resources provided for this purpose, to facilitate the formulation, management, and evaluation of projects and activities financed with resources other than FEMCIDI.
 6. Manage and authorize the obligation and disbursement of resources from FEMCIDI, the specific funds, and other resources entrusted to the IACD, in accordance with applicable regulations and agreements.
 7. Report regularly to the Management Board, CIDI, and, as appropriate, to contributors of resources on the status of projects and activities, the results achieved in their execution, fundraising, and the status of funds and other resources entrusted to the IACD.
 8. Support CIDI in the formulation, updating, and evaluation of the Strategic Plan and the Inter-American Programs.
 9. Recommend to the Management Board amendments to the rules and regulations relating to the personnel, budget, operations, and administration of the IACD.
 10. Provide the support services necessary for the proper functioning of the Management Board.
 11. Submit to the Management Board for its consideration the proposed annual budget of the IACD on the basis of the policies and priorities determined by CIDI.
 12. Coordinate the support of the Units, Offices and other dependencies of the Organization in order to carry out the functions of the IACD.
 13. Perform any other functions assigned to it by CIDI or the Management Board.

Article 12
Director General of the IACD

1. The Executive Secretary for Integral Development, appointed by the Secretary General in accordance with Articles 117 and 120 of the Charter taking into account the recommendations of the Management Board, shall be designated Director General of the IACD, and the position shall be referred to hereinafter as Director General.

2. The term of office of the Director General is four years and may be renewable once, upon consultation with the Management Board and upon CIDI's approval. Notwithstanding the four-year term, the appointment shall be a position of trust under Articles 17(c) and 20 of the General Standards; however, the Director General may be removed from office for cause either by a two-thirds vote of CIDI or by the Secretary General, in consultation with the Management Board.

3. The Director General shall be a person of recognized ability in, *inter alia*, cooperation programs, development, project administration, financial management and, particularly, in fundraising.

Article 13
Functions of the Director General

The Director General shall:

1. Direct the Executive Secretariat in the performance of its functions under the OAS Charter, the CIDI Statutes, the Statutes of the IACD, and other applicable rules and regulations of the Organization.

2. Perform the technical, operational, and administrative activities that the Management Board and Secretary General entrust to the Director General within the framework of the rules and standards of the Organization and the policy guidelines established by CIDI in accordance with their respective areas of competence;

3. Report on IACD financing, operations, partnership for development activities, and other matters to the Management Board, CIDI, and the Secretary General.

4. Participate with voice but without vote in meetings of the IACD Management Board and CIDI, and in other CIDI activities.

5. Direct the execution of strategies to mobilize financial, technical, and other resources within the framework of guidelines approved by the Management Board and, to that end, subject to the appropriate delegation of authority from the Secretary General, enter into appropriate cooperation agreements.

6. Appoint the personnel of the IACD, subject to the appropriate delegation of authority from the Secretary General, taking into account Article 113 of the Charter.

7. Represent the IACD in executing the pertinent functions set forth in these Statutes.

8. Direct the coordination of the support of the Units, Offices and other dependencies of the Organization necessary to carry out the functions of the IACD.

Article 14
Resources

1. The resources to finance the partnership for development activities are grouped in the following funds: the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI); specific funds; trust funds; and the Regular Fund of the Organization, as applicable. All FEMCIDI resources shall continue to constitute part of the program-budget of the Organization that is approved each year by the General Assembly.

2. The IACD shall also manage the other resources it mobilizes or that are entrusted to it.

3. The General Secretariat shall establish the IACD Fund for Operations to finance the supervisory, administrative, and related overhead expenses of the Executive Secretariat. That Fund shall be administered exclusively by the Executive Secretariat and shall contain:

- a. A transfer from the Regular Fund of the entire amount of Chapter V of the OAS program-budget, excluding (i) the amount assigned to Object 3 (Fellowships) under that Chapter, and (ii) the amounts expended directly by the Secretariat for Management for salaries, emoluments, and any other payments owed to the staff of the Executive Secretariat. This transfer shall be made on a quarterly basis, in proportion to the percentage of budgeted regular fund income received by the General Secretariat.
- b. The contributions for administrative support and technical supervision from the Specific Funds and Trust Funds administered by the IACD;
- c. Interest income earned by this Fund; and
- d. Other miscellaneous income received by the IACD or by the General Secretariat for the IACD.

Nothing in this provision shall be construed to prevent the financing of temporary personnel on contracts for limited time with FEMCIDI resources under Article 11 of the FEMCIDI Statutes, or the financing of personnel with Specific Funds and Trust Funds, to the extent permitted under the terms governing those Funds.

4. The General Secretariat shall establish an IACD Fellowships, Scholarships, and Training Programs Fund.

CHAPTER IV
GENERAL PROVISIONS

Article 15
Languages and Documents

1. The official languages of the IACD shall be English, French, Portuguese, and Spanish.

2. The Management Board shall have two working languages, which shall be determined by the Board. For the regular meetings of the Management Board, working documents shall be available in the working languages, and interpretation in those two languages shall be available. However, the member states of the Organization may present their written proposals in any of the official languages of the IACD.

3. The reports, rules of procedure, and decisions of the Management Board, and any other official IACD documents issued in final form shall be distributed in the official languages of the IACD. All other IACD documents may be distributed in the working languages.

Article 16
Costs of Support Services to the Management Board and
Executive Secretariat Personnel

The costs of the Executive Secretariat's infrastructure and personnel, conference services, and logistical support to the Management Board shall be covered by the General Secretariat, in accordance with the pertinent provisions of the FEMCIDI Statutes.

Article 17
Support by Offices of the General Secretariat in the member states

The IACD shall draw upon the services provided by the offices of the General Secretariat in the member states, where they exist, in accordance with existing regulations.

Article 18
Fellowship, Scholarship, and Training Program

1. The IACD, through the Executive Secretariat for Integral Development, shall manage and administer the Fellowship, Scholarship, and Training Program under standards governing the program and in accordance with policies and priorities adopted by CIDI and with other applicable regulations, and shall report thereon to CIDI.

2. The Regular Fund shall continue to finance the Fellowship, Scholarship, and Training Program. The Executive Secretariat shall nevertheless develop a strategy to mobilize resources to strengthen the Fellowship, Scholarship, and Training Program, taking into account *inter alia* the Capital Fund for OAS Fellowship, Scholarship, and Training Programs, with a view to making the program financially and fully self-sustaining.

Article 19
Review

CIDI, no later than four years after the entry into force of these Statutes, and on a regular basis thereafter, shall conduct a comprehensive review of the functioning, operations, and financing of the IACD and shall present its recommendations thereon to the General Assembly.

Article 20
Rules of Procedure

The Management Board shall formulate its Rules of Procedure, which shall be submitted to CIDI for its approval.

Article 21
Amendments

These Statutes may be amended by the General Assembly, either at its own initiative or at the request of CIDI.

Article 22
Entry into Force

The present Statutes shall enter into force on the date on which they are approved by the General Assembly.

AG/RES. 2779 (XLIII-O/13)

ADVANCING HEMISPHERIC INITIATIVES ON INTEGRAL DEVELOPMENT

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

REAFFIRMING that the Charter of the Organization of American States proclaims the essential purposes of the Organization in its Article 2, including “to promote, by cooperative action, their economic, social, and cultural development” and “to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere”;

CONSIDERING that the Charter of the Organization of American States provides that the “Member States will give primary importance within their development plans to the encouragement of education, science, technology, and culture, oriented toward the overall improvement of the individual, and as a foundation for democracy, social justice, and progress,” and, in Articles 77 and 93, allows the Councils to establish subsidiary organs and agencies that they consider advisable for the better performance of their duties;

RECALLING that the Statutes of the Inter-American Council for Integral Development (CIDI) provide that the purpose of CIDI is “to promote partnership among its member states for the furtherance of their integral development and, in particular, to help eliminate poverty” and “it achieves its objectives through the implementation of the Strategic Plan for Partnership for Integral Development”;

HAVING SEEN that the Strategic Plan for Partnership for Integral Development 2006-2009,^{1/} whose period was extended until December 31, 2013, by resolution AG/RES. 2740 (XLII-O/12), adopted at the forty-second regular session of the General Assembly held in Cochabamba, Bolivia, establishes the areas for action of partnership-for-development activities as: social development and creation of productive employment; education; economic diversification and integration, trade liberalization, and market access; scientific development and the exchange and transfer of technology; strengthening of democratic institutions; sustainable tourism development; sustainable development and environment; and culture;

RECALLING the Summit of the Americas process and the mandates on integral development agreed upon by the Heads of State and Government;

REAFFIRMING that the Social Charter of the Americas underscores “the determination and commitment of member states to urgently combat the serious problems of poverty, social exclusion, and inequity that affect in varying degrees the countries of the Hemisphere; to confront their causes and consequences; and to create more favorable conditions for economic and social development with equity to promote more just societies”;

1. The Government of the Bolivarian Republic of Venezuela reiterates its reservations to the FTAA, as formulated in the Declarations and Plans of Action of the Summits of the Americas...

RECALLING that the Social Charter of the Americas recognizes that development with equity strengthens and consolidates democracy, since the two are interdependent and mutually reinforcing;

TAKING INTO ACCOUNT the process underway to prepare the Plan of Action of the Social Charter of the Americas;

REAFFIRMING the current and procedural mandates issued to the General Secretariat by member states from 2007 to 2012 that fall under the purview of CIDI and were validated by the review process carried out by the CIDI Ad Hoc Working Group to Review Integral Development Mandates, and which were recognized in CIDI/doc.20/12 “Current and Procedural Mandates Identified in the Area of Integral Development (2007-2012),” as well as in the report of the above working group contained in CIDI/doc.19/12, which was forwarded and presented by CIDI to the Permanent Council;

RECOGNIZING that in the framework of the process of reflection and consultation to strengthen CIDI and its subsidiary organs initiated in 2007, the Working Group to Strengthen CIDI and its Organs has implemented a work plan and working methodology (CEPCIDI/GT/FORCIDI/doc.20/10 rev. 1. corr. 1 and CEPCIDI/GT/FORCIDI/doc.44/11, respectively), although a series of substantive topics remain pending regarding the strengthening of policy dialogue and partnership for development, regarding which the Working Group should continue its analysis and study in order to present its recommendation to CIDI;

TAKING INTO ACCOUNT that CIDI has launched a process of dialogue on substantive development-related matters with a view to the consistent and effective inclusion of the efforts of the Organization of American States (OAS) related to integral development and to maximize them as well as the existing resources, ensure more effective linkage of policy dialogue, and benefit from its comparative advantages;

TAKING INTO CONSIDERATION the work and statements of the meetings of ministers and high-level authorities in the framework of CIDI in the areas of sustainable development, social development, culture, education, science and technology, labor, and tourism, as well as the meetings of high-level authorities responsible for cooperation;

RECALLING that the Heads of State and Government, at the Fourth, Fifth and Sixth Summits of the Americas, ^{2/ 3/} held, respectively, in Mar del Plata, Argentina, in 2005; in Port of Spain, Trinidad and Tobago, in 2009; and in Cartagena de Indias, Colombia, in 2012 recognized:

- a. The contributions made by labor ministries in attaining their goals of creating jobs to tackle poverty and strengthen democratic governance and the efforts undertaken to promote decent, dignified, and productive work;

2. The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, ...

3. The Government of Nicaragua considers that the reference to the Summit in Cartagena, Colombia, and the appeal to strengthen the so-called “Summit of the Americas” are inappropriate, ...

- b. The strong link between human capital investment and development and the importance of adapting to evolving needs and priorities for development by fully incorporating the concept of innovation in development-related pillars;
- c. 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”;

and resolved:

- d. “To promote economic growth with equity and social inclusion by strengthening cooperatives, micro, small and medium-sized enterprises, including cultural industries, in addition to grassroots economic initiatives and other production units, innovation, and competitiveness in the countries of the Americas,” and “to promote and support, as appropriate, initiatives that expand the contribution of ICTs to innovation, entrepreneurship, productivity, competitiveness, the emergence of micro, small, and medium-sized enterprises, and economic growth, within the framework of sustainable development,” and also “pledged to develop and strengthen, as appropriate, strategies and policies on youth employment”;

RECALLING ALSO the General Assembly resolutions on the promotion of corporate social responsibility in the Hemisphere; resolution AG/RES. 1573 (XXVIII-O/98), “Proposal to Transform the Inter-American Port and Harbor Conference into the Inter-American Ports Commission”; resolution AG/RES. 2691 (XLI-O/11), “Support for the work of the Caribbean Sea Commission”; resolution CIDI/CIP/RES. 117 (VII-12), “Lima Action Plan 2012-2013”; and resolution 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,” and reiterating the importance of all their preambular paragraphs;

TAKING INTO CONSIDERATION the different yet interrelated roles of all groups, including governments, corporate entities, civil society, indigenous groups, academia, and of individuals and organized local communities directly affected by activities of enterprises, in creating jobs, fighting extreme poverty, and overcoming inequality in the Hemisphere;

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;

RECALLING that resolution AG/RES. 2705 (XLII-O/12), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,” recognizes the importance of promoting the principles, values and practices of a democratic culture and requests the General Secretariat to continue supporting this objective through training programs to promote the principles,

values, and practices of a democratic culture, in accordance with 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;

RECOGNIZING that the conservation of the marine environment throughout the Hemisphere is vital due to the economic, social and environmental contributions of marine resources and ecosystems, in particular to islands, coastal states and those communities dependent on the sea to achieve their sustainable development goals;

HAVING SEEN the Quito Consensus on Conscientious Tourism in the Americas (CIDI/TUR-XX/doc.5/12 rev. 1), the report of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism (CIDI/TUR-XX/doc.12/13), and resolution CIDI/RES. 284 (XXII-O/12), “Approval of Statutes and Rules of Procedure for the Hemispheric Fund for Tourism”;

CONSIDERING that “conscientious tourism” is a concept in the process of being developed and under discussion in international forums, and that some countries have incorporated it into their public policies, given its potential to contribute to the objectives of development and social inclusion;

CONSIDERING ALSO that it is important to continue, as appropriate, with the process of development of the concept of “conscientious tourism” that would emphasize the concepts of responsible, ethical, sustainable, and inclusive tourism, which enhances the importance of the life experience that tourism imparts and its potential to be a transformative experience for the individual; and

RECOGNIZING the substantive importance of the CIDI resolutions as well as the process launched by the Committee on Partnership for Development Policies to negotiate omnibus and individual resolutions, so as to streamline the negotiations more efficiently in terms of cost and time,

RESOLVES:

I. STRENGTHENING THE INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT

1. To reaffirm the priority assigned by member states to integral development as one of the four pillars of the Organization of American States (OAS).

2. To acknowledge the Report of the Ad Hoc Working Group to Review Integral Development Mandates (CIDI/doc.19/12) and, to that end, to reaffirm the current and procedural mandates, including the inter-American plans and programs, as well as the documents arising from the ministerial meetings in the framework of the Inter-American Council for Integral Development (CIDI).

3. To instruct the General Secretariat to continue providing support to the member states in implementing the objectives and purposes contained in the mandates and documents mentioned in the preceding paragraph.

4. To instruct CIDI to review and update its long-term priorities, through substantive policy dialogue, taking into account, among other things, the guidelines from the Permanent Council on the mandates review and prioritization process, with a view to devising a comprehensive approach to development in the Hemisphere.

II. CIDI MINISTERIAL MEETINGS

5. Regarding the XVIII Inter-American Conference of Ministers of Labor and the celebration of its fiftieth anniversary:

- a. To accept with gratitude the Government of Colombia's offer to host the XVIII Inter-American Conference of Ministers of Labor (IACML) and to commemorate the fiftieth anniversary of the IACML in Medellín, Colombia, on November 11 and 12, 2013.
- b. To congratulate the ministers of labor of the Americas on the occasion of the fiftieth anniversary of the Inter-American Conference of Ministers of Labor (IACML), as well as the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL), both of which are consultative bodies to the IACML.
- c. To recognize the major contributions made by the IACML over its 50 years of existence in institutionalizing social dialogue at the hemispheric level, strengthening labor ministries, and positioning labor and employment policies on national agendas to the benefit of millions of the region's workers. To recognize also the value and effectiveness of the Inter-American Network for Labor Administration (RIAL) as a mechanism for regional cooperation on labor matters, and to reiterate the commitment to continue supporting it.

6. Regarding the Report of the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism and celebration of the Twenty-first Inter-American Congress of Ministers and High-Level Authorities of Tourism:

- a. To thank the Government and people of Ecuador for hosting the Twentieth Inter-American Congress of Ministers and High-Level Authorities of Tourism and to endorse the Quito Consensus on Conscientious Tourism in the Americas (CIDI/TUR-XX/doc.5/12 rev.1) and, in particular, the following instructions that it extended to the Inter-American Committee on Tourism (CITUR), with the support of the OAS General Secretariat:
 - i. follow up on the mandates handed down by the Inter-American Congresses of Ministers and High-level Authorities of Tourism;
 - ii. prepare an annual work plan to provide an instrument for fostering the development of the tourism sector in the Americas;

- iii. prepare, under its annual work plan, a strategy for increasing voluntary contributions to the Hemispheric Fund for Tourism;
 - iv. report on the activities of the Hemispheric Fund for Tourism to the Twenty-first Inter-American Congress of Ministers and High-Level Authorities of Tourism;
 - v. devise a strategy for promoting the participation of associate members in its activities, pursuant to Article 19 of the CITUR Rules of Procedure; and
 - vi. promote, in coordination with the relevant areas of the OAS, the creation of mechanisms for sharing experiences in terms of public policies and good practices, and for strengthening, interconnecting, and following up on actions taken by the member states to prevent, combat, and eradicate all forms of human trafficking.
- b. To thank the Government of Honduras for its offer to host the Twenty-first Inter-American Congress of Ministers and High-Level Authorities of Tourism in San Pedro Sula, Honduras, on September 5 and 6, 2013, with the topic “Geotourism for the Benefit of Communities,” and to urge tourism ministers and high authorities to attend it and promote civil society participation therein, as appropriate.
 - c. To express gratitude for the projects submitted to the Hemispheric Fund for Tourism and to ask the Executive Secretariat for Integral Development (SEDI) to present, by July 30, 2013, a report on the status of execution of the Hemispheric Fund for Tourism’s first programming cycle.
 - d. To thank the Governments of Barbados, Belize, Ecuador, El Salvador, Mexico, and Trinidad and Tobago for their contributions to the seed fund of the Hemispheric Fund for Tourism made by, and to invite other member states, the private sector, and international agencies to consider making voluntary contributions to this fund and to ask the ministers and high-level authorities of tourism, to set the dates for the second convocation of projects.

III. INTER-AMERICAN COMMITTEES

7. Regarding the work of the Inter-American Committee on Science and Technology (COMCYT), to support the convocation of the eighth regular meeting of COMCYT at OAS headquarters on November 14 and 15, 2013, and underscore the importance that COMCYT continue to support the implementation of the Plan of Action of Panama, “Translational Science, Technology, and Innovation: Knowledge for Competitiveness and Prosperity” (CIDI/REMCYT-III/doc.6/11 rev. 4), and support also the effective and sustained functioning of the working groups created under the Plan and the implementation of concrete initiatives and cooperation mechanisms for said implementation.

8. Regarding the work of the Inter-American Committee on Ports (CIP), to welcome and accept with gratitude the offer of the Government of Colombia to hold the eighth regular meeting of the CIP and the fourteenth meeting of the CIP Executive Board from September 10 to 13, 2013, in Cartagena de Indias, Colombia, and to call upon the member states to participate in those events by sending their highest authorities on ports.

IV. CAPACITY BUILDING

9. Regarding investing in the development of individual and institutional capacities:
- a. To urge member states to support education at all levels and in all modalities.
 - b. To instruct the General Secretariat, under an inclusive approach that fosters equal opportunities and improved living standards, to continue strengthening the development of individual and institutional capacities in member states by:
 - i. Forming strategic partnerships which suitably strengthen the existing OAS Scholarship and Training Programs, in accordance with the principles and purposes of the “Manual of Procedures for the OAS Scholarship and Training Programs”;
 - ii. Supporting initiatives to narrow the digital and knowledge divide and strengthen the Educational Portal of the Americas;
 - iii. Promoting the Leo S. Rowe Fund (an OAS student loan program) throughout the region, particularly in underrepresented countries; and
 - iv. Regionalizing actions to enhance knowledge-sharing through, *inter alia*, the use of the Higher Education Exchange Platform as a virtual sharing space, repository, and mapping mechanism for projects and research.
 - c. To instruct the General Secretariat to analyze and report to CIDI on the most effective and cost-efficient options for the OAS to continue strengthening the development of individual and institutional capacities in member states, bearing in mind the capacity and comparative advantage of the Secretariat, existing and potential sources of funding, and alternative activities and mechanisms related to:
 - i. creating other student loan programs in collaboration with member states and other relevant institutions;
 - ii. delivering knowledge according to the realities in and needs of member states; and

- iii. using an integral approach to individual and institutional capacity-strengthening initiatives that involve educational institutions system-wide, government, and international partners to face educational challenges together for long-term sustainable development.

10. Regarding the Inter-American Program on Education for Democratic Values and Practices:

- a. to instruct the General Secretariat to continue carrying out the Program through different activities in the fields of research and analysis, professional and educational resource development, and cooperation and exchanges of information, and to work for the creation of a virtual consultation group comprising representatives of the relevant ministries of member states'-- including ministries of education, and the creation of a cooperation framework that includes horizontal, South-South, and triangular cooperation, in order to foster technical assistance among institutions in member states in the area of education for democratic citizenship;
- b. to instruct the General Secretariat, in pursuit of the 2008 Declaration of Medellín, "Youth and Democratic Values," and the 2009 Declaration of Quito, to continue working within the Inter-American Program on Education for Democratic Values and Practices and, in conjunction with other areas of the OAS, on expanding the informed and responsible participation by the young people of the Americas in the Program's activities and in those of other relevant areas of the inter-American system; and
- c. to encourage the General Secretariat to take into consideration the resolution "Education for democracy" (A/RES/67/18), adopted by the United Nations General Assembly by consensus, which recognizes that education is key to strengthening democratic institutions,

11. Regarding the Strengthening of Micro, Small, and Medium-Sized Enterprises, as well as cooperatives and other production units:

- a. To instruct the General Secretariat to support efforts by member states aimed at strengthening the competitiveness of micro, small, and medium-sized enterprises (MSMEs), as well as cooperatives and other production units, so as to contribute to economic growth, job creation, and poverty alleviation in the countries of the Hemisphere by:
 - i. promoting the productivity, competitiveness, innovation, and access to markets of MSMEs as well as cooperatives and other production units by strengthening the institutional framework that supports them;
 - ii. promoting the association and participation of MSMEs as well as cooperatives and other production units in supply chains by

improving their quality management and marketing through activities such as the use of internet resources and information and communication technologies; and

- iii. accelerating the development of MSMEs as well as cooperatives and other production units by transferring lessons learned and sharing best practices.
 - b. To thank member states that provide support to MSMEs in the region, especially the Government of the United States for its contributions through the project entitled “Establishment of Small Business Development Centers (SBDCs) in CARICOM Member States,” as well as the Brazilian Service for the Support of Micro and Small Enterprises (SEBRAE) and the Canadian International Development Agency (CIDA) for their support for the third Inter-American Dialogue of High-Level MSME Authorities on “Public Policies to Promote Competitiveness, Innovation, and Internationalization of Micro, Small, and Medium-sized Enterprises,” to be held in São Paulo, Brazil, from July 8 to 10, 2013.
 - c. To recognize the importance of entrepreneurship in the long-term economic and social development of member states, especially those with smaller and more vulnerable economies, which enables young persons to participate fully in global economic activities, trade, and technological advances; recognizing, likewise, the importance of programs that contribute to social inclusion and cohesion, taking into account other initiatives that promote integral development for young people in the Hemisphere, and calling on international and regional financial institutions, permanent observers, and private-sector donors to contribute their financial support to the entrepreneurial initiatives organized by the General Secretariat in partnership with the Young Americas Business Trust (YABT), among others.
12. Regarding the Inter-American Competitiveness Network (RIAC):
- a. To acknowledge with satisfaction the leadership exercised by Chile, United States, Dominican Republic, and Colombia as Pro Tempore Chairs of the RIAC in 2009, 2010, 2011, and 2012, respectively, and as venues for the meetings of the Americas Competitiveness Forum (ACF); and to thank the Republic of Panama for serving as Pro Tempore Chair of the RIAC in 2013 and hosting the upcoming seventh ACF, to be held in Panama City from October 2 to 4, 2013; and
 - b. To request the General Secretariat of the OAS, through the Department of Economic Development, Trade and Tourism, in its capacity as Technical Secretariat, to continue to provide support for holding the upcoming meetings of the ACF and the meetings and initiatives of the RIAC.

13. Regarding promotion of corporate social responsibility (CSR) in the Hemisphere:
 - a. To call upon member state governments to promote among the private sector at large and other stakeholders CSR initiatives, tools, and best practices, with special emphasis on enhancing effective engagement of the community, other social actors, including civil society, indigenous peoples and other stakeholders; respecting human rights, and paying particular attention to the needs of developing countries, with a view to contributing to a stable investment environment and the fulfillment of the United Nations Millennium Development Goals throughout the region. Relevant initiatives and tools include, as appropriate, the International Labour Organization (ILO) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Global Compact, the Voluntary Principles on Security and Human Rights, the ILO Resolution on the Promotion of Sustainable Enterprises, and the UN Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework.
 - b. 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.
 - c. To request the Secretary General to work through SEDI to join the efforts of the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the ILO, the World Bank, and other regional and international organizations in order to foster the exchange of information and capacity-building on existing principles and established guidelines to enable member states to be in a position to promote CSR initiatives in the private sector in general.
 - d. To instruct SEDI to submit to CIDI a report on CSR programs and initiatives that they are undertaking and expect to execute, and invite other OAS entities and dependencies engaged in the subject area to share more about their activities and efforts so as to be able to coordinate. Also to invite public and private sectors to share their experiences on CSR.
14. Regarding support for the work of the Caribbean Sea Commission (CSC):
 - a. To underscore the importance of the conservation and sustainable use of the Caribbean Sea for sustainable development.
 - b. To encourage member states to coordinate with the CSC in its work, to the extent possible.
 - c. To invite the General Secretariat, as appropriate, to support the CSC in the mobilization of financial resources, capacity-building, the development of

technical and technological cooperation, and the exchange of experiences in the fields in which the CSC is actively engaged.

- d. To reiterate the invitation to the Association of Caribbean States to submit to the Secretary General a report on the progress made in the implementation of this resolution for consideration by the General Assembly at its forty-fifth regular session.

V. REPORTING AND FOLLOW UP

15. To instruct SEDI to present by September 30, 2013 an annual work plan of the activities it intends to carry out to support this resolution and other current CIDI mandates. This work plan should take into consideration, *inter alia*, the instructions provided to the General Secretariat on management reports and on the strategic planning and evaluation on delivery of the Program-Budget for 2013 [AG/RES. 1 (XLIII-E/12)]. A report on the execution, adjustment, and updating of this work plan, should also be presented to CIDI on a quarterly basis.

16. To request CIDI 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. ... (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.

2. ... on April 14 and 15, 2012, without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

3. ... 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. 2780 (XLIII-O/13)

PROMOTING INTEGRATED WATER
RESOURCE MANAGEMENT IN THE AMERICAS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1440 (XXVI-O/96), “Sustainable Development”; AG/RES. 2312 (XXXVII-O/07), “Report of the First Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI”; AG/RES. 2347 (XXXVII-O/07), “Inter-American Meeting on the Economic, Social, and Environmental Aspects of the Availability of, and Access to, Drinking Water”; and AG/RES. 2644 (XLI-O/11), “Report of the Second Inter-American Meeting of Ministers and High-Level Authorities on Sustainable Development within the Framework of CIDI”;

RECALLING that the Inter-American Democratic Charter recognizes that a safe environment is essential to the integral development of the human being, which contributes to democracy and political stability;

RECALLING ALSO that in the Social Charter of the Americas member states recognize that water is fundamental for life and central to socioeconomic development and environmental sustainability and that non-discriminatory access by the population to safe drinking water and sanitation services, in the framework of national law and policies, contributes to the objective of combating poverty;

CONSIDERING that resolution AG/RES. 1440 (XXVI-O/96) notes the importance of sustainable development as a conceptual framework within which the Organization of American States (OAS) should work both as a forum for concerted action and for technical cooperation;

RECALLING the commitments on integrated water resource management adopted at the Summit of the Americas on Sustainable Development, held in Santa Cruz de la Sierra, Bolivia, in 1996, and in its Plan of Action; in the Declaration of Santa Cruz + 10; in the Inter-American Program for Sustainable Development 2006-2009, now extended until 2014; and in the Declaration of Santo Domingo for Sustainable Development in the Americas, adopted in the Dominican Republic in 2010;

NOTING that seven Inter-American Dialogues on Water Management have been held, including the most recent one in Medellin, Colombia, in November 2011;

NOTING ALSO:

That the United Nations Millennium Declaration and its development goals reaffirmed support for the principles of sustainable development and resolved to halve, by 2015, the proportion of people who are unable to reach or to afford safe drinking water;

That, in the context of the United Nations Conference on Sustainable Development, the document “The Future We Want” recognized that water is at the core of sustainable development as it is closely linked to a number of key global challenges, reiterating the importance of integrating water resources into sustainable development and underlining the critical importance of water and sanitation within the three dimensions of sustainable development; and

That 2013 has been declared by the United Nations General Assembly as the “International Year of Water Cooperation” and that countries and organizations have been invited to promote international cooperation to reach the agreements on water resources that are on world water agendas;

RECALLING that for over 50 years the OAS has supported member states in improving the management, protection, conservation, and sustainable use of water, in the context of its efforts to reduce poverty, making water resources a factor of understanding, cooperation, and integration, and a means of strengthening peace and democracy and promoting development;

HIGHLIGHTING the importance of advancing integrated water resources management; strengthening good governance through, *inter alia*, public participation, institutional transparency; and access to environmental information;

RECOGNIZING that ecosystems have an essential function in maintaining the quantity and quality of water and that there is abundant evidence that paramo ecosystems are a vital part of the water systems of the Americas, since they represent one of the main sources of water;

CONSIDERING that extreme poverty, natural disasters, environmental degradation, and limited access to water resources pose a risk to the sustainable development of the Americas, and that cooperation is fundamental in that context; and

RECOGNIZING the importance of water to the region in the context of global dialogue towards the establishment of a post-2015 development agenda,

RESOLVES:

1. To promote dialogue on the water agenda in the Americas in the framework of the Inter-American Council for Integral Development (CIDI) and to give due consideration to water in the context of the post-2015 development agenda. In this regard, to request the General Secretariat to provide the relevant support for the achievement of this goal.

2. To support initiatives for the protection and sustainable regulation of ecosystems that contribute to maintaining the quality and quantity of water—including paramos—in the framework of national laws and policies.

3. To continue to strengthen technical cooperation and the exchange and discussion of information, experiences, best practices, and lessons learned through the national focal points designated by member states of the Organization of American States in the area of water resource management.

4. To welcome with satisfaction the observance of the “International Year of Water Cooperation” in the Americas.

5. To instruct the Executive Secretariat for Integral Development, to continue moving forward with the effective implementation of the Inter-American Program for Sustainable Development 2006-2009, extended until 2014, and the action initiatives agreed upon by the Ministers and High-Level Authorities responsible for the sustainable development in the Declaration of Santa Cruz + 10 and the Declaration of Santo Domingo for the Sustainable Development of the Americas, in the area of integrated water resource management.

6. To request CIDI 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. 2781 (XLIII-O/13)

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 5, 2013)

THE GENERAL ASSEMBLY,

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

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;

CONSIDERING the deliberations of the members of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) at its fourth regular meeting, held in Santiago, Chile, from November 27 to 29, 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; and

HAVING SEEN the Final Report of the Fourth Meeting of CEDDIS (CP/CAJP/INF.194/13 corr. 1),

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, and to reiterate its thanks to the Government of the Republic 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.

3. To thank the member states for presenting their second progress reports on implementation of the Program of Action in accordance with the formalities and time limits established and to encourage those states that have not yet presented them to do so in the course of this year so as to permit a successful culmination of the Program of Action evaluation process.

4. To record its thanks for the Final Report of the Fourth Meeting of Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) (CP/CAJP/INF.194/13 corr. 1), and to request the Permanent Council to take note thereof.

5. 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. 2782 (XLIII-O/13)

STRENGTHENING THE ACTIVITIES OF THE
JUSTICE STUDIES CENTER OF THE AMERICAS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the 2012 annual report on the activities of the Justice Studies Center of the Americas (JSCA) (CP/doc.4817/13) as well as the document “Main Actions and Projects JSCA 2012 and 2013 JSCA Plan of Action” (CP/CAJP/INF.178/13), which were presented to the Committee on Juridical and Political Affairs of the OAS Permanent Council on February 7, 2013; reflect specific training, research, and dissemination activities undertaken by the JSCA over the past year to strengthen justice systems in member states; and provide information on the institutional sustainability of the JSCA and the results of its fundraising efforts,

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-3161/13) and to forward them to that entity.
2. To commend the JSCA on the work it has continued to undertake in the Americas, especially with respect to assessment of criminal justice reform processes, improvement of legal defense standards, identification of best practices in the investigation of complex crimes, promotion of pre-trial services, and the generation of indices on access to relevant judicial information on-line.
3. To support and encourage the JSCA in its work to generate and disseminate new mechanisms and strategies for widening access to justice in criminal and noncriminal areas.
4. To urge the JSCA to continue with its fundraising efforts and exhort member states and permanent observers to make voluntary contributions to the JSCA.
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-fourth regular session on the implementation of this resolution.

AG/RES. 2783 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

BEARING IN MIND that the Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-IX) reaffirmed the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA) as the political and technical forum for hemispheric cooperation in the areas of justice and legal cooperation, together with the proven usefulness and effectiveness of the institutions and cooperation processes created or developed under the REMJA umbrella for consolidating the rule of law in the Americas; and that, at the Summits of the Americas, the Heads of State and Government have expressed their support for the work carried out through the REMJA process and for the implementation of its conclusions and recommendations,

RESOLVES:

1. To express its satisfaction with the results of the Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA-IX), held in Quito, Ecuador, on November 28 and 29, 2012, and to thank the Government of Ecuador for the successful organization of that ministerial meeting.

2. To thank the Governments of Uruguay, the United States, and Peru for their support in organizing the regional training workshops on cybercrime held in those states, with financial sponsorship from and under the leadership of the United States as Chair of the REMJA Working Group on Cybercrime.

3. To endorse the “Conclusions and Recommendations of REMJA IX,” (REMJA-IX/doc.2/12 rev. 1) and to instruct the Department of Legal Cooperation of the General Secretariat of the Organization of American States (hereinafter the “REMJA Technical Secretariat”) to carry out the mandates assigned to it therein, within the resources allocated in the Organization’s program-budget and other resources.

4. To support, as agreed on by REMJA-IX, the encouragement, under the leadership of the Chair of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA), of an exchange among the heads of delegation in order to agree on the modifications deemed relevant with respect to the competencies that correspond to the REMJA and adopt the reforms to the “Document of Washington” (REMJA-VII/doc.6/08 rev. 2) that are necessary as a result, bearing in mind that the REMJA process has consolidated itself as the hemispheric political and technical forum in the areas of justice and international legal cooperation. Toward that end, to request that the REMJA Technical Secretariat undertake consultations with member states, prior to REMJA-X, for the purpose of providing input to these discussions at REMJA-X.

5. To instruct the REMJA Technical Secretariat to continue providing support, legal advice, and technical assistance to the REMJA process and its working groups and technical meetings; preparing documents and studies to support the follow-up and implementation of their recommendations; carrying out programs, projects, and technical cooperation activities in pursuit thereof; managing and maintaining the networks created for which it is responsible in the REMJA framework; taking steps to secure funding for financing the activities of the REMJA process; strengthening coordination and collaboration with the secretariats of other international cooperation agencies, entities, or mechanisms in areas that concern the REMJA; and performing the other functions assigned to it in the “Document of Washington.”

6. To invite member states and permanent observers to make voluntary contributions for the implementation of the recommendations of the REMJA process and its working groups and technical meetings.

7. To instruct the Permanent Council to duly follow up on the “Conclusions and Recommendations of REMJA IX” and, in accordance with the terms of the “Document of Washington,” to convene in due course the meetings provided for therein, subject to the availability of financial resources in the Organization’s program-budget and other resources.

8. To request the REMJA Technical Secretariat to report to the Permanent Council on the implementation of this resolution before the forty-fourth 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. 2784 (XLIII-O/13)

RECOGNITION AND PROMOTION OF THE RIGHTS OF PEOPLE
OF AFRICAN DESCENT IN THE AMERICAS^{1/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 2550 (XL-O/10), AG/RES. 2693 (XLI-O/11), and AG/RES. 2708 (XLII-O/12);

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; and 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 Social Charter of the Americas states, “Member states recognize the contributions of indigenous peoples, afro-descendants, and migrant communities to the historical process of the Hemisphere and will promote recognition of their value. Member states also recognize the need to adopt policies to promote inclusion and to prevent, combat, and eliminate all forms of intolerance and discrimination, especially gender, ethnic, and race discrimination, in order to safeguard equal rights and opportunities and strengthen democratic values”; and

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;

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;

1. While Canada supports the essence and objectives of this resolution, it opposes the references to the Durban Declaration and Programme of Action adopted by the World Conference against Racism, ...

RECOGNIZING the work of the Department of International Law and other areas of the General Secretariat of the Organization of American States, through projects and other activities on people of African descent in the Americas, especially the replications of the Workshop for Training of Trainers of Afro-descendant Leaders in the Americas, held in several of the region's countries;

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 that all of its individual, structural, and institutional manifestations must be fought; and

TAKING NOTE that the member states have concluded the drafting of the "Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance" and "Inter-American Convention against All Forms of Discrimination and Intolerance,"

RESOLVES:

1. To reaffirm the importance of full, free, and equal participation and opportunities for people of African descent in all aspects of political, economic, social, and cultural life in the states of the Americas, some of which consider themselves to be, *inter alia*, plurinational, intercultural, pluriethnic, and/or multicultural.

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 facilitate the participation of organizations representing people of African descent and their communities as one of the social actors in the Summits of the Americas Process and to recognize their political, economic, social, and cultural influence.

4. 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.

5. To instruct the Committee on Juridical and Political Affairs to include on its agenda, prior to the forty-fourth regular session of the General Assembly, the issue of people of African descent in the Americas, and to promote the exchange of successful experiences for the social inclusion of people of African descent.

6. 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.

FOOTNOTE

1. ... Racial Discrimination, Xenophobia and Related Intolerance in 2001 and related processes contained in the preambulatory section of this resolution. Instead of fostering concerted global action against racism, the 2001 Conference degenerated into a politicized forum which served to promote intolerance and anti-Semitism, rather than combat it. Canada firmly believes that the Durban process remains highly politicized to this day and that it has been unable to distance itself from its controversial past, including its open and divisive expressions of intolerance and anti-Semitism. While Canada disapproves of the reference to this process in this resolution, Canada will nevertheless continue to work in practical ways with the OAS and its member states towards addressing racism, promoting tolerance and non-discrimination, as well recognizing and promoting the rights of people of African descent in the Hemisphere.

AG/RES. 2785 (XLIII-O/13)

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 5, 2013)

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 signed by 21 member states and ratified, to date, 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," AG/RES. 2663 (XLI-O/11) and 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";

HAVING SEEN the Final Report of the Fourth Meeting of the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) (CP/CAJP/INF.194/13 corr. 1), held in Santiago, Chile, from November 27 to 29, 2012;

BEARING IN MIND:

The request made by the Technical Secretariat of 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 by 2012, in accordance with the new indicators and methodology adopted by CEDDIS in May 2011 for measuring progress in implementing those instruments; and

The recommendation made by CEDDIS in resolution CEDDIS/RES. 3 (IV-O/12) adopted at its fourth regular meeting, to increase the level of the forum for disabilities to that of a specialized inter-American committee or institute, in order to heighten the visibility of the issue, strengthen cooperation initiatives and programs at the hemispheric level, and have a greater impact on the implementation of the inter-American instruments on disabilities; and

RECOGNIZING:

The advances made by CEDDIS on the exercise of the legal capacity of persons with disabilities in the region, with a view to developing an instruction manual on supports and safeguards to guarantee the rights of persons with disabilities; and

The contributions by civil society during the dialogue with CEDDIS at its fourth 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 encourage those member states of the Organization of American States that are not parties to Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (CIADDIS) to accede to and ratify the Convention, in order to strengthen regional efforts toward the elimination of all forms of discrimination against persons with disabilities and encourage their full integration in all areas of society.

2. To request the Permanent Council to take note of the recommendation made by the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) in its resolution CEDDIS/RES. 3 (IV-O/12) to assess the viability of increasing the level of the forum for the consideration of disabilities in our region to a body similar to an inter-American committee or institute, bearing in mind the juridical, financial, and structural implications.

3. 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 created by resolution AG/RES. 2263 (XXXVII-O/07) to supplement financing for the activities of CEDDIS and its Technical Secretariat.

4. To invite member states and permanent observers, as well as individuals and institutions, both public and private, national and international, to make contributions to the Fund, and to request the Secretary General to take steps to raise new resources for the Fund.

5. To reiterate to the General Secretariat the request that it take steps to bring about progressive advancement toward accessibility for persons with disabilities to the facilities of the OAS, as well as to its information dissemination tools, including, *inter alia*, its documents, communications, and website, in accordance with the principle of nondiscrimination enshrined in CIADDIS.

6. To reiterate to the General Secretariat that the greatest possible efforts must be made to mainstream a perspective of inclusion of persons with disabilities, from a rights standpoint, in all actions and decisions of the Organization, and to disseminate the objectives of CEDDIS as widely as possible.

7. To thank the people and Government of Chile for their generous hospitality and for their steadfast and effective support, which contributed to the success of the Fourth Meeting of CEDDIS.

8. To thank the member states that have presented their second compliance report on the CIADDIS in accordance with the established procedures and deadlines and to encourage the States Parties that have not yet presented them to remit them in the course of this year to enable successful completion of the process of monitoring progress in implementing the Convention.

9. To thank the Governments of Colombia, Ecuador, El Salvador, and Peru for their recent voluntary contributions to the CEDDIS Specific Fund in 2012 and 2013, and to acknowledge the contribution of the Government of Panama that enabled the definition of new parameters and the adoption of a new working method for following up on and monitoring progress in implementing the CIADDIS and the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006-2016).

10. 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. 2786 (XLIII-O/13)

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 5, 2013)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the mandates of the Summits of the Americas with respect to the fight against corruption, the Inter-American Program for Cooperation in the Fight against Corruption (MESICIC/CEP-II/doc.5/06 rev. 2), the Recommendations of the Third Meeting of the Conference of States Parties of the MESICIC (MESICIC/CEP-III/doc.4/10 rev. 1), and resolution AG/RES. 2730 (XLII-O/12); and

EXPRESSING ITS SATISFACTION with the work carried out by the Committee of Experts of the Mechanism for Follow-up on Implementation of the Inter-American Convention Against Corruption (MESICIC), which has to date enabled the adoption of reports on the first 10 states reviewed and the conduct of the first 15 on-site visits under the Fourth Round of Review; and with the organization of the Regional Meeting on Private Sector Responsibility in the Fight against Corruption, held in Colombia in March 2013,

RESOLVES:

1. To request the General Secretariat to continue, through the Department of Legal Cooperation of the Secretariat for Legal Affairs (hereinafter “Technical Secretariat of the MESICIC”), to provide technical secretariat services to the Conference of States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention Against Corruption (MESICIC) and to the Committee of Experts of the Mechanism.

2. To express once again its support for strengthening the MESICIC and, in that regard, to request the Technical Secretariat of the MESICIC:

- a. to take, in accordance with the Rules of Procedure of the Committee of Experts, the relevant steps for the preparation of the draft preliminary reports on Panama, Chile, Uruguay, Colombia, Guatemala, Nicaragua, the Dominican Republic, the Bahamas, Canada, Ecuador, and Guyana, which will be submitted for consideration and approval by the Committee prior to the next regular session of the General Assembly;
- b. to adopt, in accordance with the Methodology for Conducting On-site Visits, the relevant measures for on-site visits to be made, prior to the next regular session of the General Assembly, to the Dominican Republic, the Bahamas, Canada, Ecuador, Guyana, Jamaica, Saint Vincent and the Grenadines, Grenada, Suriname, Belize, and Haiti;

- c. to prepare, in accordance with the Rules of Procedure of the Committee of Experts, the draft of the Second Progress Report on the Implementation of the Inter-American Convention against Corruption (IACAC), indicating the progress made by the States Parties in this regard, to be submitted for consideration and approval by the Committee at its twenty-second meeting, which is to be held in September 2013; and
- d. to continue promoting, in accordance with the methodology adopted by the Committee of Experts for dealing with the topic of collective interest on private-sector responsibility in preventing and combating corruption, the exchange of information among the MESICIC States Parties on regulatory developments, experiences, and best practices in this area.

3. To take note of the adoption by the Committee of Experts, at its twenty-first meeting, of the Model Law on the Declaration of Interests, Income, Assets and Liabilities of Persons Performing Public Functions and the Model Law to Facilitate and Encourage the Reporting of Acts of Corruption and to Protect Whistleblowers and Witnesses, the texts of which may be found in documents SG/MESICIC/doc.344/12 rev. 2 and SG/MESICIC/doc.345/12 rev. 2, respectively; and to instruct the Technical Secretariat of the MESICIC to disseminate them and to encourage states to make use of them.

4. To request the Technical Secretariat of the MESICIC to continue providing, in accordance with the provisions of Chapter VIII of the Inter-American Program for Cooperation in the Fight against Corruption, the necessary technical support for the implementation of that program, within the resources allocated in the program-budget of the Organization and other resources, and, in that regard:

- a. to continue developing and executing the training program for the members of the Committee of Experts, facilitating the participation and contributions of civil society organizations in the activities of the Committee and of the Conference of MESICIC States Parties, consolidating the Anticorruption Portal of the Americas, and disseminating, through the Anticorruption Bulletin and social networks, the developments occurring within the MESICIC;
- b. to continue promoting broader cooperation between central authorities in the area of mutual legal assistance in corruption cases; and
- c. to continue promoting cooperation, exchanges of information, and the development of joint activities in areas related to transparency in public administration and to anticorruption efforts with other international organizations.

5. To ask the Technical Secretariat of the MESICIC, in compliance with the provisions of Chapter XII of the Recommendations of the Third Meeting of the Conference of MESICIC States Parties (held in Brazil in December 2010), to continue providing the technical support necessary for the implementation of those recommendations, in accordance with the resources allotted in the

Organization's program-budget and other resources, and, in that regard, to continue consolidating the MESICIC as a forum for exchanges of information and mutual cooperation among its States Parties on best practices for the prevention and combat of corruption.

6. To request that the Technical Secretariat of the MESICIC continue to support mutual cooperation between the Mechanism and the Open Government Partnership.

7. To request that the Technical Secretariat of the MESICIC promote the use by the MESICIC States Parties of the Hemispheric Network for Legal Cooperation on Criminal Matters (the "Network") in the investigation and prosecution of acts of corruption.

8. To recognize the importance of asset recovery in successfully fighting corruption and to urge member states to strengthen, as appropriate, their actions, promote appropriate regulatory and institutional mechanisms, and develop effective international cooperation in order to prevent and detect transfers and to facilitate the recovery of assets produced by corruption offenses.

9. To request the General Secretariat to continue identifying sources of funding within the Organization of American States (OAS)—such as the Regular Fund—as well as sources of external funding—such as international and regional financial institutions and national government agencies, among others—for the adequate functioning of the MESICIC and, when applicable, for the full and effective implementation of its recommendations and of the activities of the countries at which such recommendations are directed.

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

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. 2787 (XLIII-O/13)

PREVENTION AND REDUCTION OF STATELESSNESS AND PROTECTION
OF STATELESS PERSONS IN THE AMERICAS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolutions AG/RES. 1693 (XXIX-O/99), AG/RES. 1762 (XXX-O/00), AG/RES. 1832 (XXXI-O/01) and AG/RES. 1892 (XXXII-O/02), AG/RES. 1971 (XXXIII-O/03), AG/RES. 2511 (XXXIX-O/09), AG/RES. 2599 (XL-O/10), and AG/RES. 2665 (XLI-O/11), on the topic of preventing and reducing statelessness and protecting stateless persons in the Americas;

CONSIDERING that at the intergovernmental event at the ministerial level of member states of the United Nations on the occasion of the 60th anniversary of the 1951 Convention relating to the Status of Refugees and the 50th anniversary of the 1961 Convention on the Reduction of Statelessness, held in Geneva, Switzerland, on December 7 and 8, 2011, the participating states recognized that “the 1961 Convention on the Reduction of Statelessness and the 1954 Convention relating to the Status of Stateless Persons are the principal international statelessness instruments, which provide important standards for the prevention and resolution of statelessness and safeguards for the protection of stateless people” and considered becoming a party to them, where appropriate, and/or strengthening their policies that prevent and reduce statelessness”;

EMPHASIZING that on that occasion, several member states formally adopted specific commitments with regard to their accession to the applicable international instruments and to the adoption of measures to establish national mechanisms for determining statelessness;

CONSIDERING that in the Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas of November 11, 2010, it was resolved to “urge countries in the Americas to consider acceding to the international instruments on statelessness, reviewing their national legislation to prevent and reduce situations of statelessness, and strengthening national mechanisms for comprehensive birth registration”;

NOTING that the legislation of some member states considers that recognition of stateless persons is a declaratory, humanitarian, and apolitical act, granted in accordance with the principles of due process;

CONVINCED that statelessness is a serious global problem that calls for broad international cooperation and the development of related programs, and recognizing the fundamental responsibility of states to prevent and reduce statelessness;

RECOGNIZING that 15 member states of the Organization of American States (OAS) have acceded to the 1954 Convention relating to the Status of Stateless Persons; that nine are party to the 1961 Convention on the Reduction of Statelessness; that Honduras recently became party to both

international instruments; and that Ecuador and Paraguay recently became party to the Convention on the Reduction of Statelessness;

EMPHASIZING the tradition in the countries of the Americas to prevent and reduce statelessness by granting nationality through the combined application of the principles of *ius soli*, for children born in their territories, and of *ius sanguinis*, for those born in other countries;

RECOGNIZING that some countries of the region have recently introduced legislative amendments or practices to determine the status of, or to provide protection to, stateless persons;

EMPHASIZING the importance of the right to nationality in the Americas, recognized in Article XIX of the American Declaration of the Rights and Duties of Man and in Article 20 of the American Convention on Human Rights, as well as the relevance of promoting accession to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

UNDERSCORING the importance of the Inter-American Program for Universal Civil Registry and the Right to Identity, given that recognition of the identity of persons is one of the means through which observance of the rights to legal personhood, a name, a nationality, civil registration, and family relationships is facilitated, among other rights recognized in international and inter-American instruments;

RECOGNIZING the publication by the Office of the United Nations High Commissioner for Refugees (UNHCR) of guidelines relating to the interpretation and implementation of international standards on statelessness; and

RECOGNIZING ALSO the Course on Fundamental Elements for Identification and Protection of Stateless Persons and Prevention and Reduction of Statelessness in the Americas held for personnel of the permanent missions, the General Secretariat, and other interested parties, on February 23, 2012, at OAS headquarters, as well as the First Latin American Course on Statelessness, held in Quito, Ecuador, on August 27 and 28, 2012, for Latin American government officials and UNHCR staff, followed by the Second Latin American Course on Statelessness, held in San José, Costa Rica, on April 29 and 30, 2013,

RESOLVES:

1. To invite those member states that have not yet done so to consider ratifying or acceding to, as appropriate, the international instruments on statelessness, and to promote the adoption of procedures and institutional mechanisms for their application, in accordance with those instruments.

2. To emphasize the importance of the international instruments for the protection of stateless persons and for the prevention and reduction of statelessness, and to urge member states to follow up on the specific commitments entered into during the celebration of the 50th anniversary of the Convention on the Reduction of Statelessness, with technical support from the Office of the United Nations High Commissioner for Refugees (UNHCR).

3. To urge member states, without prejudice to their ratification of, or accession to, the international instruments on statelessness, to consider revising their domestic law or, where necessary, adopting domestic legal provisions to prevent and reduce statelessness and to protect stateless persons, and to consider strengthening their national mechanisms for universal birth registration.

4. To request from the member states and the international community collaboration and support in strengthening and consolidating the programs of the UNHCR in the area of identification, prevention, and reduction of statelessness and international protection of stateless persons.

5. To reaffirm the importance of international cooperation in the provision of appropriate technical and advisory services to prepare and implement legislation regarding nationality and effective protection to stateless persons.

6. To instruct the Permanent Council, through the Committee on Juridical and Political Affairs and with support from the Department of International Law of the General Secretariat and such technical and financial cooperation as may be provided by the UNHCR, to continue emphasizing the topic of statelessness in its promotional and training activities, and to conduct a joint study comparing nationality laws in the Americas.

7. 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. 2788 (XLIII-O/13)

EFFECTIVE PUBLIC MANAGEMENT STRENGTHENING AND
INNOVATION INITIATIVE IN THE AMERICAS

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

CONSIDERING that resolution AG/RES. 2705 (XLII-O/12), “Promotion and Strengthening of Democracy: Follow-up to the Inter-American Democratic Charter,” resolves “[t]o 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”; and

BEARING IN MIND the “Proposal for an Inter-American Cooperation Mechanism for Effective Public Management (MECIGEP)” (CP/CAJP/INF.174/12) and considering that the development of this initiative in no way affects the Regular Fund of the Organization of American States,

RESOLVES:

1. To amalgamate the current initiatives and activities of the Department for Effective Public Management into a hemispheric cooperation mechanism on governance aimed at bolstering public administration in member states through dialogue, mutual learning, and technical cooperation by which to enable efficient, transparent, and participatory public management. To that end, the development and implementation of this mechanism shall be done in permanent consultation with the public administration supervision entities in OAS member states.

2. To entrust the Secretariat for Political Affairs, through the Department of Effective Public Management, with the development of initiatives aimed at strengthening government institutions—in particular, at the local and regional government level—in order to enable networks of authorities and experts to operate; create training and capacity-building opportunities through forums for exchange of experiences and mutual learning; and facilitate strategic partnerships among universities and educational institutions—both public and private—for the purposes of research, training, and capacity-building for public-sector leaders and managers in the region; among other similar initiatives, in keeping with their capacities and current areas of action.

AG/RES. 2789 (XLIII-O/13)

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 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1) as it pertains to this topic, and resolution 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”;

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;

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;

REITERATING that “[e]veryone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means,”^{1/} 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; and

CONCERNED ALSO that, in some instances, measures governing national security, counterterrorism, association registration and functioning, and public security have been misused to incriminate human rights defenders or to undermine their work and safety in a manner contrary to international law;

STRESSING that the member states of the Organization of American States (OAS) have supported the legitimate work that human rights defenders carry out, recognizing it as an essential contribution to:

1. 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.

- a. the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, and the improvement of national systems for human rights and justice;
- b. the representation and defense of individuals, members of minorities, persons with disabilities, and members of other vulnerable groups of persons whose rights are threatened or violated;
- c. the strengthening of democratic institutions in the Americas; and
- d. the prevention of violence and the promotion of sustainable peace, security, and development;

AFFIRMING that, to be effective, national and international strategies in the above areas must pay special attention to protecting human rights defenders;

APPLAUDING the legislative and structural measures that some OAS member states have adopted in order to ensure for human rights defenders their rights to life, liberty, and personal safety , helping to create a more robust system of protection in the region; and

NOTING the commitment of the Inter-American Commission on Human Rights (IACHR) to continue reporting on the topic by circulating the “Questionnaire for the States and Civil Society for Preparation of a Report on the Situation of Justice Operators in the America,”

RESOLVES:

1. To reiterate its support for the work carried out, at both the national and regional levels, by human rights defenders, and to recognize their valuable contribution, *inter alia*, to the promotion and protection of, and respect for, human rights and fundamental freedoms in the Hemisphere.
2. To recognize that, in view of their gender-specific roles and needs, women human rights defenders should be accorded special attention to ensure that they are fully empowered and protected so that the important activities they carry out are effective.
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 systems for human rights and justice and to the strengthening of democracy, in accordance with each country’s constitutional and legal framework and 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 urge member states to:
 - a. Continue or initiate, as the case may be, activities to educate and disseminate information to government officials at all levels and throughout the country, to society at large, and to 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;
 - b. 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;
 - c. Strengthen their national and subnational capacities, including through the allocation of adequate resources, to act promptly to address attacks on human rights defenders;
 - d. Adopt or continue, as applicable, appropriate measures, in accordance with their domestic laws and their international obligations to address the question of impunity for attacks, threats, and acts of intimidation, including cases of gender-based violence, against human rights defenders and their families, as well as ensuring that complaints are promptly investigated and addressed in a transparent, independent, and accountable manner, and so that, in all cases of human rights violations against human rights defenders, thorough and impartial investigations and proceedings continue to be carried out, appropriate punishments are applied, and appropriate reparations are made to victims;
 - e. 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;
 - f. Harmonize their applicable domestic laws with applicable international law, in accordance with their acquired international obligations, in order to protect the work carried out by human rights defenders;
 - g. 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;

- h. 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;
 - i. 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 reports on the situation of human rights defenders in the Americas prepared by the Inter-American Commission on Human Rights (IACHR), for which purpose they may also request its advisory services;
 - j. Continue cooperating with and supporting the efforts of the IACHR and the Office of the Rapporteur for Human Rights Defenders in this area as well as the work of its other rapporteurships.
6. To request the IACHR to:
- a. Continue to give due consideration to this matter and to strengthen the Office of the Rapporteur for Human Rights Defenders, so that it can continue its important work, as well its other rapporteurships; and,
 - b. Continue to intensify its dialogue and cooperation with the United Nations Special Rapporteur on the situation of human rights defenders.
7. 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 shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2790 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

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), AG/RES. 2669 (XLI-O/11), and AG/RES. 2729 (XLII-O/12);

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 in the context of 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 the human rights of migrants;

The annual reports of the Inter-American Commission on Human Rights (IACHR), Advisory Opinions OC-16/99 (1999) and OC-18/03 (2003) of 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, regarding the right to consular notification under the Vienna Convention on Consular Relations, and the decision of the Court of January 19, 2009, reaffirming the obligations set forth in the Avena judgment; and

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);

NOTING the regional or subregional initiatives, activities, and programs of the Regional Conference on Migration (Puebla Process), the ministerial dialogue among Mesoamerican countries, the Dominican Republic, Ecuador, and Colombia; the Andean Forum on Migration; the South American Conference on Migration; and the Specialized Forum on Migration of MERCOSUR;

TAKING INTO ACCOUNT, as appropriate, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the work of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Protocol against the Smuggling of Migrants by Land, Sea and Air and 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 that international cooperation can contribute to crafting, where appropriate, national policies and practices to better address the needs of migrants;

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 countries of origin, transit, destination, and/or return should 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;

RECOGNIZING the efforts made by some transit and host countries to address the needs of migrants and ensure them dignified and humane treatment with adequate protections;

CONCERNED about the extremely vulnerable situation in which many migrants and their families in the Hemisphere find themselves, leading them frequently to being victims of crime, abuse, racism, and xenophobia, as well as acts of discrimination that violate their human rights; and concerned about the fact that migrant women, children, and adolescents are especially vulnerable to gender-based violence and other forms of sexual and labor exploitation;

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;

RECOGNIZING that certain crimes against migrants, including human trafficking and the smuggling of migrants, remain a serious problem that calls for a concerted international response through effective multilateral cooperation among the countries of origin, transit, destination, and/or return to eradicate them;

REITERATING the call to the Organization of American States to continue to ensure strict observance of the human rights of migrants and members of their families;

NOTING that the increasing feminization of migration, driven in large part by socioeconomic factors, requires greater attention to gender-related matters;

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

TAKING NOTE of the impact of the economic and financial crisis on international migration and migrants,

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 special emphasis on migrant women, children, and adolescents, regardless of their immigration status, in accordance with international human rights law.

2. To express concern about legislation, interpretation, practices, and other measures and initiatives adopted by some states that could restrict the human rights and fundamental freedoms of migrants. In this context, 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.

3. To urge member states to avoid enacting laws that discriminate against migrants in a way that violates their human rights.

4. To urge countries of origin, transit, destination, and/or return to promote campaigns to inform migrants and their defenders about their rights and obligations; and to enforce their laws in such a way as to afford maximum protection for the human rights 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. In view of the foregoing, to urge states to enforce and strengthen, as appropriate, legislation and policies in force to address these situations, especially in order to hold liable, even criminally, if appropriate, 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 states to guarantee, in the exercise of their sovereign right to enact and enforce measures relating to migration and the security of their borders, that their laws and policies respect in full the human rights of migrants, especially in the context of fighting terrorism and transnational organized crime.

8. To express concern at the increasing activities of transnational and national organized crime and of other activities or other actors that profit from crimes against migrants, especially migrant women, children, and adolescents; at the dangerous and inhumane conditions to which they subject their victims in flagrant violation of domestic and international laws; at the high level of impunity enjoyed by smugglers, traffickers, their accomplices, and other members of organized crime conglomerates; 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; and/or forced labor; and request states to step up international cooperation to combat that trafficking and smuggling.

10. To vigorously condemn violations of human rights of migrants, including unlawful use of force, arbitrary arrests, torture, and violations of the right to life, including extrajudicial executions. In that regard, to urge states to adopt, as appropriate, concrete measures to: (i) prevent such violations, including in ports and airports and at borders and migration checkpoints; (ii) train public officials who work in those facilities and in border areas; (iii) treat migrants respectfully and in accordance with the law; and (iv) ensure, in conformity with national law and any applicable international obligations, the investigation, prosecution, and, if appropriate, punishment of those responsible for those violations, as well as restitution to their victims.

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. To recall, therefore, Advisory Opinion OC-18/03, issued by the Inter-American Court of Human Rights, which maintains that "the migratory status of a person cannot constitute a justification to deprive him of the enjoyment and exercise of human rights, including those of a labor-related nature."

12. To encourage 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.

13. To reaffirm the right of every person to resort to the courts to ensure respect for their legal rights and to have available to them a simple, brief procedure whereby the courts will protect them from acts of authority that violate, to their prejudice, any fundamental constitutional rights.

14. 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 their obligation to inform foreign nationals detained within their territory of their right to communicate with their consular officers. 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.

15. To welcome with satisfaction 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.

16. To urge member states, international organizations, and other actors concerned, when defining, adapting, and carrying out their laws, policies, practices, or initiatives, as appropriate, on the promotion and protection of the human rights of migrants, to encourage and favor:

- a. constructive dialogue among all states, competent national authorities, and actors concerned, including civil society and migrants; and
- b. international, regional, and bilateral cooperation and exchange of best practices and experiences in this area.

17. 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 and all inter-American legal instruments on human rights, and to urge the States Parties to those instruments to take the necessary measures to bring their legal frameworks in line with their commitments under said instruments for the benefit of all migrants, including migrant workers and their families, among others.

18. To urge member states to continue cooperating with the Inter-American Commission on Human Rights (IACHR) and supporting its work in the area of promoting and protecting the human rights of migrants and to take into account, as appropriate, 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 United Nations Special Rapporteur on the Human Rights of Migrants and of the International Organization for Migration.

19. 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, and the Andean Forum on Migration, as well as in the context of the Organization of American States (OAS).

20. To request:

- a. the General Secretariat to promote, in light of the cross-cutting nature and priority of promoting and protecting the human rights of migrants, a coordinated effort by all relevant organs, agencies, and entities of the Organization engaged in this area;
- b. the IACHR and the Executive Secretariat for Integral Development to conduct an ongoing dialogue with a view to developing and participating in joint cooperation projects in this area; and
- c. the IACHR to provide 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.

21. To invite member states, permanent observers, the organs, agencies, and entities of the inter-American system, and other donors to make voluntary contributions to the IACHR so that it may perform its functions, in order to strengthen, *inter alia*, the activities carried out by all its rapporteurships, specialized units, and working groups, including the Rapporteurship on the Rights of Migrants.

22. 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 even more effectively.

23. To request the General Secretariat to report to the General Assembly at its forty-fifth 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. 2791 (XLIII-O/13)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add.1), in particular, as it pertains to the implementation of resolution AG/RES. 2723 (XLII-O/12), “Inter-American Program for the Development of International Law”;

CONSIDERING that in 1996 the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)] and that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), it adopted the Inter-American Program for the Development of International Law, which was subsequently updated by resolution AG/RES. 2660 (XLI-O/11) in view of the important developments in that field since its adoption;

CONSIDERING ALSO that the General Assembly has reaffirmed its support for said Program in annual resolutions since 1998;

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

TAKING NOTE of the “Report on the Inter-American Program for the Development of International Law [AG/RES. 2723 (XLII-O/12)] (Activities Carried Out by the Department of International Law of the Secretariat for Legal Affairs in 2012)” (CP/CAJP/INF.176/13), and of the oral report submitted by the director of that department to the Committee on Juridical and Political Affairs on April 11, 2013, and

BEARING IN MIND that, within the framework of the Inter-American Program, the Department of International Law has begun implementing specific projects providing institutional support to member states with respect to access to information, secured transactions, and international arbitration,

RESOLVES:

1. To reaffirm the importance of, and its support for, the Inter-American Program for the Development of International Law and request the Department of International Law to continue carrying out the activities listed in the Program and to report thereon each year to the Committee on Juridical and Political Affairs (CAJP).

2. To instruct the Department of International Law to continue its support, within the activities envisaged in the Program, to the member states with respect to the implementation of domestic laws on access to public information, based on the model inter-American law in that regard, as well as its training of judges and other officials in effective implementation of international treaties on the execution of arbitral decisions and awards, in keeping with inter-American conventions on such matters; to continue to raise awareness of the Model Inter-American Law on Secured Transactions among member states; and to support, through the exchange of information, the work of other international agencies in this area, including the United Nations Commission on International Trade Law (UNCITRAL).

3. To instruct the Secretariat for Legal Affairs to consult with member states and to report to the CAJP regarding:

- a. their interest in holding periodic meetings of legal consultants from ministries of foreign affairs and other high-level officials responsible for international law matters in the member states;
- b. the usefulness of preparing a directory of competent authorities on the subject; and
- c. the usefulness of preparing guidelines regarding possible thematic areas to be addressed at those meetings.

4. 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. 2792 (XLIII-O/13)

DRAFT INTER-AMERICAN CONVENTION ON PROTECTING
THE HUMAN RIGHTS OF OLDER PERSONS^{1/ 2/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2726 (XLII-O/12), “Protecting the Human Rights of Older Persons,” which requests 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 “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”;

TAKING INTO ACCOUNT:

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

The presentation to the Permanent Council on April 26, 2012, of the Draft Inter-American Convention on the Human Rights of Older People (CAJP/GT/DHPM-37/12) pursuant to the mandate in resolution AG/RES. 2654 (XLI-O/11);

The progress made by the Working Group with the formal negotiation of the Draft Inter-American Convention on the Human Rights of Older Persons, seen in document CAJP/GT/DHPM-37/12 add. 16, which shall be used as the basis to continue with the formal process of negotiation aimed at preparing an inter-American convention on the human rights of older persons; and

CONVINCED of the need for a legally binding regional instrument to protect the human rights of older persons,

-
1. The United States has consistently objected to the negotiation and adoption of a new regional convention on the rights of older persons, and reiterates that such a convention is not needed
 2. Canada reserves its position on the necessity of creating a draft inter-American convention for the advancement and protection of the rights of older persons pending the outcome of deliberations ...
 3. The Republic of Ecuador enters its express reservation to references to the Sixth Summit of the Americas, held in Cartagena de Indias, Colombia, on April 14 and 15, 2012, ...
 4. The Government of Nicaragua considers that the reference to the Summit in Cartagena de Indias, Colombia, and the appeal to strengthen the so-called “Summit of the Americas” are inappropriate,

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 conclude the process of formal negotiation of the Draft Inter-American Convention on the Human Rights of Older Persons, preferably during the second half of 2013, and seek to present it to the General Assembly for adoption at a special session convened for that purpose.

2. 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.

FOOTNOTES

1. ... at this time. The United States recognizes that older persons face critical challenges and discrimination that can impair the enjoyment of their human rights. Under existing human rights law, however, older persons have the same human rights as all persons, and states already have an obligation to respect those rights. As existing human rights law already provides comprehensive protections in this area, the United States believes that a regional convention is neither necessary nor helpful; it also does not endorse the text of the convention. The United States believes that the resources of the OAS and of its member states would be better utilized by identifying practical steps that governments in the Americas might adopt to further the human rights of older persons.

2. ... in the UN Open-ended Working Group on Ageing concerning a recommended approach to addressing the needs of this vulnerable group. Canada is notably concerned by the prospect of duplication of international work in this area and believes it prudent to await clarification from the UN Open-ended Working Group concerning what gaps may exist in the current international rights framework in this area and what additional instruments, if any, may be required before the OAS considers the relative merit of moving ahead with an inter-American convention. Canada encourages the OAS to focus on strengthening the effectiveness of existing human rights instruments rather than creating new and potentially duplicative processes before there is a clearly identified need.

3. ... without prejudice to the contents approved by Ecuador in other negotiation contexts, as appropriate.

4. ... 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. 2793 (XLIII-O/13)

DRAFT AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the second plenary session, held on June 5, 2013)

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), AG/RES. 2674 (XLI-O/11), and AG/RES. 2724 (XLII-O/12);

HAVING SEEN the report of the Vice Chair of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples on activities carried out during the 2012-2013 period (GT/DADIN/doc.428/13);

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; and

UNDERSCORING the efforts of the Working Group to promote an early conclusion of negotiations on the Declaration and to make effective participation by indigenous peoples in the negotiations a reality, in view of the difficulties faced by the Working Group in securing contributions to the aforementioned Specific Fund, including the search for alternative sources of financing and consideration of the use of information and communication technologies,

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 document "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 three-day meetings of negotiations in the quest for points of consensus prior to the forty-fourth regular session of the General Assembly;
 - b. convene the meetings of negotiations in the quest for points of consensus on the Draft American Declaration on the Rights of Indigenous Peoples three months in advance; and
 - c. take the appropriate measures to ensure the effective participation in these meetings of member states and representatives of the indigenous peoples.
4. To invite member states to conduct consultations or dialogues on the Draft American Declaration on the Rights of Indigenous Peoples with the respective indigenous peoples.
5. To request the Selection Board of the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples to continue to work according to the principles of transparency established in resolution CP/RES. 951 (1691/09), "Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples."
6. To urge the member states, permanent observers, and institutions to contribute to the Specific Fund during the period covered by this resolution.
7. To urge the Working Group to continue to seek alternatives for overcoming the current financial difficulties, without affecting the quality or representativeness of indigenous participation in the negotiation process, both of which are essential elements in upholding its legitimacy.
8. 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.
9. 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 shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

AG/RES. 2794 (XLIII-O/13)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE
TO MEMBERS OF THEIR FAMILIES

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2717 (XLII-O/12), “Persons Who Have Disappeared and Assistance to Members of Their Families,” adopted by the General Assembly on June 4, 2012; resolution 67/180, “International Convention for the Protection of All Persons from Enforced Disappearance,” adopted by the United Nations General Assembly on December 20, 2012; 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 37 countries have ratified or acceded to it, of which 14 are states of the Hemisphere, and that four of the 14 countries that have recognized the competence of the Committee on Enforced Disappearances belong to this region;

BEARING IN MIND that the problem of missing persons and assistance to members of their families is addressed in both international humanitarian law and international human rights law within their respective spheres of application, and that, in accordance with those legal frameworks, states are further urged to adopt, progressively, the national implementing measures referred to in previous resolutions of this General Assembly on the subject, in particular, in terms of prevention, investigation of cases, and treatment of human remains, and support to family members;

REAFFIRMING the humanitarian need and the responsibility of states to continue necessary efforts to alleviate the suffering, anxiety, and uncertainty besetting the family members of persons who are presumed to have disappeared in situations of armed conflict or armed violence, as well as their right to truth and justice, to learn about the fate and whereabouts of those persons, as recognized in OAS resolution AG/RES. 2509 (XXXIX-O/09), and, where appropriate, to receive legal remedy for the damage caused;

RECOGNIZING the need to address the issue of persons considered to have disappeared as part of peace-building, and consolidation of peace processes, using all available judicial and transitional-justice mechanisms, within a framework of the rule of law, 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 the whereabouts of persons who are presumed to have disappeared; and

REAFFIRMING that forced disappearance is a multiple and continuous violation of several human rights, the widespread or systematic practice of which constitutes a crime against humanity as defined in applicable international law and that, therefore, 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 paragraphs 1 to 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:

- a. prevent the disappearance of persons in the context of armed conflict or other situations of armed violence, with particular focus on those related to vulnerable groups;
- b. clarify the fate and whereabouts of those who have disappeared;
- c. strengthen technical capacity and promote regional cooperation for forensic search, recovery, and use of forensic genetics for the identification of human remains, including with regard to the problem of migrants presumed to have disappeared; and
- d. attend to the needs of the family members, using as a reference, *inter alia*, the "Guiding Principles/Model Law on the Missing" prepared by the Advisory Service on International Humanitarian Law of the International Committee of the Red Cross (ICRC).

3. To encourage member states, in order to address the legal situation of missing persons and its effect on that of family members, to proceed to adopt the necessary domestic legal framework to recognize and address the legal and practical difficulty and hardship faced by the missing person and his or her family members, including the legal framework needed to authorize a "declaration of absence" for persons who are presumed to have disappeared, taking as a point of reference, *inter alia*, the Model Law on the Missing, drawn up for that purpose by the ICRC.

4. To invite member states to enact timely provisions that ensure the participation and representation of victims and their families in the relevant proceedings, as well as access to justice and to mechanisms for them to be able to seek fair, prompt, and effective reparation; and, likewise,

provisions to guarantee protection for victims and witnesses, especially women and children, human rights defenders, and lawyers involved in cases of serious violations of international humanitarian law and human rights cases filed in their courts and in other transitional-justice mechanisms.

5. To ask 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.

6. To invite member states to consider ratifying 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 envisaged in the latter convention.

7. 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.

8. 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.

9. 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 extra-judicial executions."

10. 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 forensic examinations consistent with internationally validated scientific standards and procedures, fostering, to that end, the international cooperation, participation, and technical assistance of international and national institutions with recognized experience in the field.

11. To invite member states to continue their cooperation with the ICRC, a recognized, neutral, 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.

12. 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, at the national level, the adoption of measures regarding the provisions of the resolutions adopted by the General Assembly since 2005 on “Persons who have Disappeared and Assistance to Members of Their Families” and to provide information thereon, 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.

13. 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. 2795 (XLIII-O/13)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

REAFFIRMING its resolution AG/RES. 2650 (XLI-O/11) and all its pertinent past resolutions;

DEEPLY CONCERNED that in various parts of the world violations of international humanitarian law persist, causing suffering to victims of armed conflict, particularly the civilian population, and by the challenges posed by the new situations that arise in the context of armed conflicts;

RECALLING that the obligation, under any circumstances, to respect and ensure respect for international humanitarian law, whether treaty-based or arising from customary international law, applies to all States Parties to the universally recognized, four Geneva Conventions, which includes the member states;

RECALLING ALSO that 33, 32, and 15 OAS member states are party, respectively, to Additional Protocols I, II, and III to the Geneva Conventions of 1949, and that 11 have recognized the competence of the International Humanitarian Fact-Finding Commission;

NOTING that, to date, 17 member states are party to the Convention on Cluster Munitions and 5 have signed it; and that 33 member states are party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction;

SHARING the deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and taking note of the International Conference on the Humanitarian Impact of Nuclear Weapons held in Oslo, Norway, from March 4 to 5, 2013;

AWARE of the rich legacy of cultural assets in the Hemisphere recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as world heritage, and which would benefit from the protection systems of international humanitarian law, and noting the conclusions and recommendations of the Regional Seminar of National Committees on International Humanitarian Law on the protection of cultural property in the event of armed conflict, held in El Salvador in December 2011;

UNDERSCORING the need to strengthen international humanitarian law by means of its universal acceptance, broader dissemination, and adoption of national measures for its effective application, including the suppression of grave breaches thereof;

RECOGNIZING the important advisory work of the national committees or commissions on international humanitarian law at the national level and in the Organization of American States, and that 19 member states have such bodies;

RECALLING the resolutions and promises adopted at the 31st International Conference of the Red Cross and Red Crescent, and noting the consultations on strengthening legal protection for the victims of armed conflicts, held in Geneva, Switzerland, on July 13, 2012, and in San José, Costa Rica, on November 27 and 28, 2012;

RECALLING ALSO the conclusions of the Third Universal Meeting of National Committees on International Humanitarian Law held in Geneva, Switzerland, from October 27 to 29, 2010, as well as the conclusions and recommendations adopted by the International Conference of National Committees on International Humanitarian Law of Latin America and the Caribbean held in Mexico City from June 30 to July 2, 2010; and

EMPHASIZING the special role of the International Committee of the Red Cross (ICRC) as a neutral, impartial, and independent institution working to protect and assist victims of armed conflicts, as well as to promote respect for international humanitarian law in the region, and recognizing, also, the valuable efforts of national Red Cross societies in that regard,

RESOLVES:

1. To urge member states and the parties engaged in armed conflict to honor and fulfill their obligations under international humanitarian law, including those pertaining to safeguarding the life, well-being, and dignity of protected persons and property, and the proper treatment of prisoners of war.

2. To urge those member states that have not yet done so to consider becoming parties to the treaties on international humanitarian law to which they are not yet party, including those on prohibition or restriction of the use of certain weapons for humanitarian reasons, and to consider making use of, when appropriate, the services of the International Humanitarian Fact-Finding Commission.

3. To invite the member states to disseminate as widely as possible the rules and principles of international humanitarian law, in particular by incorporating them into military doctrine and manuals, so that armed forces will have the means and mechanisms necessary for their effective application, and by incorporating them into university curricula and other pertinent means so that such law may be familiar to the civilian population.

4. To urge the member states to adopt such legislative or other measures as may be necessary to meet their legal obligations under the treaties on international humanitarian law to which they are party, including:

- a. to classify under criminal law grave breaches of international humanitarian law, with a particular emphasis on war crimes, including the responsibility of superiors for the acts of their subordinates and recognition of non-

applicability of statutory limitations to these offenses, among other pertinent provisions;

- b. to adopt all necessary measures to comply with their respective international obligations regarding the recruitment and use of children in armed forces or armed groups and to prevent their participation in hostilities, in accordance with international humanitarian law, international human rights law, and international refugee law;
- c. to adopt laws to regulate the use of and respect for—and to prevent and, when applicable, punish the misuse of—the Red Cross, Red Crescent, and, where applicable, Red Crystal emblems, as well as their denominations, including provisions to protect medical missions; and
- d. to adopt provisions to guarantee protection of cultural property from the effects of armed conflict, which may include preventive measures related to the preparation of inventories, the planning of emergency measures, and the appointment of competent authorities.

5. To remind member states that are party to treaties that prohibit or restrict, for humanitarian reasons, the use of certain arms and munitions, of their obligations under those instruments, including:

- a. to adopt legislative or other measures to prevent or, as appropriate, criminalize the use, manufacture, stockpiling, and any other prohibited activity with respect to these weapons and munitions; to facilitate the purging and destruction of their arsenals; to provide proper care to victims, and to strengthen control over their availability;
- b. to introduce procedures to determine, when studying, developing, acquiring, or adopting a new weapon, or new means or methods of warfare, whether the use thereof would be contrary to international humanitarian law, and, if so, prohibit such activities;
- c. to actively implement the 2010-2014 Plan of Action of Cartagena^{1/}, as well as the Vientiane Action Plan^{2/}, with particular emphasis on care for victims and on activities designed to prevent and reduce the risk of arms contamination; and
- d. to strengthen safeguards for civilians against the use and indiscriminate effects of arms and munitions, *inter alia*, through active participation in:

1. Adopted by the Second Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction ...

2. Adopted by the First Meeting of States Parties to the Convention on Cluster Munitions (Vientiane, Lao People's Democratic Republic, November 9 to 12, 2010).

- i. the Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which will be held in Geneva, Switzerland, on November 14 and 15, 2013;
- ii. the Fourth Meeting of States Parties to the Convention on Cluster Munitions, which will be held in Lusaka, Zambia, in September 2013;
- iii. the Thirteenth Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction, which will be held in Geneva, Switzerland, from December 2 to 6, 2013; and
- iv. the upcoming follow-up conference on the International Conference on the humanitarian impact of nuclear weapons, to be held in Mexico.

6. To take note of the recent adoption of the Arms Trade Treaty and to invite states to consider its prompt signature and ratification.^{3/}

7. To invite member states to fulfill their promises and resolutions adopted at the XXXI International Conference of the Red Cross and Red Crescent, which was held in Geneva, Switzerland, from November 28 to December 1, 2011, and to continue participating actively in the consultations on strengthening legal protection for victims of armed conflicts.

8. To invite member states to continue to support the work of national committees or commissions responsible for the implementation and dissemination of international humanitarian law; and to urge any state without such a body to consider establishing one as a means of strengthening advancement and observance of international humanitarian law.

9. To request the General Secretariat to identify, in conjunction with the International Committee of the Red Cross (ICRC), mechanisms for promoting the participation of national committees on international humanitarian law in the activities of the Organization of American States (OAS), and to present specific proposals to the Permanent Council, through the Committee on Juridical and Political Affairs (CAJP), before the forty-fifth regular session of the General Assembly.

10. To provide backing for the regional meetings of national committees on international humanitarian law organized with the support of the ICRC, in particular the next hemispheric conference to be held in San José, Costa Rica, from September 10 to 12, 2013. In that connection, to instruct the CAJP to organize and lead, with the support and participation of the General Secretariat and in coordination with the ICRC, a dialogue with national commissions on international

3. The Government of Nicaragua, seeking to prevent and combat illegal arms trafficking, adopted the Special Law for the Control and Regulation of Firearms, Munitions, Explosives ...

humanitarian law, in San José, Costa Rica, on September 13, 2013, to examine ways, means, and possible activities to forge closer cooperative ties between the OAS and said entities in the implementation, integration, and promotion of international humanitarian law. In view of the foregoing, to invite the ICRC to submit a report on the conclusions and results of that hemispheric conference and to ask the CAJP and the General Secretariat to present a report on the conclusions and results of the aforesaid dialogue prior to the forty-fifth regular session of the General Assembly.

11. To urge member states to continue to support efforts to implement and strengthen international humanitarian law, with a view to making its application more effective and to finding solutions to shortcomings in protection.

12. To express its satisfaction with the cooperation between the OAS and the ICRC in promoting respect for international humanitarian law and the principles that govern that law; and to urge the General Secretariat to continue to strengthen such cooperation.

13. To thank the Inter-American Juridical Committee (CJI) and to take note of its report on the “Model Law on the Protection of Cultural Assets during Armed Conflicts” (CJI/doc.403/12 rev. 5), adopted at its eighty-second regular session, and to instruct the Permanent Council, through the CAJP, to include the consideration thereof on its agenda, and to report on the results of its analysis to the General Assembly at its forty-fourth regular session.

14. To request the General Secretariat to organize, within the framework of the CAJP, through the Department of International Law and in coordination with the ICRC, a course for member states, staff of the OAS, and the general public, in order to promote knowledge of and respect for international humanitarian law and related regional instruments, including measures for their effective implementation.

15. To instruct the Permanent Council to hold, prior to the forty-fourth regular session of the General Assembly, a special meeting on topics of current interest concerning international humanitarian law.

16. To request the Permanent Council to report to the General Assembly at its forty-fifth 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. ... (Cartagena, Colombia, November 30 to December 4, 2009).

3. ... and Other Related Materials (Law 510), which regulates the control and registration of firearms held by the civilian population, including confiscation of weapons of war. Nicaragua remains committed to multilateralism, even though it has not accepted the Arms Trade Treaty adopted recently by the United Nations because said treaty has no ban on the transfer of weapons to non-state actors and to states that commit crimes of aggression against other states and have the threat and use of force as policy.

AG/RES. 2796 (XLIII-O/13)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS^{1/ 2/ 3/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report by the Committee on Juridical and Political Affairs on the Member States' Observations and Recommendations on the Annual Report of the Inter-American Commission on Human Rights (IACHR) for the Year 2012 (CP/CAJP-3176/13) contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1);

CONSIDERING:

That, in the Charter of the Organization of American States (OAS), the member states have proclaimed, as one of their principles, respect for the fundamental rights of the individual;

That, under the OAS Charter, the American Convention on Human Rights, and the Statute of the IACHR, the Commission is an organ of the OAS and its principal function is to promote the observance and defense of human rights and to serve as a consultative organ of the Organization in these matters; and

That, at the conclusion of the forty-fourth special session of the General Assembly, the Organization adopted resolution AG/RES. 1 (XLIV-E/13), "Results of the Process of Reflection on the Workings of the Inter-American Commission on Human Rights With a View to Strengthening the Inter-American Human Rights System"; and

BEARING IN MIND:

That in 2012, over 50 promotion activities were carried out in Barbados, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, Saint Lucia, the United States, and Uruguay;

That the Commission held three sessions, which included 71 hearings and 48 working meetings;

That, as stated in the report, the Commission received 1,936 new individual petitions, began the processing of 137 petitions, and adopted 42 reports on admissibility, 17 on inadmissibility, 8 on

-
1. Ecuador wishes to place on the record that it has serious misgivings about the legitimacy and methods of the report of the Special Rapporteur for Freedom of Expression.
 2. The Government of Nicaragua believes that the practice of the Inter-American Commission on Human Rights of continuing to include Chapter IV in its Annual Report is not in accordance with ...
 3. The Bolivarian Republic of Venezuela rejects Chapter IV of the IACHR's Annual Report, in that the criteria used for its preparation are absolutely discriminatory, discretionary, and subjective. Chapter ...

friendly settlement, 42 on decisions to archive, and 15 on merits; it also published a report on the merits and received 488 requests for precautionary measures, 35 of which were granted;

The continual monitoring by the IACHR rapporteurships and special units of the situation of women; children and adolescents; persons of African descent; indigenous peoples; human rights defenders; migrants and their families; persons deprived of liberty; lesbians, gays, and bisexual, transsexual, and intersex persons; freedom of expression; and economic, social, and cultural rights; and the publication of nine thematic reports; and

The on-site working visits conducted in 2012, as well as the publication of several reports,

RESOLVES:

1. To take note of the Annual Report of the Inter-American Commission on Human Rights (IACHR) to the Forty-third Regular Session of the General Assembly (CP/doc.4840/13).

2. To take note of the observations and recommendations of member states on the Annual Report of the IACHR (CP/CAJP-3176/13) and to forward them to the Commission.

3. To express gratitude for the specific contributions made to the Commission's work in 2012 by Argentina, Chile, Colombia, Costa Rica, Mexico, Paraguay, and the United States; Finland, France, Ireland, the Netherlands, Spain, and Switzerland; the European Commission; the International Group for Indigenous Affairs (IWGIA); Plan International; the Joint United Nations Programme on HIV/AIDS (UNAIDS); Save the Children Sweden, and the University of Notre Dame.

4. To reaffirm its commitment to attaining full financing of the inter-American human rights system through the Regular Fund of the Organization of American States (OAS) without prejudice to the financing of the other mandates of the Organization. While that commitment is gradually fulfilled, to invite member states, observer states, and other institutions to continue making voluntary contributions, preferably not earmarked, in the framework of the 2011-2015 Guidelines of the Inter-American Court of Human Rights and the 2011-2015 Strategic Plan of the IACHR.

5. 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.

FOOTNOTES

2. ... its main function of promoting and upholding human rights in the Hemisphere. It has, therefore, recommended the elimination of that chapter, in that it is not in line with the terms of the American Convention on Human Rights or the Statute of the Inter-American Commission; its inclusion is discriminatory, shows a double standard against certain states, and constitutes political manipulation. We also believe that the IACHR's in-house reforms of its Rules of Procedure should be in line with the precepts set down in the Convention and the Statute, without exceeding the limits thereof.

3. ... IV has been used as a tool for political finger-pointing and to discredit certain states in the eyes of public opinion, instead of contributing to the defense and protection of human rights. The Venezuelan State believes that the report should be prepared on a comprehensive and inclusive basis and present an overview of the human rights situation in the Hemisphere, identifying the progress made and the challenges remaining in all the states. The Bolivarian Republic of Venezuela reaffirms its firm commitment to the promotion, protection, and defense of human rights, together with its decision to denounce the American Convention on Human Rights.

AG/RES. 2797 (XLIII-O/13)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS^{1/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the report of the Committee on Juridical and Political Affairs on the member states' observations and recommendations on the 2012 Annual Report of the Inter-American Court of Human Rights (CP/CAJP-3181/13) contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1); Article 54.f of the Charter of the Organization of American States and Article 65 of the American Convention on Human Rights; and that on various occasions that 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";

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; the contribution and impact of the jurisprudence developed by the Inter-American Court of Human Rights at both the regional and national levels; together with 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, which has strengthened considerably the ties between the Court and national institutions, civil society, and other social actors. In addition, in 2012, the Court held a session in the city of Guayaquil, Ecuador, representing the first time it has held a period of sessions away from the capital city of a member state; and

BEARING IN MIND that considerable financial resources are needed for the Inter-American Court of Human Rights to operate effectively, as outlined in its "2011-2015 Strategic Guidelines, Strengthening Inter-American Justice through Predictable and Compatible Funding,"

RESOLVES:

1. To take note of the report of the Committee on Juridical and Political Affairs on the member states' observations and recommendations on the 2012 Annual Report of the Inter-American Court of Human Rights (CP/CAJP-3181/13) and to forward them to that organ.

2. 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.

1. The Bolivarian Republic of Venezuela reaffirms its firm commitment to the promotion, protection, and defense of human rights, together with its decision to denounce the ...

3. To insist on the provision that the General Secretariat of the Organization of American States (OAS), starting in fiscal year 2014, assume the cost of translating into all the official languages of the OAS the judgments and decisions adopted by the Inter-American Court of Human Rights, so as to guarantee full access to them by all inhabitants of the Hemisphere.

4. 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.

5. To reaffirm the importance of:

- a. The advisory and adjudicatory functions of the Inter-American Court of Human Rights for the development of inter-American jurisprudence and international human rights law;
- b. The 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 establishment of the position of the Inter-American Public Defender and of the Victims' Legal Assistance Fund, mechanisms that, *inter alia*, strengthen access to inter-American justice;
- e. The training activities conducted by the Inter-American Court for judges and others involved in the administration of justice, aimed at promoting effective application of international human rights law at the national level.

6. To reaffirm its commitment to attain full financing of the inter-American human rights system through the Regular Fund of the OAS without prejudice to the financing of the other mandates of the Organization. While that commitment is fulfilled, to invite member states, observer states, and other institutions to continue making voluntary contributions, preferably not earmarked, in the framework of the 2011-2015 Guidelines of the Inter-American Court of Human Rights and the 2011-2015 Strategic Plan of the IACHR.

7. To thank Chile, Colombia, Costa Rica, 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 Denmark, Norway, and Spain, which, through cooperation projects, extend significant support and financing to the Court. Likewise, to thank France and Germany for the technical cooperation they provide through the appointment of an attorney to work in the Court's Secretariat.

8. To encourage member states to continue extending invitations for the Inter-American Court of Human Rights to hold sessions away from its seat.

9. 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 Colombia, Denmark, and Norway.

10. 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.

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.

FOOTNOTE

1. ... American Convention on Human Rights on account of the deterioration noted in the actions of the agencies of the inter-American human rights system. In its opinion, the IACHR and the Inter-American Court must be overhauled on account of the bias, politicization, and discriminatory and selective attitude they have assumed against progressive governments. These characteristics have destroyed the credibility of those institutions, which were once based on ethical values and on a commitment to the protection of human rights.

AG/RES. 2798 (XLIII-O/13)

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

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

BEARING IN MIND the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 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), AG/RES. 2666 (XLI-O/11), and AG/RES. 2713 (XLII-O/12); that Article 19 of the Protocol of San Salvador establishes that the States Parties undertake to submit, pursuant to 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 the Protocol; and that the corresponding rules were established by resolution AG/RES. 2074 (XXXV-O/05) and recently updated by resolution AG/RES. 2713 (XLII-O/12);

BEARING IN MIND ALSO 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; that the Working Group is with its full complement of regular members and has been operative, therefore, since June 2010; that it has adopted its rules of procedure; that it prepared draft progress indicators for the first group of protected social rights, which were approved by resolution AG/RES. 2713 (XLII-O/12); and that on November 22, 2012, the Working Group presented its draft progress indicators for the second group of rights; and

BEARING IN MIND FURTHER 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 thank the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador for preparing and presenting the document "Progress Indicators in Respect of Rights Contemplated in the Protocol of San Salvador" (CP/CAJP/INF.197/13) corresponding to the second group of rights (right to work and trade union rights, right to a healthy environment, right to food, and right to the benefits of culture).

2. To authorize the Permanent Council to approve, during the second half of 2013, the aforesaid document, 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 Additional Protocol to the American Convention on Human Rights in the

Area of Economic, Social, and Cultural Rights, "Protocol of San Salvador", extending the review process for that document until September 2013.

3. 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," in June 2014.

4. To take note of the election on May 22, 2013, by the Permanent Council, of Mr. Andrés Scagliola of Uruguay as the alternate governmental expert of the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador, in compliance with the mandate contained in resolution AG/RES. 2713 (XLII-O/12); and to authorize the Secretary General to appoint the alternate independent expert of the Working Group no later than the second half of 2013, from a list to be presented by the States Parties.

5. To request the Working Group, with the support of the General Secretariat, to continue to conduct training activities on progress indicators for measuring rights under the Protocol of San Salvador.

6. To urge member states to consider signing, ratifying, or acceding to, as appropriate, the 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 to all the States Parties to the Protocol of San Salvador, the member states and permanent observers, 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 of American States.

8. 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. 2799 (XLIII-O/13)

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

RECALLING all the resolutions previously adopted on the subject;

REAFFIRMING the principles and purposes of the Charter of the Organization of American States (OAS), the Charter of the United Nations, the American Declaration of the Rights and Duties of Man, and the Universal Declaration of Human Rights;

REAFFIRMING ALSO the fundamental importance, including in the response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law; and reiterating that counterterrorism measures should be implemented in full consideration of the human rights of all persons, including those belonging to national or ethnic, religious, and linguistic minorities, and, according to international law, must not be discriminatory on grounds such as race, color, sex, language, religion, or social origin;

INSISTING that the adoption of measures to ensure respect for human rights for all and the rule of law is one of the pillars of the Plan of Action of the United Nations Global Counter-Terrorism Strategy, adopted by consensus in 2006;

REAFFIRMING its unequivocal condemnation of all acts, methods, and practices of terrorism in all its forms and manifestations, wherever and by whomever committed, regardless of their motivation, as criminal and unjustifiable, as activities aimed at the destruction of human rights, fundamental freedoms, and democracy, threatening the territorial integrity and security of states and destabilizing legitimately constituted governments; and renewing its commitment to strengthen international cooperation to prevent and combat terrorism;

DEEPLY DEPLORING the violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law;

DEPLORING ALSO the suffering caused by terrorism to the victims and their families, expressing its profound solidarity with them, and stressing the importance of strengthening assistance and support for them;

TAKING INTO ACCOUNT the member states' commitment to fighting terrorism and the funding of terrorism, with full respect for international law, reflected in the declarations adopted at the regional level;

WELCOMING WITH SATISFACTION that the Inter-American Convention against Terrorism entered into force on July 10, 2003, and that to date 24 countries have ratified it;

CONSIDERING the reports and results of the international meetings held on the topic, together with the documents prepared by international organizations on the topic of fighting terrorism; and

RECALLING that, under Article 27 of the American Convention on Human Rights and Article 4 of the International Covenant on Civil and Political Rights, it is recognized that some rights are non-derogable under any circumstances, and that, with respect to rights that may be subject to derogation, states may take measures derogating from their obligations under these conventions to the extent and, with respect to the American Convention, for the period of time strictly required by the exigencies of the situation, provided that such measures are not inconsistent with the other rights and obligations prescribed under international law; and emphasizing that, in the inter-American system, the protection of non-derogable rights includes essential judicial guarantees for their protection,

RESOLVES:

1. To reaffirm that the fight against terrorism must be waged with full respect for the law, including compliance with due process, and for human rights, comprising civil, political, economic, social, and cultural rights, as well as for democratic institutions, so as to preserve the rule of law and democratic freedoms and values in the Hemisphere.

2. To reaffirm that all member states have a duty to ensure that all measures adopted to combat terrorism are in compliance with their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law.

3. To urge states, while countering terrorism, to fully comply with their obligations against cruel, inhuman, or degrading treatment or punishment, in particular the absolute prohibition of torture, in compliance with applicable international law, including, as appropriate, Article 2 of the Inter-American Convention to Prevent and Punish Torture.

4. To call upon states, if they have national terrorism laws or legislation criminalizing terrorist actions or activities, to ensure that those laws are accessible, formulated with precision, nondiscriminatory, non-retroactive, and in accordance with applicable international law, including human rights law, international humanitarian law, and international refugee law.

5. To urge states not to resort to profiling based on stereotypes founded on any grounds of discrimination prohibited by international law and to avoid associating terrorism with any religion, nationality, civilization, or ethnic group.

6. To urge states to support efforts to ensure clear and fair proceedings under the United Nations sanctions regime in order to improve their efficiency and transparency.

7. To urge states to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light indicating that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law.

8. To urge states to ensure that all forms of deprivation of liberty in all places of detention keep the detained person under the protection of the law and respect the safeguards concerning the liberty, security, safety, and dignity of the person in keeping with the provisions of international law, including human rights law and humanitarian law.

9. To urge member states to respect, in accordance with their obligations, the human rights of all persons deprived of their liberty in high-security detention centers, particularly observance of due process, ensuring that no form of deprivation of liberty places a detained person outside the protection of the law.

10. To respect the right of persons to equality before the law, courts, and tribunals, and to a fair trial as provided in international law, including international human rights law, international humanitarian law, and international refugee law.

11. To invite all member states to consider signing and ratifying, as soon as possible and as appropriate, the Inter-American Convention against Terrorism and the American Convention on Human Rights, and to urge the States Parties to take appropriate steps to implement the provisions of those treaties.

12. To urge the competent organs, agencies, and entities of the OAS, in accordance with their mandates, to provide, upon request, technical assistance to strengthen the capacity of member states to develop and implement programs to assist and support victims of terrorism in accordance with their domestic laws.

13. To call on member states to promote and apply at every level the United Nations Global Counter-Terrorism Strategy and its Plan of Action, bearing in mind that one of its pillars is ensuring respect for human rights, in order to move toward the common goal of eradicating the scourge of international terrorism, and to take into account United Nations Security Council resolutions 1373 (2001) and 1624 (2005).

14. To reiterate to the Inter-American Commission on Human Rights (IACHR) that it continue promoting respect for and the defense of human rights and facilitating efforts by member states to comply appropriately with their international human rights commitments when developing and executing counter-terrorist measures, including the rights of persons who might be at a disadvantage, subject to discrimination, or at risk as a result of terrorist violence or counterterrorist initiatives.

15. To instruct the Permanent Council, through the Committee on Juridical and Political Affairs, to include this topic on its agenda, in order to discuss available alternatives for compiling and disseminating as widely as possible international standards for promoting and protecting human rights in the fight against terrorism, on the basis of the “Recommendations for the Protection of Human Rights by OAS Member States in the Fight against Terrorism” prepared by the IACHR and the results of consultations with the Inter-American Committee against Terrorism (CICTE) and the member states, together with the compilation of good practices on measures that ensure respect for human rights by intelligence agencies drawn up by the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

16. To reaffirm the importance of intensifying dialogue among the CICTE Secretariat, the Executive Secretariat of the IACHR, and other pertinent areas of the Organization, with a view to improving and strengthening their ongoing collaboration on the issue of protecting human rights and fundamental freedoms while countering terrorism.

17. To request the Permanent Council to report to the General Assembly at its forty-fifth 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. 2800 (XLIII-O/13)

RIGHT TO THE TRUTH^{1/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

CONSIDERING 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), AG/RES. 2662 (XLI-O/11), and AG/RES. 2725 (XLII-O/12), “Right to the Truth”; the Inter-American Convention to Prevent and Punish Torture, the Inter-American Convention on Forced Disappearance of Persons, the International Convention for the Protection of All Persons from Enforced Disappearance; Additional Protocol I to the Geneva Conventions of August 12, 1949; and other related inter-American and international instruments on human rights and international humanitarian law; the reports of the United Nations High Commissioner for Human Rights on the right to the truth (A/HRC/12/19) and on forensic genetics and human rights (A/HRC/15/26); resolution A/HRC/RES/18/7, adopted by the Human Rights Council, which creates the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and the latter’s report, A/HRC/21/46; and, in that regard, the need for the Organization of American States to continue to review this issue in the framework of the efforts of its political bodies and of the human rights promotion and protection organs of the inter-American human rights system;

EMPHASIZING that member states should provide appropriate and effective mechanisms for society as a whole and, in particular, for members of the victims’ families to learn the truth regarding gross human rights violations and serious violations of international humanitarian law; and, within the framework of their own internal legal systems, should preserve records and other evidence concerning serious violations of human rights and 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;

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”; and

RECALLING 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,

1. The State of Guatemala interprets the right to the truth as the right to know the truth about human rights violations and will use as a short term “right to information about human rights violations.”

RESOLVES:

1. To recognize the importance of respecting and ensuring the right of victims of gross violations of human rights and grave breaches 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, in order to contribute to ending impunity and to promoting and protecting human rights.

2. To encourage member states to establish specific judicial mechanisms, where necessary, and to respect their decisions; and to encourage the creation of other nonjudicial or ad hoc mechanisms, such as truth and reconciliation commissions, that further the work of the judicial system and the investigation of violations of human rights and international humanitarian law, valuing the preparation and publication of their reports and, accordingly, to invite the member states concerned to disseminate these reports, implement their recommendations, monitor the implementation of said recommendations at the domestic level, and report on compliance with the decisions of judicial mechanisms.

3. To urge the Inter-American Commission on Human Rights (IACHR) to consider completing 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), AG/RES. 2662 (XLI-O/11), and AG/RES. 2725 (XLII-O/12), in order to continue the progressive development of this right with a view to finalizing a special meeting to be organized by the Permanent Council in the second half of 2013 to discuss the IACHR report and exchange national experiences.

4. To encourage member states and the 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 the sharing of experiences and good practices geared toward the protection, promotion, and implementation of this right.

5. To encourage member states to consider extending an invitation to the United Nations Human Rights Council's Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

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 all member states to take appropriate measures to establish mechanisms or institutions to reconstruct the truth and the historical record 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.

8. 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. 2801 (XLIII-O/13)

TOWARD AUTONOMY FOR OFFICIAL PUBLIC DEFENDERS/CRIMINAL AND
CIVIL LEGAL AID PROVIDERS AS A GUARANTEE OF ACCESS TO JUSTICE

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

CONSIDERING that Article 8 of the American Convention on Human Rights broadly establishes judicial guarantees; resolutions AG/RES. 2656 (XLI-O/11) and AG/RES. 2714 (XLII-O/12); the “Brasilia Regulations Regarding Access to Justice for Vulnerable People”; and the universal, indivisible, and interdependent nature of human rights;

AFFIRMING that the member states have an obligation to respect and guarantee the exercise of the rights recognized in the international treaties to which they are party and in their domestic legislation, removing the obstacles that may impair or limit access to a public defender, in such a way as to ensure full and free access to justice;

CONSIDERING that access to justice, as a fundamental right, is also the means of restoring the exercise of rights that have been denied or violated; and underscoring 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;

TAKING INTO ACCOUNT the vital importance that the services of official public defenders/criminal and civil legal aid providers be functionally and technically independent and autonomous; and

UNDERSCORING:

The conclusions of the special meeting on the exchange of best practices and experiences with the work of public defenders held in the Committee on Juridical and Political Affairs, on March 7, 2013;

The memorandum of understanding between the Inter-American Association of Public Defender Offices (AIDEF) and the General Secretariat, through the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR), with a view to coordinating their efforts to guarantee and boost access to inter-American justice for alleged victims whose cases are at the merits stage before the IACHR; and

The fruitful work being done by inter-American public defenders to defend the rights of victims of human rights violations under aegis of the memorandum of understanding between AIDEF and the Inter-American Court of Human Rights,

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 denied or violated.
2. To support the work being done by official public defenders/criminal and civil legal aid providers 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 furnished by official public defenders/criminal and civil legal aid providers in promoting and protecting the right of access to justice for everyone, particularly those who are especially vulnerable at all stages of proceedings.
4. To reiterate once again to those member states that already provide free legal counsel to take steps to ensure that official public defenders/criminal and civil legal aid providers are independent and functionally, financially and/or budgetarily, and technically autonomous.
5. To underscore, without prejudice to the diversity of legal systems of each country, the importance of the independence and functional, financial, and/or budgetary autonomy of official public defender, criminal and civil legal aid provider services, as part of member states' efforts to guarantee a public service that is efficient and free from any interference and improper control by other branches of government that might affect its functional autonomy, its mandate being to serve the interests of the person it is defending.
6. To once again 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.
7. To urge member states, where appropriate, to promote the participation of public defenders in the inter-American human rights system, so that the right to a technical defense is exercised and ensured from the very first step in proceedings instituted against a person at the national level to, as applicable, the adoption of a judgment by the Inter-American Court of Human Rights.
8. To urge member states to foster international cooperation opportunities for sharing experience and best practices in this field.
9. To encourage member states and the organs of the inter-American system to promote agreements regarding courses and training for official public defenders/criminal and civil legal aid providers.
10. To request the Permanent Council to hold in the first quarter of 2014 a second special meeting of the Committee on Juridical and Political Affairs for an exchange of best practices and experiences generated by the implementation of resolutions AG/RES. 2656 (XLI-O/11) and AG/RES. 2714 (XLII-O/12), inviting member states and their respective official public legal aid institutions, as well as members of the Inter-American Association of Public Defender Offices , scholars, experts from civil society, and international organizations to attend.

11. To encourage the Department of International Law of the Secretariat for Legal Affairs to prepare a compilation of best practices on access to justice and public defenders in the region, in keeping with operative paragraph 6 of resolution AG/RES. 2656 (XLI-O/11) and operative paragraph 9 of resolution AG/RES. 2714 (XLII-O/12), with the recommendations it deems pertinent with a view to gradually consolidating an autonomous and independent public-defender system in the region.

12. 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. 2802 (XLIII-O/13)

PROMOTION AND PROTECTION OF HUMAN RIGHTS OF PEOPLE VULNERABLE TO,
LIVING WITH, OR AFFECTED BY HIV/AIDS IN THE AMERICAS^{1/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

DEEPLY CONCERNED by the rate of new HIV infections, as well as the number of people vulnerable to, living with, or affected by HIV/AIDS in the Americas, in particular, women and girls;

RECOGNIZING:

The importance that the member states have assigned to fighting the HIV/AIDS in the Americas, and to the promotion and protection of the human rights of people vulnerable to, living with, or affected by HIV/AIDS;

That it is necessary to increase the participation of people vulnerable to, living with, or affected by HIV/AIDS in the design and execution of mass information campaigns for preventing and treating this disease within a framework of protection of human rights and social inclusion, combating exclusion and discrimination; and

That people living with HIV/AIDS face a series of barriers, including stigmatization and discrimination from community and religious leaders, service providers, state agents, and even their own relatives; a lack of access to adequate medical insurance and health services; the loss or denial of employment; and, as a consequence, reduced access to credit, the loss of family and social ties, and other obstacles;

BEARING IN MIND:

The adoption, through resolution AG/RES. 1732 (XXX-O/00), of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (PIA), whereby the member states of the Organization of American States committed to developing decisive strategies to integrate a gender perspective in all spheres of public life as a means to attain the ultimate goal of promoting and protecting women's human rights and gender equality;

The adoption by the United Nations General Assembly of the "Declaration of Commitment on HIV/AIDS" (2001) and the "Political Declaration on HIV/AIDS" (A/RES/60/262, 2006), in which the member states committed to eliminating all forms of discrimination and ensuring the full enjoyment of all human rights and fundamental freedoms of people vulnerable to, living with, or affected by HIV/AIDS;

1. The delegation of Saint Vincent and the Grenadines recognizes the extremely valuable work of the Pan American Health Organization (PAHO) in its holistic approach as it regards efforts to reduce ...

The adoption by the United Nations General Assembly of the “Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS” (A/RES/65/277, 2011), in which the member states also committed to intensifying “national efforts to create enabling legal, social and policy frameworks in each national context in order to eliminate stigma, discrimination and violence related to HIV and promote access to HIV prevention, treatment, care and support and non-discriminatory access to education, health care, employment and social services, provide legal protections for people affected by HIV, including inheritance rights and respect for privacy and confidentiality, and promote and protect all human rights and fundamental freedoms, with particular attention to all people vulnerable to and affected by HIV”; and

The adoption by the Assembly of Delegates of the Inter-American Commission of Women (CIM) of the Declaration of San Salvador on Gender, Violence, and HIV [CIM/DEC. 4/07 (VII-E/07)], in which the CIM delegates undertook to intensify efforts to eliminate violence and discrimination against women, adolescents, and girls living with HIV/AIDS;

RECALLING:

The work of the Inter-American Commission on Human Rights (IACHR) and of the CIM in recognizing the risk, social stigma, discrimination, and violence faced by people vulnerable to, living with, or affected by HIV/AIDS;

The efforts of the IACHR and the CIM to analyze the legal and regulatory framework surrounding HIV/AIDS and to identify the obstacles faced by people vulnerable to, living with, or affected by HIV/AIDS in attaining full enjoyment of their human rights;

The Regional Strategic Plan for HIV/AIDS/STI, 2006–2015, adopted by the Pan American Health Organization (PAHO); and

The work and progress made by civil society and other social actors at the national and regional levels on an effective response to the needs of people vulnerable to, living with, or affected by HIV/AIDS;

CONCERNED at the exorbitant costs of antiretroviral drugs and other treatments that enable people living with HIV/AIDS to fully enjoy their human rights; and

DEEPLY CONCERNED at the scarcity of financial resources available in the region for education, awareness, and behavior-change initiatives necessary to curtail the rate of new HIV infections;

RESOLVES:

1. To reaffirm its commitment to the promotion and protection of all human rights of people vulnerable to, living with, or affected by HIV/AIDS, in accordance with the provisions of the “Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS” (A/RES/65/277) (2011);

2. To continue supporting the efforts of the Inter-American Commission on Human Rights and the Inter-American Commission of Women to analyze the legal and regulatory framework governing HIV/AIDS in the context of the international and inter-American commitments acquired by the member states to promote and protect human rights and fundamental freedoms, with particular attention to people vulnerable to, living with, or affected by HIV/AIDS.

3. To urge member states to:

- a. continue their efforts to guarantee the drafting and enforcement of laws and public policies to protect the human rights and fundamental freedoms of people vulnerable to, living with, or affected by HIV/AIDS, in particular their right to enjoy the highest attainable standard of physical and mental health and to just and favorable conditions of work, including fair wages and equal remuneration for work of equal value;
- b. redouble their efforts to guarantee access for pregnant and/or lactating women living with HIV/AIDS to the tests, education and information, treatment and care, including pediatric treatment and secondary prevention measures, to prevent mother-to-child transmission; and
- c. promote the equal access, participation, representation, leadership, and influence of people vulnerable to, living with, or affected by HIV/AIDS in decision-making and in the drafting and enforcement of policies and programs dealing with HIV/AIDS, under a participatory approach of diversity and pluralism.

4. To urge the General Secretariat to strengthen cooperation with the international agencies working on topics related to HIV/AIDS through the exchange of experiences and best practices and the organization of joint activities, coordinating efforts and combining capacities to attain the greatest possible impact.

5. To urge the General Secretariat to strengthen its cooperation with the Pan American Health Organization (PAHO) and the Joint United Nations Programme on HIV/AIDS (UNAIDS), in the framework of the “Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS” (A/RES/65/277) (2011) by means of a cooperation agreement, and to develop a plan of action that includes, among others, the following objectives:

- a. support for member states in developing public policies regarding access to antiretroviral drugs and adequate production of medicines;
- b. incorporate a gender perspective, focused on the protection and promotion of the human rights of women and girls;

- c. review, as appropriate, laws and policies that adversely affect the successful, effective, and equitable delivery of HIV prevention, treatment, care, and support programs to people living with and affected by HIV;
- d. eliminate stigma and discrimination against people vulnerable to, living with, or affected by HIV/AIDS; and
- e. prepare a joint report on the social and human rights dimensions of HIV/AIDS in the Americas.

6. To urge the General Secretariat to include projects and programs for people vulnerable to, living with, or affected by HIV/AIDS, in its fund-raising for specific projects.

7. To urge the General Secretariat to continue encouraging the participation of people vulnerable to, living with, or affected by HIV/AIDS in forums and meetings of the Organization of American States.

8. To work with the Pan American Health Organization in the framework of its Directing Council to declare 2015 the “Inter-American Year to Promote the Human Rights of People Vulnerable to, Living with, or affected by HIV/AIDS” and to urge member states and the General Secretariat to participate in its commemoration with political and cultural activities geared toward promoting and protecting human rights and fundamental freedoms, particularly of these individuals.

9. 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.

FOOTNOTE

1. ... the high rate of infection of HIV/AIDS in the Hemisphere. Saint Vincent and the Grenadines considers that PAHO's education and awareness campaigns and support for access to affordable treatment and the general wellbeing of people living with and affected by HIV/AIDS already encompass strategies to reduce stigma associated with and eliminate discrimination against the same. These strategies address public policies and laws, as necessary.

AG/RES. 2803 (XLIII-O/13)

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 5, 2013)

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

The Report on the Follow-up Mechanism to the Belém do Pará Convention pursuant to Resolution AG/RES. 2711 (XLII-O/12) to the Forty-third Regular Session of the General Assembly (CP/doc.4830/13) and the progress made 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);

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 violence against women, whereby the States Parties undertake to act with due diligence to prevent, investigate, and punish violence against women;

CONSIDERING that the country and hemispheric reports prepared during multilateral evaluation rounds are an important reference point for tracking progress in the prevention, punishment, and eradication of violence against women and identify the challenges for future action;

NOTING WITH SATISFACTION the assistance rendered by the MESECVI in the adoption and implementation by the Council of Europe of the Convention on Preventing and Combating Violence against Women and Domestic Violence and its monitoring mechanism; and

CONSIDERING that 2014 will mark 20 years since the adoption of the Convention of Belém do Pará by the OAS General Assembly and that this historical moment warrants broad reflection on the impact of the Convention for States Parties and on the work of the States Parties in implementing it,

RESOLVES:

1. To urge member states that have not already done so to give prompt consideration to ratifying or, as appropriate, acceding to the Convention of Belém do Pará, or to participating as observers in 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), in accordance with Article 4.1 of the MESECVI Statute, and to take steps to prevent, punish, and eradicate violence against women.

2. In preparation for the 2014 celebrations to mark the twentieth anniversary of the adoption of the Convention of Belém do Pará and the tenth anniversary of the creation of the MESECVI:

- a. To call on the States Parties to the Convention to organize in 2014 national and subregional forums or meetings to consider progress in implementing the Convention of Belém do Pará, within the available financial and human resources.
- b. To instruct the Executive Secretariat of the Inter-American Commission of Women (CIM) to prepare the proposal for a Hemispheric Forum “Review of the Convention of Belém do Pará: Twenty years of Prevention, Punishment, and Eradication of Violence against Women,” as decided at the first regular meeting of the CIM Executive Committee for the 2013-2015 term.
- c. To instruct the Technical Secretariat of the MESECVI to prepare a review of 20 years of the Convention of Belém do Pará for States Parties—at the subregional and hemispheric level—that centers on the significance and influence of the Convention with respect to laws and policies on prevention and assistance, in order to identify corrective and preventive measures and measures for effective enforcement.

3. To urge the States Parties to the Convention to:

- a. implement the recommendations of the MESECVI to encourage full compliance with the Convention of Belém do Pará;
- b. foster coordination between bodies responsible for implementing public policy on prevention, punishment, and assistance in cases of violence against women, and civil society organizations involved in the issue at the national, regional, and international level;
- c. make voluntary contributions to the MESECVI Specific Fund in order to furnish the Mechanism with the necessary human and financial resources to ensure its full, stable, and effective operation;
- d. establish or support mechanisms that facilitate technical assistance and cooperation at the national, regional, and international level for the exchange

of information, experiences, and best practices in implementing the Convention, in keeping with Articles 1.1.c and 10.4 of the MESECVI Statute;

- e. designate their Competent National Authorities and Experts to the Mechanism if they have not already done so; and
- f. support the participation of their expert in the MESECVI process, in keeping with Article 2 of the Rules of Procedure of the Committee of Experts.

4. To commend the Committee of Experts on its initiative in preparing the Draft Strategic Plan of the MESECVI 2013-2017, which will be considered by the next Conference of States Parties.

5. To request the Secretary General, within the available 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.

6. To request the Technical Secretariat of the MESECVI to:

- a. identify new and emerging areas to be included in the draft questionnaire for the evaluation rounds of the MESECVI, in accordance with Article 7.b of the Rules of Procedure of the CEVI and within the available financial resources;
- b. advise the Permanent Council of the Organization of American States and its respective organs on specific and relevant aspects of the situation of violence against women in States Parties; and
- c. encourage awareness and use of the results of the work of the MESECVI, particularly its hemispheric reports, at the national and international level in order to strengthen the MESECVI's role as a global authority on eradication of violence against women.^{1/}

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

8. To thank the Governments of Argentina, Mexico, and Suriname for their contributions to the Specific Fund of the MESECVI in 2012.

9. 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.

1. The State of Guatemala declares that, pursuant to its national legislation, it recognizes the right to life from the moment of conception.

AG/RES. 2804 (XLIII-O/13)

INTER-AMERICAN CONVENTION AGAINST ALL FORMS OF DISCRIMINATION AND
INTOLERANCE^{1/ 2/ 3/ 4/ 5/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1);

RECALLING the content of resolution 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,” 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 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 Social Charter of the Americas, 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 historical and contemporary manifestations of 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 social actors and other organizations in regard to the ongoing process of negotiations; and

-
1. The United States has consistently objected to the negotiation of new legally binding instruments against racism, racial discrimination and other forms of discrimination or intolerance and ...
 2. Canada has consistently raised concerns about the negotiation of an inter-American convention against all forms of discrimination and intolerance, and is not endorsing the resulting text ...
 3. El Salvador believes that in order for the country to extend a judgment on the draft convention contained in this resolution, it must obtain the opinion of the competent national institutions ...
 4. The Government of Nicaragua is mindful that the State bears the primary responsibility and obligation to promote and protect full enjoyment of human rights. ...
 5. Given that the internal legal consultation procedures have not yet been completed with respect to the draft convention contained in this resolution, Chile supports its adoption but reserves ...

HAVING PARTICULAR REGARD to the report of the Chair of the Working Group to Prepare the Draft Legally Binding Inter-American Instruments against Racism and Racial Discrimination and against all Forms of Discrimination and Intolerance entitled “Activities of the Working Group during the 2012-2013 Term” (CAJP/GT/RDI-229/13 rev. 1), presented to the Committee on Juridical and Political Affairs, which completes the preparation and negotiation of the draft legally binding inter-American instruments against racism and racial discrimination and against all forms of discrimination and intolerance,

RESOLVES:

To adopt the following Inter-American Convention against All Forms of Discrimination and Intolerance:

INTER-AMERICAN CONVENTION
AGAINST ALL FORMS OF DISCRIMINATION AND INTOLERANCE

THE STATES PARTIES TO THIS CONVENTION,

CONSIDERING that the inherent dignity and equality of all members of the human family are basic principles of the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man, and the American Convention on Human Rights;

REAFFIRMING the resolute commitment of the member states of the Organization of American States to the complete and unconditional eradication of all forms of discrimination and intolerance, and their conviction that such discriminatory attitudes are a negation of universal values and the inalienable and infrangible rights of the human person and the purposes and principles enshrined in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Social Charter of the Americas, the Inter-American Democratic Charter, the Universal Declaration of Human Rights, and the Universal Declaration on the Human Genome and Human Rights;

RECOGNIZING the duty of adopting national and regional measures to promote and encourage respect for and observance of the human rights and fundamental freedoms of all individuals and groups subject to their jurisdiction, without regard to gender; age; sexual orientation; language; religion; political or other opinion; social origin; economic status; migrant, refugee or displaced status; birth, stigmatized infectious-contagious condition; genetic trait; disability, debilitating psychological distress; or other social condition;

CONVINCED that the principles of equality and nondiscrimination among human persons are dynamic democratic concepts that foster the promotion of effective legal equality and presuppose an obligation on the State’s part to adopt special measures to protect the rights of individuals or groups that are victims of discrimination and intolerance, in any area of human endeavor, whether public or private, with a view to cultivating equitable conditions for equal opportunity and to combating discrimination and intolerance in all their individual, structural, and institutional manifestations;

TAKING INTO ACCOUNT that the victims of discrimination and intolerance in the Americas are, *inter alia*, migrants, refugees, and displaced persons and their families, as well as other sexual, cultural, religious and linguistic groups or minorities that are affected by such manifestations;

CONVINCED that certain persons and groups experience multiple or extreme forms of discrimination and intolerance, driven by a combination of factors such as gender; age; sexual orientation; language; religion; political or other opinion; social origin; economic status; migrant, refugee or displaced status; birth, stigmatized infectious-contagious condition; genetic trait; disability; debilitating psychological distress; or other social condition; as well as others recognized in international instruments;

DISTURBED by the fact that various parts of the world have seen a general increase in cases of intolerance and violence motivated by anti-Semitism, Christianophobia, or Islamophobia, and that directed against members of other religious communities, including those with African roots;

RECOGNIZING that peaceful coexistence among religions in pluralistic societies and democratic states is based on respect for equality and nondiscrimination among religions and on a clear separation between the laws of the state and religious tenets;

TAKING INTO ACCOUNT that a pluralistic and democratic society must respect the cultural, linguistic, religious, gender and sexual identity of every person, whether belonging to a minority or not, and create the conditions that will enable that person to express, preserve, and develop his or her identity;

CONSIDERING that the individual and collective experience of discrimination and intolerance must be taken into account to combat segregation and marginalization based on gender; age; sexual orientation; language; religion; political or other opinion; social origin; economic status; migrant, refugee or dislocated status; birth, stigmatized infectious-contagious condition, genetic trait; disability; debilitating psychological distress; or other social condition; as well as others recognized in international instruments; and to protect the life plan of individuals and communities at risk of such segregation and marginalization;

ALARMED by the surge in hate crimes motivated by gender, religion, sexual orientation, disability, and other social conditions; and

EMPHASIZING the basic role that education plays in promoting respect for human rights, equality, nondiscrimination, and tolerance,

AGREE upon the following:

CHAPTER I
Definitions

Article 1

For purposes of this Convention:

1. Discrimination shall mean any distinction, exclusion, restriction, or preference, in any area of public or private life, the purpose or effect of which is to nullify or curtail the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties.

Discrimination may be based on nationality; age; sex; sexual orientation; gender identity and expression; language; religion; cultural identity; political opinions or opinions of any kind; social origin; socioeconomic status; educational level; migrant, refugee, repatriate, stateless or internally displaced status; disability; genetic trait; mental or physical health condition, including infectious-contagious condition and debilitating psychological condition; or any other condition.

2. Indirect discrimination shall be taken to occur, in any realm of public and private life, when a seemingly neutral provision, criterion, or practice has the capacity to entail a particular disadvantage for persons belonging to a specific group, or puts them at a disadvantage, unless said provision, criterion, or practice has some reasonable and legitimate objective or justification under international human rights law.
3. Multiple or aggravated discrimination is any preference, distinction, exclusion, or restriction based simultaneously on two or more of the criteria set forth in Article 1.1, or others recognized in international instruments, the objective or result of which is to nullify or curtail, the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties, in any area of public or private life.
4. Special measures or affirmative action adopted for the purpose of ensuring equal enjoyment or exercise of one or more human rights and fundamental freedoms of groups requiring such protection shall not be deemed discrimination provided that such measures do not lead to the maintenance of separate rights for different groups and are not continued once their objectives have been achieved.
5. Intolerance is an action or set of actions or expressions that denote disrespect, rejection, or contempt for the dignity, characteristics, convictions, or opinions of persons for being different or contrary. It may manifest itself as marginalization and

exclusion of groups in conditions of vulnerability from participation in any sphere of public or private life or violence against them.

CHAPTER II Protected Rights

Article 2

Every human being is equal under the law and has a right to equal protection against any form of discrimination and intolerance in any sphere of life, public or private.

Article 3

Every human being has the right to the equal recognition, enjoyment, exercise, and protection, at both the individual and collective levels, of all human rights and fundamental freedoms enshrined in their domestic law and in the international instruments applicable to the States Parties.

CHAPTER III Duties of the State

Article 4

The states undertake to prevent, eliminate, prohibit, and punish, in accordance with their constitutional norms and the provisions of this Convention, all acts and manifestations of discrimination and intolerance, including:

- i. Public or private support provided to discriminatory activities or that promote intolerance, including the financing thereof;
- ii. Publication, circulation or dissemination, by any form and/or means of communication, including the Internet, of any materials that:
 - a. advocate, promote, or incite hatred, discrimination, and intolerance;
 - b. condone, justify, or defend acts that constitute or have constituted genocide or crimes against humanity as defined in international law, or promote or incite the commission of such acts;
- iii. Violence motivated by any of the criteria set forth in Article 1.1;
- iv. Criminal activity in which the victim's property is chosen intentionally based on any of the criteria set forth in Article 1.1;

- v. Any repressive action based on any of the criteria set forth in Article 1.1 rather than on the person's behavior or on objective information identifying the individual as having been engaged in criminal activity;
- vi. Restricting, in an undue or unreasonable manner, the exercise of the individual rights of ownership, administration, and disposal of property of any kind based on any of the criteria set forth in Article 1.1;
- vii. Any distinction, exclusion, restriction, or preference applied to persons, because of their status as victims of multiple or aggravated discrimination, the purpose or result of which is to deny or impair the equal recognition, enjoyment, exercise, or protection of rights and fundamental freedoms;
- viii. Any discriminatory restriction on the enjoyment of the human rights enshrined in applicable international and regional instruments and in the jurisprudence of international and regional human rights courts, particularly those applicable to minorities or groups that are in vulnerable situations and subject to discrimination;
- ix. Any restriction or limitation on the use of the language, traditions, customs, and culture of persons in public or private activities;
- x. Preparing and introducing teaching materials, methods, or tools that portray stereotypes or preconceptions, based on any of the criteria set forth in Article 1.1 of this Convention;
- xi. Denying access to public or private education, to fellowships, or to educational loan programs, based on any of the criteria set forth in Article 1.1 of this Convention;
- xii. Denying access to any social, economic, and cultural rights, based on any of the criteria set forth in Article 1.1 of this Convention;
- xiii. Conducting research or applying the findings of research into the human genome, particularly in the fields of biology, genetics, and medicine, aimed at human selection or cloning that prevails over respect for human rights, fundamental freedoms, and human dignity, generating any form of discrimination based on genetic characteristics;
- xiv. The restriction or limitation, based on any of the criteria set forth in Article 1.1 of this Convention, of the right of every person to access and sustainably use water, natural resources, ecosystems, biodiversity, and ecological services that are part of each state's natural heritage, protected by the relevant international instruments and their own national laws;
- xv. The restriction of access to public and private places with access to the public, for the reasons set forth in Article 1.1 of this Convention.

Article 5

The States Parties undertake to adopt the special policies and affirmative actions needed to ensure the enjoyment or exercise of rights and fundamental freedoms of persons or groups that are subject to discrimination or intolerance for the purpose of promoting equitable conditions for equal opportunity, inclusion, and progress for such persons or groups. Such measures or policies shall not be considered discriminatory or incompatible with the purpose or intent of this Convention, shall not lead to maintaining separate rights for different groups, and shall not be continued beyond a reasonable period or after their objective has been achieved.

Article 6

The States Parties undertake to formulate and implement policies the purpose of which is to provide equitable treatment and generate equal opportunity for all persons in accordance with the scope of this Convention, including policies of an educational nature, labor or social measures, or any other kind of promotional policies and the dissemination of legislation on the subject by all possible means, including the mass media and the Internet.

Article 7

The States Parties undertake to adopt legislation that clearly defines and prohibits discrimination and intolerance, applicable to all public authorities as well as to all individuals or natural and legal persons, both in the public and in the private sectors, particularly in the areas of employment; participation in professional organizations; education; training; housing; health; social protection; exercise of economic activity; access to public services and other areas; and to repeal or amend any legislation that constitutes or produces discrimination and intolerance.

Article 8

The States Parties undertake to ensure that the adoption of measures of any kind, including those on security matters, does not discriminate directly or indirectly against persons or groups on the basis of any of the criteria mentioned in Article 1.1 of this Convention.

Article 9

The States Parties undertake to ensure that their political and legal systems appropriately reflect the diversity within their societies in order meet the legitimate special needs of each sector of the population, in accordance with the scope of this Convention.

Article 10

The States Parties undertake to ensure that the victims of discrimination and intolerance receive equitable and non-discriminatory treatment, equal access to the justice system, expeditious and effective proceedings, and fair compensation in the civil or criminal sphere, as applicable.

Article 11

The States Parties undertake to consider as aggravating those acts that lead to multiple discrimination or acts of intolerance, i.e., any distinction, exclusion, or restriction based on two or more of the criteria set forth in Articles 1.1 and 1.3 of this Convention.

Article 12

The States Parties undertake to conduct research on the nature, causes, and manifestations of discrimination or intolerance in their respective countries, at the local, regional, and national levels, and to collect, compile, and disseminate data on the situation of groups or individuals that are victims of discrimination and intolerance.

Article 13

The States Parties undertake, in accordance with their internal legislation, to establish or designate a national institution that shall be responsible for monitoring compliance with this Convention and shall inform the OAS General Secretariat of this institution.

Article 14

The States Parties undertake to promote international cooperation to exchange ideas and experiences; and to execute programs aimed at achieving the objectives of this Convention.

CHAPTER IV Protective Mechanisms and Monitoring of the Convention

Article 15^{6/}

In order to monitor the implementation of the commitments assumed by the States Parties to this Convention:

- i. Any person or group of persons, or non-governmental entity legally recognized in one or more member states of the Organization of American States may submit to the Inter-American Commission on Human Rights petitions containing reports or complaints of violations of this Convention by a State Party. In addition, any State Party, when depositing its instrument of ratification of, or accession to, this Convention or at any time thereafter, may declare that it recognizes the competence of the Commission to receive and examine communications in which a State Party alleges that another State Party has committed violations of the human rights established in this Convention. In such case, all the relevant procedural rules contained in the American Convention on Human Rights as well as the Statutes and the Rules of Procedure of the Commission shall be applicable.

6. The Bolivarian Republic of Venezuela reiterates its firm commitment toward the promotion, protection, and defense of human rights, and toward its decision to denounce ...

- ii. States Parties may consult the Commission on questions related to the effective application of this Convention. They may also request the Commission's advisory assistance and technical cooperation to ensure effective application of any provision of this Convention. The Commission will, to the extent that it is able, provide the States Parties with the requested advisory services and assistance.
- iii. Any State Party may, when depositing its instrument of ratification of, or accession to, this Convention, or at any time thereafter, declare that it recognizes as binding, as a matter of law and without any special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of this Convention. In such case, all relevant procedural rules contained in the American Convention on Human Rights as well as the Statutes and Rules of Procedure of the Court shall be applicable.
- iv. An Inter-American Committee for the Prevention and Elimination of Racism, Racial Discrimination, and All Forms of Discrimination and Intolerance shall be established and shall be comprised of one expert appointed by each of the States Parties who shall execute his or her functions in an independent manner and shall monitor the commitments undertaken in this Convention. The Committee shall also be responsible for monitoring the commitments undertaken in the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance with respect to the states that are parties thereto.

The Committee shall be established when the first of the Conventions comes into force and its first meeting shall be convened by the General Secretariat of the OAS as soon as the tenth instrument of ratification of either Convention has been received. The first meeting of the Committee shall be held at the headquarters of the Organization three months after its convocation for the purpose of declaring its establishment, approving its Rules of Procedure and its working method, and electing its officials. That meeting shall be presided over by the representative of the country that deposits the first instrument of ratification of the Convention which establishes the Committee.

- v. The Committee shall be the forum for the exchange of ideas and experience, as well as for examining progress made by the States Parties in implementing this Convention and any circumstance or difficulty affecting the extent of compliance therewith. Said Committee may recommend to the States Parties that they adopt the appropriate measures. For this purpose, the States Parties undertake to submit a report to the Committee, within one year of its first meeting, with respect to fulfillment of the obligations contained in this Convention. The reports that the States Parties submit to the Committee shall also contain disaggregated data and statistics on groups in situations of vulnerability. Thereafter, the States Parties shall submit reports every four years. The General Secretariat of the OAS shall give the Committee any support it requires for the performance of its functions.

CHAPTER V
General Provisions

Article 16. Interpretation

1. No provision of this Convention shall be interpreted as restricting or limiting a domestic law of any State Party that affords protections and guarantees equal to or greater than those established in this Convention.

2. Nothing in this Convention shall be interpreted as restricting or limiting international human rights conventions that afford equal or greater protections in this regard.

Article 17. Depository

The original instrument of this Convention, of which the English, French, Portuguese, and Spanish texts are equally authentic, shall be deposited with the General Secretariat of the Organization of American States.

Article 18. Signature and Ratification

1. This Convention is open to signature and ratification by all member states of the Organization of American States. After its entry into force, this Convention shall be open to accession by all states that have not signed it.

2. This Convention is subject to ratification by the signatory states in accordance with the procedures set forth in their constitutions. The instruments of ratification or accession shall be deposited with the General Secretariat of the Organization of American States.

Article 19. Reservations

The States Parties may enter reservations to this Convention when signing, ratifying, or acceding to it, provided that such reservations are not incompatible with the aim and purpose of the Convention and relate to one or more specific provisions thereof.

Article 20. Entry into Force

1. This Convention shall enter into force on the thirtieth day following the date on which the second instrument of ratification of, or accession to, this Convention is deposited with the General Secretariat of the Organization of American States.

2. For each state that ratifies or accedes to this Convention after the second instrument of ratification or accession has been deposited, the Convention shall enter into force on the thirtieth day following deposit by that state of the corresponding instrument.

Article 21. Denunciation

This Convention shall remain in force indefinitely, but any State Party may denounce it through written notification addressed to the Secretary General of the Organization of American States. The Convention shall cease to have force and effect for the denouncing state one year after the date of deposit of the instrument of denunciation, and shall remain in force for the other States Parties. Such denunciation shall not exempt the State Party from the obligations imposed upon it under this Convention in respect of any action or omission prior to the date on which the denunciation takes effect.

Article 22. Additional Protocols

Any State Party may submit for the consideration of the States Parties gathered during the General Assembly draft protocols in addition to this Convention, with a view to gradually including other rights within its system of protection. Each protocol shall determine the manner of its entry into force and shall be applied only among the States Parties to it.

FOOTNOTES

1. reiterates our longstanding reservations and concerns with this and prior resolutions on the topic and does not endorse the texts that have resulted from these negotiations. The United States believes that what is needed in this area are enhanced measures and efforts to implement existing human rights instruments, not the adoption of new instruments. Additionally, we are concerned that some provisions of the draft conventions could undermine or are incompatible with international human rights law protections including those related to freedoms of expression and association. The International Convention on the Elimination of All Forms of Racial Discrimination, to which 175 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 by 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. ... that is being adopted in this resolution. Canada is concerned that a new instrument in this area 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.

3. ...including the Ministry of Foreign Affairs, in its capacity as the lead agency for Salvadoran foreign policy—in order to ensure consensus on the national position regarding the contents of the Convention.

4. ... Accordingly, Article 27 (“Equality before the Law”) of the Political Constitution of the Republic of Nicaragua establishes, “All persons are equal before the law and have the right to equal protection. There shall be no discrimination by reason of birth, nationality, political creed, race, sex, language, religion, opinion, origin, economic position, or social condition.”

At the international level, Nicaragua is a signatory to several international conventions that have been elevated to constitutional rank as an expression of the commitment to the promotion and protection of all the human rights of Nicaraguans, particularly the elimination of racism, discrimination, and intolerance in all their forms. However, with regard to this Inter-American Convention against All Forms of Discrimination and Intolerance, Nicaragua will only agree to those provisions contained herein that do not oppose or contravene its domestic legal order.

5. ... its position thereon until it has the relevant analyses and reports.

6. ... the American Convention on Human Rights on account of the deterioration noted in the actions of the agencies of the inter-American human rights system. In its opinion, the IACHR and the Inter-American Court must be overhauled on account of the bias, politicization, and discriminatory and selective attitude they have assumed against progressive governments. These characteristics have destroyed the credibility of those institutions, which were once based on ethical values and on a commitment to the protection of human rights.

AG/RES. 2805 (XLIII-O/13)

INTER-AMERICAN CONVENTION AGAINST RACISM, RACIAL DISCRIMINATION,
AND RELATED FORMS OF INTOLERANCE^{1/ 2/ 3/ 4/ 5/}

(Adopted at the second plenary session, held on June 5, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1);

RECALLING the content of resolution 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,” 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 Social Charter of the Americas, 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 historical 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 social actors, and other organizations, in regard to the ongoing process of negotiations; and

-
1. The United States has consistently objected to the negotiation of new legally binding instruments against racism, racial discrimination and other forms of discrimination or intolerance and ...
 2. Canada has consistently raised concerns about the negotiation of an inter-American convention against all forms of discrimination and intolerance, and is not endorsing the resulting text...
 3. El Salvador believes that in order for the country to extend a judgment on the Draft Convention contained in this resolution, it must obtain the opinion of the competent national institutions ...
 4. The Government of Nicaragua is mindful that the State bears the primary responsibility and obligation to promote and protect full enjoyment of human rights. ...
 5. Given that the internal legal consultation procedures have not yet been completed with respect to the Draft Convention contained in this resolution, Chile supports its adoption but reserves...

HAVING PARTICULAR REGARD to the report of the Chair of the Working Group to Prepare the Draft Legally Binding Inter-American Instruments against Racism and Racial Discrimination and against all Forms of Discrimination and Intolerance entitled “Activities of the Working Group during the 2012-2013 Term” (CAJP/GT/RDI-229/13 rev. 1), presented to the Committee on Juridical and Political Affairs, which completes the preparation and negotiation of the draft legally binding inter-American instruments against racism and racial discrimination and against all forms of discrimination and intolerance,

RESOLVES:

1. To adopt the following Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance:

INTER-AMERICAN CONVENTION AGAINST RACISM, RACIAL DISCRIMINATION,
AND RELATED FORMS OF INTOLERANCE

THE STATES PARTIES TO THIS CONVENTION,

CONSIDERING that the inherent dignity and equality of all members of the human family are basic principles of the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination;

REAFFIRMING the resolute commitment of the member states of the Organization of American States to the complete and unconditional eradication of racism, racial discrimination, and all forms of intolerance, and their conviction that such discriminatory attitudes are a negation of universal values and the inalienable and infrangible rights of the human person and the purposes and principles enshrined in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Social Charter of the Americas, the Inter-American Democratic Charter, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Universal Declaration on the Human Genome and Human Rights;

RECOGNIZING the duty of adopting national and regional measures to promote and encourage respect for and observance of the human rights and fundamental freedoms of all individuals and groups subject to their jurisdiction, without regard to race, color, lineage, or national or ethnic origin;

CONVINCED that the principles of equality and nondiscrimination among human persons are dynamic democratic concepts that foster the promotion of effective legal equality and presuppose an obligation on the State’s part to adopt special measures to protect the rights of individuals or groups that may be victims of racial discrimination, in any area of human endeavor, whether public or private, with a view to cultivating equitable conditions for equal opportunity and to combating racial discrimination in all its individual, structural, and institutional manifestations;

AWARE that the phenomenon of racism has a dynamic capacity for renewal that enables it to assume new forms whereby it spreads and expresses itself politically, socially, culturally, and linguistically;

TAKING INTO ACCOUNT that the victims of racism, racial discrimination, and other related forms of intolerance in the Americas are, *inter alia*, people of African descent, indigenous peoples, and other racial and ethnic groups or minorities, or groups that by reason of their lineage or national or ethnic origin are affected by such manifestations;

CONVINCED that certain persons and groups experience multiple or extreme forms of racism, discrimination and intolerance, driven by a combination of factors such as race, color, lineage, national or ethnic origin, or others recognized in international instruments;

TAKING INTO ACCOUNT that a pluralistic and democratic society must respect the race, color, lineage, and national or ethnic origin of every person, whether belonging to a minority or not, and create suitable conditions that will enable that person to express, preserve, and develop his or her identity;

CONSIDERING that the individual and collective experience of discrimination must be taken into account to combat segregation and marginalization based on race, ethnicity, or nationality, and to protect the life plan of those individuals and communities at risk of such segregation and marginalization;

ALARMED by the surge in hate crimes motivated by race, color, lineage, and national or ethnic origin;

EMPHASIZING the basic role that education plays in promoting respect for human rights, equality, nondiscrimination, and tolerance; and

BEARING IN MIND that although the fight against racism and racial discrimination was brought to the forefront in an earlier international instrument, the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the rights set forth therein must be reaffirmed, developed, improved, and protected, in order to consolidate in the Americas the democratic content of the principles of legal equality and nondiscrimination,

AGREE upon the following:

CHAPTER I Definitions

Article 1

For purposes of this Convention:

1. Racial discrimination shall mean any distinction, exclusion, restriction, or preference, in any area of public or private life, the purpose or effect of which is to nullify or curtail the equal recognition, enjoyment, or exercise of one or more human

rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties.

Racial discrimination may be based on race, color, lineage, or national or ethnic origin.

2. Indirect racial discrimination shall be taken to occur, in any realm of public and private life, when a seemingly neutral provision, criterion, or practice has the capacity to entail a particular disadvantage for persons belonging to a specific group based on the reasons set forth in Article 1.1, or puts them at a disadvantage, unless said provision, criterion, or practice has some reasonable and legitimate objective or justification under international human rights law.
3. Multiple or aggravated discrimination is any preference, distinction, exclusion, or restriction based simultaneously on two or more of the criteria set forth in Article 1.1, or others recognized in international instruments, the objective or result of which is to nullify or curtail, the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms enshrined in the international instruments applicable to the States Parties, in any area of public or private life.
4. Racism consists of any theory, doctrine, ideology, or sets of ideas that assert a causal link between the phenotypic or genotypic characteristics of individuals or groups and their intellectual, cultural, and personality traits, including the false concept of racial superiority.

Racism leads to racial inequalities, and to the idea that discriminatory relations between groups are morally and scientifically justified.

All the theories, doctrines, ideologies, and sets of racist ideas described in this article are scientifically false, morally reprehensible, socially unjust, and contrary to the basic principles of international law; they therefore seriously undermine international peace and security and, as such, receive the condemnation of the States Parties.

5. Special measures or affirmative action adopted for the purpose of ensuring equal enjoyment or exercise of one or more human rights and fundamental freedoms of groups requiring such protection shall not be deemed racial discrimination provided that such measures do not lead to the maintenance of separate rights for different groups and are not continued once their objectives have been achieved.
6. Intolerance is an action or set of actions or expressions that denote disrespect, rejection, or contempt for the dignity, characteristics, convictions, or opinions of persons for being different or contrary. It may manifest itself as marginalization and exclusion of vulnerable groups from participation in any sphere of public or private life or violence against them.

CHAPTER II
Protected Rights

Article 2

Every human being is equal under the law and has a right to equal protection against racism, racial discrimination, and related forms of intolerance in any sphere of life, public or private.

Article 3

Every human being has the right to the equal recognition, enjoyment, exercise, and protection, at both the individual and collective levels, of all human rights and fundamental freedoms enshrined in their domestic law and in international law applicable to the States Parties.

CHAPTER III
Duties of the State

Article 4

The states undertake to prevent, eliminate, prohibit, and punish, in accordance with their constitutional norms and the provisions of this Convention, all acts and manifestations of racism, racial discrimination, and related forms of intolerance, including:

- i. Public or private support provided to racially discriminatory and racist activities or that promote intolerance, including the financing thereof.
- ii. Publication, circulation or dissemination, by any form and/or means of communication, including the internet, of any racist or racially discriminatory materials that:
 - a. Advocate, promote, or incite hatred, discrimination, and intolerance.
 - b. Condone, justify, or defend acts that constitute or have constituted genocide or crimes against humanity as defined in international law, or promote or incite the commitment of such acts.
- iii. Violence motivated by any of the criteria set forth in Article 1.1.
- iv. Criminal activity in which the victim's property is chosen intentionally based on any of the criteria set forth in Article 1.1.
- v. Any repressive action based on any of the criteria set forth in Article 1.1 rather than on the person's behavior or on objective information identifying the individual as having been engaged in criminal activity.

- vi. Restricting, in an undue or unreasonable manner, the exercise of the individual rights of ownership, administration, and disposal of property of any kind based on any of the criteria set forth in Article 1.1.
- vii. Any distinction, exclusion, restriction, or preference applied to persons, because of their status as victims of multiple or aggravated discrimination, the purpose or result of which is to deny or impair the equal recognition, enjoyment, exercise, or protection of rights and fundamental freedoms.
- viii. Any racially discriminatory restriction on the enjoyment of the human rights enshrined in applicable international and regional instruments and in the jurisprudence of international and regional human rights courts, particularly those applicable to minorities or groups that are in vulnerable situations and subject to racial discrimination.
- ix. Any restriction or limitation on the use of the language, traditions, customs, and culture of persons in public or private activities.
- x. Preparing and introducing teaching materials, methods, or tools that portray stereotypes or preconceptions, based on any of the criteria set forth in Article 1.1 of this Convention.
- xi. Denying access to public or private education, to fellowships, or to educational loan programs, based on any of the criteria set forth in Article 1.1 of this Convention.
- xii. Denying access to any social, economic, and cultural rights, based on any of the criteria set forth in Article 1.1 of this Convention.
- xiii. Conducting research or applying the findings of research into the human genome, particularly in the fields of biology, genetics, and medicine, aimed at human selection or cloning that prevails over respect for human rights, fundamental freedoms, and human dignity, generating any form of discrimination based on genetic characteristics.
- xiv. The restriction or limitation, based on any of the criteria set forth in Article 1.1 of this Convention, of the right of every person, to access and sustainably use water, natural resources, ecosystems, biodiversity, and ecological services that are part of each state's natural heritage, protected by the relevant international instruments and their own national laws.
- xv. The restriction of access to public and private places with access to the public, for the reasons set forth in Article 1.1 of this Convention.

Article 5

The States Parties undertake to adopt the special policies and affirmative actions needed to ensure the enjoyment or exercise of rights and fundamental freedoms of persons or groups that are

subject to racism, racial discrimination, and related forms of intolerance for the purpose of promoting equitable conditions for equal opportunity, inclusion, and progress for such persons or groups. Such measures or policies shall not be considered discriminatory or incompatible with the purpose or intent of this Convention, shall not lead to maintaining separate rights for different groups, and shall not be continued beyond a reasonable period or after that objective has been achieved.

Article 6

The States Parties undertake to formulate and implement policies the purpose of which is to provide equitable treatment and generate equal opportunity for all persons in accordance with the scope of this Convention, including policies of an educational nature, labor or social measures, or any other kind of promotional policies and the dissemination of legislation on the subject by all possible means, including the mass media and the internet.

Article 7

The States Parties undertake to adopt legislation that clearly defines and prohibits racism, racial discrimination, and related forms of intolerance, applicable to all public authorities as well as to all individuals or natural and legal persons, both in the public and in the private sectors, particularly in the areas of employment; participation in professional organizations; education; training; housing; health; social protection; exercise of economic activity; access to public services and other areas; and to repeal or amend any legislation that constitutes or produces racism, racial discrimination, and related forms of intolerance.

Article 8

The States Parties undertake to ensure that the adoption of measures of any kind, including those on security matters, does not discriminate directly or indirectly against persons or groups on the basis of any of the criteria mentioned in Article 1.1 of this Convention.

Article 9

The States Parties undertake to ensure that their political and legal systems appropriately reflect the diversity within their societies in order meet the legitimate needs of all sectors of the population, in accordance with the scope of this Convention.

Article 10

The States Parties undertake to ensure that the victims of racism, racial discrimination, and related forms of intolerance receive equitable and non-discriminatory treatment, equal access to the justice system, expeditious and effective proceedings, and fair compensation in the civil or criminal sphere, as applicable.

Article 11

The States Parties undertake to consider as aggravating those acts that lead to multiple discrimination or acts of intolerance, i.e., any distinction, exclusion, or restriction based on two or more of the criteria set forth in Articles 1.1 and 1.3 of this Convention.

Article 12

The States Parties undertake to conduct research on the nature, causes, and manifestations of racism, racial discrimination, and related forms of intolerance in their respective countries, at the local, regional, and national levels, and to collect, compile, and disseminate data on the situation of groups or individuals that are victims of racism, racial discrimination, and related forms of intolerance.

Article 13

The States Parties undertake, in accordance with their internal legislation, to establish or designate a national institution that shall be responsible for monitoring compliance with this Convention, and shall inform the OAS General Secretariat of this institution.

Article 14

The States Parties undertake to promote international cooperation to exchange ideas and experiences; and to execute programs aimed at achieving the objectives of this Convention.

CHAPTER IV Protective Mechanisms and Monitoring of the Convention

Article 15^{6/}

In order to monitor the implementation of the commitments assumed by the States Parties to this Convention:

- i. Any person or group of persons, or nongovernmental entity legally recognized in one or more member states of the Organization of American States may submit to the Inter-American Commission on Human Rights petitions containing reports or complaints of violations of this Convention by a State Party. In addition, any State Party, when depositing its instrument of ratification of, or accession to, this Convention, or at any time thereafter, may declare that it recognizes the competence of the Commission to receive and examine communications in which a State Party alleges that another State Party has committed violations of the human rights established in this Convention. In such case, all the relevant procedural rules contained in the American Convention on Human Rights as well as the Statutes and the Rules of Procedure of the Commission shall be applicable.

6. The Bolivarian Republic of Venezuela reiterates its firm commitment toward the promotion, protection, and defense of human rights, and toward its decision to denounce ...

- ii. States Parties may consult the Commission on questions related to the effective application of this Convention. They may also request the Commission's advisory assistance and technical cooperation to ensure effective application of any provision of this Convention. The Commission will, to the extent that it is able, provide the States Parties with the requested advisory services and assistance.
- iii. Any State Party may, when depositing its instrument of ratification of, or accession to, this Convention, or at any time thereafter, declare that it recognizes as binding, as a matter of law and without any special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of this Convention. In such case, all relevant procedural rules contained in the American Convention on Human Rights as well as the Statutes and Rules of Procedure of the Court shall be applicable.
- iv. An Inter-American Committee for the Prevention and Elimination of Racism, Racial Discrimination, and All Forms of Discrimination and Intolerance shall be established and shall be comprised of one expert appointed by each of the States Parties who shall execute his or her functions in an independent manner and shall monitor the commitments undertaken in this Convention. The Committee shall also be responsible for monitoring the commitments undertaken in the Inter-American Convention against All Forms of Discrimination and Intolerance with respect to the states that are parties thereto.

The Committee shall be established when the first of the Conventions comes into force and its first meeting shall be convened by the General Secretariat of the OAS as soon as the tenth instrument of ratification of either Convention has been received. The first meeting of the Committee shall be held at the Headquarters of the Organization three months after its convocation for the purpose of declaring its establishment, approving its Rules of Procedure and its working method, and electing its officials. That meeting shall be presided over by the representative of the country that deposits the first instrument of ratification of the Convention which establishes the Committee.

- v. The Committee shall be the forum for the exchange of ideas and experience, as well as for examining progress made by the States Parties in implementing this Convention and any circumstance or difficulty affecting the extent of compliance therewith. Said Committee may recommend to the States Parties that they adopt the appropriate measures. For this purpose, the States Parties undertake to submit a report to the Committee, within one year of its first meeting, with respect to fulfillment of the obligations contained in this Convention. The reports that the States Parties submit to the Committee shall also contain disaggregated data and statistics on groups in situations of vulnerability. Thereafter, the States Parties shall submit reports every four years. The General Secretariat of the OAS shall give the Committee any support it requires for the performance of its functions.

CHAPTER V
General Provisions

Article 16. Interpretation

1. No provision of this Convention shall be interpreted as restricting or limiting a domestic law of any State Party that affords protections and guarantees equal to or greater than those established in this Convention.

2. Nothing in this Convention shall be interpreted as restricting or limiting international human rights conventions that afford equal or greater protections in this regard.

Article 17. Depository

The original instrument of this Convention, of which the English, French, Portuguese, and Spanish texts are equally authentic, shall be deposited with the General Secretariat of the Organization of American States.

Article 18. Signature and Ratification

1. This Convention is open to signature and ratification by all member states of the Organization of American States. After its entry into force, this Convention shall be open to accession by all states that have not signed it.

2. This Convention is subject to ratification by the signatory states in accordance with the procedures set forth in their constitutions. The instruments of ratification or accession shall be deposited with the General Secretariat of the Organization of American States.

Article 19. Reservations

The States Parties may enter reservations to this Convention when signing, ratifying, or acceding to it, provided that such reservations are not incompatible with the aim and purpose of the Convention and relate to one or more specific provisions thereof.

Article 20. Entry into Force

1. This Convention shall enter into force on the thirtieth day following the date on which the second instrument of ratification of, or accession to, the Convention is deposited with the General Secretariat of the Organization of American States.

2. For each state that ratifies or accedes to the Convention after the second instrument of ratification or accession has been deposited, the Convention shall enter into force on the thirtieth day following deposit by that state of the corresponding instrument.

Article 21. Denunciation

This Convention shall remain in force indefinitely, but any State Party may denounce it through written notification addressed to the Secretary General of the Organization of American States. The Convention shall cease to have force and effect for the denouncing state one year after the date of deposit of the instrument of denunciation, and shall remain in force for the other States Parties. Such denunciation shall not exempt the State Party from the obligations imposed upon it under this Convention in respect of any action or omission prior to the date on which the denunciation takes effect.

Article 22. Additional Protocols

Any State Party may submit for the consideration of the States Parties gathered during the General Assembly draft protocols in addition to this Convention, with a view to gradually including other rights within its system of protection. Each protocol shall determine the manner of its entry into force and shall be applied only among the States Parties to it.

FOOTNOTE

1. ... reiterates our longstanding reservations and concerns with this and prior resolutions on the topic and does not endorse the texts that have resulted from these negotiations. The United States believes that what is needed in this area are enhanced measures and efforts to implement existing human rights instruments, not the adoption of new instruments. Additionally, we are concerned that some provisions of the draft conventions could undermine or are incompatible with international human rights law protections including those related to freedoms of expression and association. The International Convention on the Elimination of All Forms of Racial Discrimination, to which 175 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 by 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. ... that is being adopted in this resolution. Canada is concerned that a new instrument in this area 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.

3. ...—including the Ministry of Foreign Affairs, in its capacity as the lead agency for Salvadoran foreign policy—in order to ensure consensus on the national position regarding the contents of the Convention.

4. ... Accordingly, Article 27 (“Equality before the Law”) of the Political Constitution of the Republic of Nicaragua establishes, “All persons are equal before the law and have the right to equal protection. There shall be no discrimination by reason of birth, nationality, political creed, race, sex, language, religion, opinion, origin, economic position, or social condition.”

At the international level, Nicaragua is a signatory to several international conventions that have been elevated to constitutional rank as an expression of the commitment to the promotion and protection of all the human rights of Nicaraguans, particularly the elimination of racism, discrimination, and intolerance in all their forms. However, with regard to this Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance, Nicaragua will only agree to those provisions contained herein that do not oppose or contravene its domestic legal order.

5. ... its position thereon until it has the relevant analyses and reports.

6. ...the American Convention on Human Rights on account of the deterioration noted in the actions of the agencies of the inter-American human rights system. In its opinion, the IACHR and the Inter-American Court must be overhauled on account of the bias, politicization, and discriminatory and selective attitude they have assumed against progressive governments. These characteristics have destroyed the credibility of those institutions, which were once based on ethical values and on a commitment to the protection of human rights.

AG/RES. 2806 (XLIII-O/13)

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

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Committee on Juridical and Political Affairs (CAJP) on the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Juridical Committee to the General Assembly (CP/CAJP-3157/13) contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1);

BEARING IN MIND resolution AG/RES. 2722 (XLII-O/12), “Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee”;

TAKING INTO ACCOUNT the 80th regular session of the Inter-American Juridical Committee (CJI) held in Mexico City, and the 81st and 82nd regular sessions of the CJI held at its headquarters in Rio de Janeiro, Brazil; and

CONSIDERING:

That Article 53 of the Charter of the Organization of American States establishes the 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 (CP/doc.4826/13) to the Committee on Juridical and Political Affairs of the Permanent Council on April 11, 2013, and that the observations and recommendations on that report have been forwarded to the General Assembly,

RESOLVES:

1. To take note of the Report of the Committee on Juridical and Political Affairs (CAJP) on the Observations and Recommendations of the Member States on the Annual Report of the Inter-American Juridical Committee to the General Assembly (CP/CAJP-3157/13) and to transmit them to the latter committee.

2. To thank the Inter-American Juridical Committee (CJI) for submitting its annual report covering activities carried out in 2012 and containing the following documents: “Strengthening the Inter-American System for the Protection and Promotion of Human Rights” (CJI/RES. 192); “Privacy and Protection of Personal Data in the Americas” (CJI/RES. 186), “Cultural Diversity in

the Development of International Law” (CJI/RES. 185); “Access to Justice in the Americas” (CJI/RES. 187); “Model Law on Simplified Joint Stock Companies” (CJI/RES. 188); and “Guide for Regulating the Use of Force and Protection of People in Situations of Internal Violence that do Not Qualify as Armed Conflict” (CJI/doc.401/12 rev. 4).

3. To take note of the findings of the CJI on the question of privacy and protection of personal data in the Americas, as set forth in CJI/RES. 186 and CJI/doc.402/12, rev. 2, as the basis for any further consideration of this matter by member states.

4. To thank the CJI also for preparing, during its session in March 2013, the document “Model Legislation on Protection of Cultural Property in the Event of Armed Conflict” (CJI/doc.403/12 rev. 5) and the preliminary report “Sexual Orientation, Gender Identity, and Gender Expression,” (CJI/doc.417/12 rev. 1).

5. To underscore the importance of 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 be held for the fortieth time in August of this year.

6. To emphasize the need to strengthen administrative and budgetary support to the CJI and to reaffirm the importance of the ties maintained by the CJI with the political organs of the OAS.

7. To request the Permanent Committee 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. 2807 (XLIII-O/13) corr. 1

HUMAN RIGHTS, SEXUAL ORIENTATION,
AND GENDER IDENTITY AND EXPRESSION^{1/ 2/ 3/ 4/ 5/ 6/ 7/ 8/ 9/}

(Adopted at the fourth plenary session, held on June 6, 2013)

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), AG/RES. 2653 (XLI-O/11), and AG/RES. 2721 (XLII-O/12), “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;

-
1. The Government of Belize is unable to join consensus on this resolution given the fact that several of the issues and principles addressed therein, directly or indirectly, are at present the subject ...
 2. The delegations of Saint Vincent and the Grenadines, Saint Kitts and Nevis, and Dominica are unable to join consensus on the approval of this resolution. Saint Vincent and the Grenadines is of the view that the term “gender expression” ...
 3. The Government of Jamaica is unable to join the consensus on the approval of this resolution, given that the terminology of gender expression, as proposed, is ambiguous and has the potential...
 4. The Government of Barbados is unable to join consensus on the approval of this resolution given that a number of the issues and terms contained in the resolution are neither reflected in its national ...
 5. The Republic of Suriname remains committed to promoting and defending all human rights for all and, based on the principle of equality, under which all who are within ...
 6. The Government of Guyana is unable to join consensus on this resolution given the fact that several of the issues addressed herein are currently the subject of deliberation by a special select ...
 7. The Government of Honduras wishes to state its commitment to human rights and to the international conventions that it has signed to that effect. Furthermore, it does not consider itself ...
 8. Like Saint Vincent and the Grenadines, Saint Lucia is unable to join consensus on the approval of this resolution because the term “gender expression” is one that is not thoroughly defined or has ...
 9. In the context of existing policy and legislation, the Republic of Trinidad and Tobago is unable to support the resolution. However, Trinidad and Tobago is signatory to the Universal Declaration ...

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

TAKING NOTE:

Of the creation by the Inter-American Commission on Human Rights of the Unit for the Rights of Lesbians, Gays, and Bisexual, Transsexual, and Intersex (LGBTI) 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 LGBTI persons play a fundamental role in the region in terms of public oversight to ensure compliance with the states' obligations vis-à-vis the rights to privacy, equality, and nondiscrimination, and are faced with obstacles, among them, "murder, threats, criminalization of their activities, the failure to take a different approach to the investigation of violations committed against them, and discourse calculated to discredit"; and

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

NOTING WITH CONCERN the acts of violence and related human rights violations as well as discrimination practiced against persons because of their sexual orientation and gender identity;

TAKING NOTE of the report of the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/22/53), which states, "Children who are born with atypical sex characteristics are often subject to irreversible sex assignment, involuntary sterilization, involuntary genital normalizing surgery, performed without their informed consent, or that of their parents, 'in an attempt to fix their sex,' leaving them with permanent, irreversible infertility and causing severe mental suffering," and

TAKING NOTE, FINALLY, of the terminological study "Sexual Orientation, Gender Identity, and Gender Expression: Some Terminology and Relevant Standards," prepared by the IACHR and published on April 23, 2012, in keeping with resolution AG/RES. 2653 (XLI-O/11), "Human Rights, Sexual Orientation, and Gender Identity,"

RESOLVES:

1. To condemn all forms of discrimination against persons by reason of their sexual orientation and gender identity or expression, and 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 equal access to political participation and in other areas of public life, and to avoid interferences in their private life.^{10/}

10. The State of Guatemala declares that it promotes and defends all human rights and, with respect to the provisions of this resolution, does not discriminate on any grounds, ...

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 or expression.

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

4. In addition, to urge states, within their institutional capacities, to produce data on homophobic and transphobic violence, with a view to fostering public policies that protect the human rights of LGBTI persons.^{10/}

5. To urge member states to ensure adequate protection for human rights defenders who work in the area of violence, discrimination, and human rights violations committed against individuals on the basis of their sexual orientation and gender identity or expression.

6. To urge member states to afford appropriate protection to intersex people and to implement policies and procedures, as appropriate, to ensure medical practices that are consistent with applicable human rights standards.

7. To request the Inter-American Commission on Human Rights (IACHR) to pay particular attention to its work plan titled "Rights of LGBTI People" and, in keeping with its established practice, to continue with its work to prepare a hemispheric study on the subject; and to urge member states to support the efforts of the Commission in this area.^{10/}

8. To request the IACHR to continue preparing a study on legislation and provisions in force in the member countries of the Organization of American States that restrict the human rights of individuals by reason of their sexual orientation or gender identity or expression and to prepare, based on that study, a guide aimed at promoting the decriminalization of homosexuality and practices related to gender identity or expression.

9. To urge member states that have not yet done so to consider signing, ratifying, or acceding to, as the case may be, the inter-American human rights instruments.

10. 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.

FOOTNOTES

1. ... of legal proceedings in the Supreme Court of Belize.

2. ... is one that is not thoroughly defined internationally or that has international acceptance. Saint Vincent and the Grenadines considers that the terminology is heavily nuanced and moreover, that it is currently not defined in its domestic law. Since the discussion on the human rights of LGBT persons is an ongoing one at the level of the United Nations, Saint Vincent and the Grenadines is of the view that the discourse at the OAS should be confined only to language which has been recognized or approved by the United Nations.

3. ... to impose one value system over another. Furthermore, this term and other new terminologies used in the text, have not gained international acceptance nor are they defined in Jamaica's domestic law.

4. ... laws nor the subject of national consensus. As such, Barbados would not be in a position to meet these requirements. However, the Government of Barbados remains committed to protecting the rights of all from harm and violence in keeping with the rule of law and the provisions of its Constitution.

5. ... the territory of Suriname have an equal claim to protection of person and property, does not discriminate on the grounds of birth, sex, race, language, religious origin, education, political beliefs, economic position or any other status.

As a multicultural society, the subject of sexual orientation and gender identity and expression is one that requires a broad-based consultation process at the national level, involving all sectors of society—including civil society—regarding many of the principles that are being brought to this resolution by OAS member states.

The Republic of Suriname would be willing to join consensus but places on record that it is not in a position to acknowledge some of the elements and principles addressed in the resolution at this time, as these require further national discussion. The Republic of Suriname is in favor of the use of intergovernmentally agreed human rights and fundamental freedoms as enshrined in the various human rights instruments adopted by the United Nations.

6. ... committee of the National Assembly.

7. ... obligated by any provision, contained in this draft, which could contravene the provisions of those Conventions or its domestic laws.

8. ... international acceptance. Saint Lucia also considers that the terminology is heavily nuanced and moreover it is not defined in our domestic law. Since the discussions on the human rights of LGBT persons is an ongoing one at the level of the United Nations, Saint Lucia is also of the view that the discourse at the OAS should be confined only to language which has been recognized or approved by the United Nations.”

9. ... of Human Rights. The Equal Opportunity Act, 2000 aims to “prohibit certain kinds of discrimination, to promote equality, opportunity between persons of different status” and ensures that persons cannot be discriminated against in employment, education, health, protection and other social good based on characteristics including their religion, race, class, sex and socio-economic status. Under the Sexual Offences (Amendment) Act (No. 31 of 2000), the act of sodomy, whether between same-sex partners or heterosexual partners, is illegal. However, this legislation is rarely enforced.

10. ...regardless of race, creed, sex etc. However, Guatemala considers that not granting legal recognition to marriage between persons of the same sex does not constitute a discriminatory practice.

AG/RES. 2808 (XLIII-O/13)

RULES ON FOOTNOTES

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

BEARING IN MIND the decision adopted by the Permanent Council at its regular meeting held on April 20, 2011, on inclusion of footnotes and annexation of documents to draft resolutions to be submitted to the General Assembly for consideration;

RECOGNIZING that the inclusion of footnotes is a common practice of member states in their work at the General Assembly of the Organization that is not currently addressed in the Rules of Procedure of the General Assembly;

RECOGNIZING ALSO the advisability of having in place rules on the use of footnotes, and that their introduction in the Rules of Procedure of the General Assembly would contribute to clarity and transparency in the decisions of the General Assembly; and

BEARING IN MIND that under Article 85 of the Rules of Procedure of the General Assembly, those rules may be amended at the proposal of the Permanent Council,

RESOLVES:

1. To instruct the Permanent Council, through its Committee on Juridical and Political Affairs, to examine the different dimensions of this issue with a view to submitting, should it deem it advisable, a proposed amendment of Article 81 of the Rules of Procedure of the General Assembly for the latter's consideration at its next regular session.

2. The General Secretariat shall ensure that the Rules of Procedure of the General Assembly and any amendments thereto are duly observed.

AG/RES. 2809 (XLIII-O/13)

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

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1) as it relates to the activities of the Committee on Hemispheric Security (CSH);

RECALLING the resolutions assigned to the CSH as detailed in the document “List of Resolutions Assigned to the Committee on Hemispheric Security (1995-2012)” (CP/CSH/INF.278/11 rev. 2);

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 of the Organization of American States, 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”;

WELCOMING the commemoration of the tenth anniversary of the Declaration on Security in the Americas in 2013, the preparations being made for it at meetings of the Permanent Council, and the protocolary ceremony to be conducted in Mexico in October 2013;

REAFFIRMING the importance of adopting policies, programs, and actions to prevent and address violence, crime, and insecurity;

REAFFIRMING ALSO 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

1. Bolivia, Ecuador, Nicaragua, and Venezuela call into question the continued validity of the organs of the inter-American system...

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;

NOTING WITH SATISFACTION that the Government of Saint Vincent and the Grenadines deposited its instrument of ratification of the CIFTA on August 17, 2012, an important demonstration of its commitment to combating firearms trafficking at the hemispheric level;

HAVING SEEN the reports of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.4862/13 rev. 2), the Inter-American Committee against Terrorism (CICTE) (CP/doc.4848/13), and the Inter-American Defense Board (IADB) (CP/doc.4853/13);

WELCOMING WITH SATISFACTION resolution CP/RES. 1014 (1915/13), which convenes the Fourth Meeting of Ministers Responsible for Public Security in the Americas (MISPA-IV), to be held in Medellín, Colombia, on November 21 and 22, 2013;

EXPRESSING SATISFACTION at the Third Meeting of National Authorities on Trafficking in Persons, held in Guatemala City, Guatemala, on October 15 and 16, 2012; the fifty-second regular session of CICAD, held in San Jose, Costa Rica, from November 28 to 30, 2012; the fifth meeting of the Forum on Confidence- and Security-building Measures, held on February 28, 2013; the meeting of National Points of Contact of the CITAAC, held on March 1, 2013; the eleventh meeting of National Points of Contact to CICTE, held on March 7, 2013; the thirteenth regular session of CICTE, held on March 8, 2013; the fourth meeting of the Technical Group on Transnational Organized Crime, held on March 11, 2013; the sixth meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, held on April 24, 2013; the fourteenth regular meeting of the Consultative Committee of CIFTA, held on April 25, 2013; and the fifty-third regular session of CICAD, held from May 20 to 22, 2013; and

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

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; and 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 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.

3. To recognize the central role of the CSH in security and defense matters in the framework of the Organization of American States (OAS), and to instruct the Permanent Council to continue, through the CSH, to promote and coordinate cooperation among the organs, agencies, and entities of the Organization.

Execution of the Hemispheric Plan of Action against Transnational Organized Crime and strengthening of hemispheric cooperation

4. To declare that the Technical Group on Transnational Organized Crime established by resolution CP/RES. 908 (1567/06) has completed its work.

5. To convene in the first half of 2014 a two-day meeting of national authorities on transnational organized crime to address execution of the Hemispheric Plan of Action against Transnational Organized Crime and effective cooperation among member states.

6. To establish a specific fund to implement the Hemispheric Plan of Action against Transnational Organized Crime in accordance with Chapter IV, paragraph 2 of the Hemispheric Plan of Action, under the administration of the General Secretariat and open to voluntary contributions from member states as well as from permanent observers and international organizations.

7. To ask the OAS General Secretariat to provide its full support in for implementation of the Hemispheric Plan of Action against Transnational Organized Crime, cooperation among the member states, and the meeting of national authorities mentioned in operative paragraph 5 of this resolution, and to urge the Secretary General to consider, among other measures, the internal reorganization of the Secretariat for Multidimensional Security and the Secretariat for Legal Affairs in order to more effectively support member states and the Hemispheric Plan of Action against Transnational Organized Crime.

8. To invite member states to use the Hemispheric Network for Legal Cooperation on Criminal Matters among our countries to share relevant information on transnational organized crime and to invite the international community to contribute financially to the Network.

9. To request the Permanent Council to continue, through the CSH, its consideration of the issue of transnational organized crime and to determine the best way to advance analysis of future structures to address the issue.

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

10. To take into account the dialogue of the CSH held pursuant to resolution AG/RES. 2632 (XLI-O/11), the recommendations of the Ninth and Tenth Conferences of Ministers of Defense of the Americas, and resolution AG/RES. 2735 (XLII-O/12).

11. To instruct the Permanent Council to follow up the outcomes of this dialogue, through the Committee on Hemispheric Security, by considering in the 2013-2014 term relations between the OAS and the hemispheric defense meetings, the Inter-American Defense Board (IADB), and measures to promote cooperation. New topics may be included in the future.

Confidence- and security-building in the Americas

12. To continue to encourage and implement confidence- and security-building measures (CSBMs) in keeping with the provisions of the Declaration of San Salvador on Confidence- and Security-Building Measures, the Declaration 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 furnish the General Secretariat, by July 15 of each year at the latest, with 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).

13. To endorse the Chairman's Conclusions (CSH/FORO-V/doc.9/13) from the fifth meeting of the Forum on Confidence- and Security-Building Measures held in Washington, D.C., on February 28, 2013,

14. To request the OAS General Secretariat, in consultations with the IADB^{2/} and other OAS entities that it deems appropriate, to develop an electronic template for online annual reporting of CSBMs undertaken by member states using the abovementioned Consolidated List.

15. To request the OAS General Secretariat to continue improving access to OAS websites and those of its entities devoted to CSBMs, and updating the catalogue of member states' reports on CSBMs to include the years 1992 to 1995.

16. To convene the sixth meeting of the Forum on Confidence- and Security-Building Measures in 2015 to review and evaluate existing CSBMs and to discuss, consider, and propose additional measures.

Hemispheric efforts to combat trafficking in persons

17. To endorse the "Conclusions of the Third Meeting of National Authorities on Trafficking in Persons" (RTP-III/doc.7/12), in particular:

- a. the extension until the year 2015 of the Work Plan against Trafficking in Persons in the Western Hemisphere (CP/CSH-1155/09 rev. 11) as a frame of reference to guide the actions of the member states and of the General Secretariat in its efforts to assist member states in preventing and criminalizing trafficking in persons and in assisting and protecting the victims of trafficking;

2. The Government of Nicaragua attaches high priority to security in all its dimensions and, given the crosscutting nature of security, takes a comprehensive approach to it, taking ...

- b. to convene the Fourth Meeting of National Authorities on Trafficking in Persons in the first half of 2015, with a view to reviewing and evaluating the Work Plan against Trafficking in Persons in the Western Hemisphere; and
- c. to request the General Secretariat to assist with the preparation of and follow-up to the aforementioned meeting.

Follow-up to the Special Conference on Security

18. To instruct the Permanent Council to continue with the dialogue planned for its thematic meetings for the commemoration of the tenth anniversary of the Declaration on Security in the Americas, promoting the participation of member states, scholars, specialized entities, and civil society, with a view to analyzing progress in its implementation. In addition, to invite member states to take part in the protocolary ceremony to be hosted by the Government of Mexico in October 2013 to mark that anniversary.

Declaration of San Salvador on Citizen Security in the Americas

19. To instruct the General Secretariat to continue providing technical assistance and training to the member states that so request for the implementation of the Work Plan of the Secretariat for Multidimensional Security to Guide the Implementation of the Hemispheric Plan of Action to Follow up on the Declaration of San Salvador on Citizen Security in the Americas 2013-2015.

20. To invite member states, permanent observers, and the international community to make voluntary contributions for carrying out the above Work Plan.

21. To include follow-up on the implementation of the Hemispheric Plan of Action to Follow up on the Declaration of San Salvador on Citizen Security in the Americas on the CSH' calendar of activities for the 2014-2015 term.

22. To include violence and crime prevention as an item on the CSH agenda for the 2013-2014 term.

23. To instruct the General Secretariat to continue supporting member states' initiatives to prevent and comprehensively address different forms and specific manifestations of violence and to keep the CSH informed about all proposed and ongoing initiatives.

24. To request that the General Secretariat promote violence and crime prevention measures to accompany law enforcement efforts, and that it provide, when so requested by member states, technical and legal assistance to train and raise the awareness of government authorities, within the framework of domestic laws, in preventing and combating all manifestations of violence and crime with a gender perspective.

The Americas as an antipersonnel-land-mine-free zone^{3/}

25. 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.

26. To acknowledge the support demonstrated by 33 member 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, their mine action plans, and available resources; 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.

27. To urge those States Parties that requested extensions under Article 5 of the Ottawa Convention to make every effort necessary to comply with their obligations within the periods established.

28. To urge the member states, permanent observers, international organizations, and the international community to consider strengthening their technical and financial support for the Program for Comprehensive Action against Antipersonnel Mines (AICMA) and demining programs carried out by 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.

29. 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.

30. 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 Thirteenth Meeting of States Parties to the Ottawa Convention, to be held in Geneva, Switzerland, from December 2 to 6, 2013.

31. To acknowledge the support of the AICMA for the accreditation and monitoring of civil society organizations that wish to engage in humanitarian demining activities in Colombia; and to recognize the efforts made by Colombia to further develop rules and regulations to allow activities of this type to be carried out in tandem with the work being done by the Humanitarian Demining Battalion.

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." ...

32. To recognize and express support for the work of Colombia and Ecuador as co-chairs of the Ottawa Convention Standing Committees on Victim Assistance and on Resources, Cooperation, and Assistance, respectively.

33. To promote, within the framework of the domestic laws of each state, the social inclusion of victims of antipersonnel mines through the creation of educational and employment opportunities, by the public and private sectors of the Hemisphere.

34. To underscore and acknowledge the model of South-South cooperation that Peru and Ecuador have been implementing in the humanitarian demining process on their common land border. Also, to note with satisfaction the formulation and adoption of a Binational Humanitarian Demining Manual and the establishment of a Binational Humanitarian Demining Unit, which will be made available to the United Nations to be used in peacekeeping operations.

35. To note its gratitude for the cooperation that the AICMA provides to member states in the demining process as well as in the delivery of medical care to victims. Similarly, to note its gratitude for the support given by the Assistance Mission for Mine Clearance in South America (MARMINAS) through its participation with observers and provision of training.

Meetings of Ministers Responsible for Public Security in the Americas

36. To request the Permanent Council to report to the General Assembly at its forty-fourth regular session on the Fourth Meeting of Ministers Responsible for Public Security in the Americas.

Special Security Concerns of the Small Island States of the Caribbean

37. To express satisfaction with the successful outcome of the Meeting on the Special Security Concerns of the Small Island States of the Caribbean held within the framework of the CSH in Washington, D.C., on April 22, 2013.

38. To acknowledge the recommendations put forward by the Caribbean member states in the document "Background and Recommendations for Advancing Cyber-Security in the Caribbean" (CP/CSH-1500/13), which was presented at the above meeting of the CSH.

39. To instruct the Inter-American Defense Board (IADB) to accede to the request of the small island states of the Caribbean to conduct a study on the possible components of a cyber-defense strategy for the small island states of the Caribbean that request it and to present to those member states options for a cyber-defense system in keeping with the IADB Statutes.^{2/}

40. To encourage the General Secretariat, through the SMS, to continue collaborating with the CARICOM Implementation Agency for Crime and Security (IMPACS) on security-related issues.

41. To instruct the Permanent Council to continue making progress on those issues that have an impact on the security of the small island states of the Caribbean. In that regard, to continue convening the annual meeting on the special security concerns of the small island states of the

Caribbean, re-emphasizing that their peculiar characteristics as small, fragile economies with scarce resources render these states particularly vulnerable and susceptible to the effects of the myriad forms of transnational organized crime and other insecurities.

II. LEGAL INSTRUMENTS

42. 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).

43. To request the Secretary General to present to the Permanent Council prior to the forty-fourth regular session of the General Assembly a report on the status of signatures and ratifications of, and accessions to, the CIFTA and the CITAAC.

44. To take note of the recent adoption of the Arms Trade Treaty and to invite member states to consider its signature and ratification.^{4/ 5/}

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

45. To encourage the States Parties to the CIFTA to implement the Course of Action 2012-2016 for the Operation and Implementation of the CIFTA adopted by the Third Conference of States Parties to the CIFTA, held at the headquarters of the General Secretariat of the OAS on May 14 and 15, 2012.

46. To encourage the General Secretariat to create synergies in actions adopted against the illicit manufacturing of and trafficking in firearms, explosives, ammunition and related materials and to streamline efforts between the Technical Secretariat of the CIFTA and the entities, organs, mechanisms, processes, strategies, and action plans of the OAS with mandates in areas envisaged in the CIFTA.

47. To convene, within the framework of the Consultative Committee of the CIFTA, the seventh meeting of the OAS Group of Experts to Prepare Model Legislation in the Areas to Which the CIFTA Refers, as a two-day event to be held during the first quarter of 2014 at the headquarters of the OAS General Secretariat in order to continue consideration of the draft Model Legislation and Commentaries on Security Measures to Eliminate Loss and Diversion, in accordance with Article VIII of the CIFTA, as well as the draft Model Legislation and Commentaries on Record-Keeping, Confidentiality, and Exchange of Information, in accordance with Articles XI, XII, and XIII of the CIFTA.

4. With a view to preventing and combating illicit arms trafficking, the Government of Nicaragua adopted the Special Law for the Control and Regulation of Firearms, ...

5. Bolivia, Ecuador, and Venezuela state that the inclusion of the reference to the Arms Trade Treaty in this resolution...

48. To establish a working group within the framework of the CIFTA Consultative Committee to evaluate the draft harmonized standards for marking firearms in the region, prepared by the Technical Secretariat, and to present its recommendations and contributions thereon at the fifteenth regular meeting of the Consultative Committee of the CIFTA.

49. To convene the fifteenth regular meeting of the Consultative Committee of the CIFTA, pursuant to Article XXI of the CIFTA, as a one-day event to be held during the first half of 2014 at the headquarters of the OAS General Secretariat, and to request the Technical Secretariat to provide support for the preparations for and follow-up to this activity, and that it be included in the budget for programmed meetings.

50. To instruct the CIFTA Technical Secretariat to use and expand the existing secure networks of experts of the member states in order to hold, or encourage the participation of those experts in, online meetings, as well as to exchange information, analytical documents, and national legislation, using electronic media.

51. To cooperate in efforts at the regional level to prevent, combat, and eliminate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, given the threat that such activities can pose to peace, security, stability, and hemispheric development.

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

52. To reaffirm the commitment to the principles contained in the CITAAC and the commitment assumed in the Declaration of Punta del Este, adopted at the X Conference of Defense Ministers of the Americas, to promote universal participation in and full implementation of said Convention.

53. To welcome with satisfaction the Consolidated Annual Report for 2012 prepared by the SMS and to request said Secretariat to do the same for 2013.

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

55. To ask the General Secretariat to contact the non-member states of the Organization so that they may contribute to the objective of the CITAAC by providing information annually to the General Secretariat on their exports of conventional weapons to States Parties to the CITAAC, in accordance with Article V thereof.

56. To convene the Second Conference of States Parties to the Convention, in accordance with Article VIII of the CITAAC and AG/RES. 2552 (XL-O/10), at a place and date to be decided by the Permanent Council, and to request that the General Secretariat budget for the above conference and its two one-day preparatory meetings and that it support preparations for and follow-up on said conference.

57. To request the General Secretariat to continue coordinating with the IADB on the collaboration it is to provide with a view to full implementation of the CITAAC,² in keeping with operative paragraph 15 of resolution AG/RES. 2631 (XLI-O/11).

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 Drug Abuse Control Commission (CICAD)

58. To encourage member states to follow the guidelines in the Hemispheric Drug Strategy and its Plan of Action on Drugs 2011-2015, whose evaluation and monitoring is the responsibility of CICAD through ad hoc instruments, the Multilateral Evaluation Mechanism (MEM), and other tools that it identifies.

59. To express appreciation for the work of the Inter-Governmental Working Group (IWG) of the Multilateral Evaluation Mechanism (MEM), headed by Costa Rica and Mexico, and to take note with satisfaction of the proposed Evaluation Instrument for the Sixth Round of the Multilateral Evaluation Mechanism (MEM) (CICAD/doc.1977/12), approved by CICAD at its fifty-second regular session held in San Jose, Costa Rica in November 2012, and to encourage the designation of national experts to form part of the Governmental Expert Group (GEG) and their full participation during the new round.

60. To urge member states to continue strengthening national, bilateral, subregional, regional, and international demand reduction plans and programs, particularly in the areas of prevention and treatment, in order to guarantee a comprehensive and balanced approach to the world drug problem, given that drug abuse represents a social and health problem for the Hemisphere.

61. To recommend that member states continue their efforts to adopt or improve comprehensive and balanced measures aimed at reducing the availability of the illicit supply of drugs.

62. To recommend that member states strengthen the capacity of their national drug authorities to develop, implement, and coordinate national drug policies, including the active participation of key public sectors, and promote, where appropriate, the collaboration of civil society actors in the process of designing, implementing, and updating national drug policies in this area.

63. To invite member states to explore mechanisms to offer treatment, rehabilitation and social reintegration to drug-dependent individuals, as appropriate, as alternative measures to incarceration, including, *inter alia*, the drug treatment court model.

64. To urge member states to continue the design and implementation of strategies and specific programs that are centered on the welfare of individuals and their communities in order to confront the world drug problem with an approach based on social integration, human rights, health and comprehensive development.

65. To recommend that member states strengthen their drug information networks in the context of the functions of national drug observatories or similar technical offices, particularly in light of the increasing presence of new psychoactive substances, abuse of prescription drugs, and the need for early detection.

66. To endorse the CICAD Executive Secretariat's work plan for 2013, in accordance with the CICAD statutes and in line with the Hemispheric Drug Strategy and its Plan of Action on Drugs 2011-2015, and to instruct the Executive Secretariat to carry out the corresponding activities and to continue providing technical support for capacity-building in member states in line with that work plan.

67. To instruct the General Secretariat to continue providing the CICAD Executive Secretariat with the 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.

68. To recognize the importance of the central theme of the forty-third regular session of the OAS General Assembly "For a Comprehensive Policy against the World Drug Problem in the Americas" and its contribution to the debate on the world drug problem.

69. To express satisfaction with the Professional Exchange Program being offered by the CICAD Executive Secretariat, and to encourage member states to continue to participate by presenting candidates for each term.

Inter-American Committee against Terrorism (CICTE)

70. To reaffirm the commitments made in the Declaration "Strengthening Hemispheric Cooperation to Counter the Financing of Terrorism and Money Laundering" adopted by the member states of the CICTE at its thirteenth regular session held in Washington, D.C., on March 8, 2013, and to encourage member states to comply with the commitments contained therein, including the CICTE Work Plan for 2013.

71. 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 fourteenth regular session of CICTE, scheduled to take place at the headquarters of the General Secretariat of the OAS in Washington, D.C., from February 19 to 21, 2014; the twelfth meeting of National Points of Contact of CICTE to be held in conjunction with that regular session; and the three one-day meetings to be held on October 21, November 11, and December 2, 2013, at the headquarters of the OAS General Secretariat.

72. To request the Chair of CICTE to report to the General Assembly, at its forty-fourth regular session, on the implementation of the mandates contained in the CICTE Work Plan.

Inter-American Defense Board (IADB)

73. To request the IADB to continue reporting to the CSH on its analysis and review of technical assistance, educational, and consultancy services that the IADB^{2/} can provide to member states in accordance with its Statutes, and to submit a report to the CSH by December each year.

74. To invite those member states that deem it appropriate to consider continuing to provide the IADB^{2/} with the necessary financial and human resources to support the institution and to promote the academic training of military and civilian officials by the Inter-American Defense College.

75. To encourage the IADB^{2/} to continue strengthening its communication and linkage with ministries of defense of the Hemisphere, with a view to continuing to provide advisory services on military and defense matters to the OAS.

76. To request the IADB,^{2/} in accordance with its Statutes and in coordination with the Secretariat for Multidimensional Security, to conduct the following activities:

- a. 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 each year;
- b. To support the SMS in hosting the sixth meeting of the Forum on Confidence- and Security-Building Measures and make recommendations on how to improve the implementation of these measures; and
- c. To continue to attend the hemispheric armed services conferences, including the Conference of American Armies (CAA), the Inter-American Naval Conference (IANC), and the System of Cooperation among Air Forces of the Americas (SICOFAA), and report on their proceedings to the CSH.

IV. FOLLOW-UP AND REPORTING

77. To instruct the Secretariat for Multidimensional Security to submit in due course its 2013-2014 plan of activities for consultations or proper oversight by the member states.

78. 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.

FOOTNOTES

1. ... that are concerned with defense issues, given their origins, nature, scope, objectives, and performance.

The international context in which the entities concerned with defense issues in the Americas were conceived is long gone. The hemispheric relations that grew out of the Second World War and the Cold War were based on the now-defunct interventionist doctrine of national security and the principle of collective self-defense.

In Latin America and the Caribbean, we have consolidated our democracies and the full operation of the principles of sovereignty, independence, and non-intervention in our internal affairs. Accordingly, our countries reject any attempt at intervention and interference by global hegemonic powers.

The vision and execution of defense policy has moved beyond the militaristic, to submit to legally constituted civilian authority and to respect for the rule of law in all sectors of society, the very ones that consolidate the democratic institutional system in our states.

For its part, the inter-American system has not kept pace with regional political development but has kept old structures that must, without delay, adapt to the changing times in the Hemisphere.

We therefore demand that the IADB's activities be strictly confined to the mandates provided for in Article 3 of the Statutes.

2. ... on an ongoing basis a variety of 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.

3. ... Additionally, the United States' comprehensive review of its antipersonnel landmine policy is ongoing.

4. ... Ammunition, Explosives and Related Materials (Law 510), which regulates the control and registration of firearms in the possession of the civilian population, including the seizure of weapons of war. Nicaragua continues to be committed to multilateralism. However, in respect of the Arms Trade Treaty recently adopted by the United Nations, Nicaragua did not accept it because it lacks a ban on the transfer of arms to non-State actors and does not address those states that commit crimes of aggression against other states and which pursue a policy of threats and the use of force.

5. ... does not alter the position expressed by the States when said instrument was adopted.

AG/RES. 2810 (XLIII-O/13)

ELIMINATION OF NEGLECTED DISEASES AND
OTHER POVERTY-RELATED INFECTIONS

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

RECALLING that, according to Article 2 of the Charter of the Organization of American States (OAS), it is a purpose of the Organization to promote the economic, social, and cultural development of its member states and to eradicate extreme poverty;

RECOGNIZING that the aforementioned mission of the Organization implies a duty to protect the health and welfare of the peoples of the Americas, especially the most vulnerable;

AWARE that millions of persons in Latin America and the Caribbean still live at direct risk from, or are currently infected with, one or more of the neglected infectious diseases;

TAKING INTO ACCOUNT that in October 2009, the Pan American Health Organization (PAHO) considered and unanimously adopted resolution CD49.R19, "Elimination of Neglected Diseases and Other Poverty-Related Infections," and that in May 2013 the PAHO Quinquennial Report of the Director 2008-2012 was presented to the Permanent Council of the Organization, calling for the elimination of neglected diseases;

RECOGNIZING WITH SATISFACTION that PAHO resolution CD49.R19 urges member states and their respective ministries of health to commit themselves to eliminate or reduce 12 neglected infectious diseases in the region by 2015; and

CONVINCED that it should be possible in the framework of the Organization to add value to existing efforts and to contribute to PAHO's efforts in this important area of work, especially in light of the Organization's role as the central organ of the inter-American system,

RESOLVES:

To take note of resolution CD49.R19 of the PAHO Directing Council, which urges member states to commit themselves to eliminate or reduce neglected diseases and other infections related to poverty for which tools exist, to levels so that these diseases are no longer considered public health problems by 2015.

AG/RES. 2811 (XLIII-O/13)

ACCESS TO PUBLIC INFORMATION AND PROTECTION OF PERSONAL DATA^{1/}

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 2727 (XLII-O/12), “Access to Public Information and Protection of Personal Data,” and its previous resolutions on that topic; reiterating the background and mandates contained therein; and having seen the Annual Report of the Permanent Council to the General Assembly (AG/doc.5358/13 add. 1) as it pertains to the status of compliance with resolution AG/RES. 2727 (XLII-O/12);

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;

RECALLING that the principle of maximum disclosure is consubstantial to access to public information;

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, and civil society and other social actors in implementing the Model Law;

TAKING NOTE of the Preliminary Draft Inter-American Program on Access to Public Information (CP/CAJP-3135/13) presented by the Department of International Law at the meeting of the Committee on Juridical and Political Affairs (CAJP) held on April 11, 2013, pursuant to resolution AG/RES. 2727 (XLII-O/12);

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;

BEARING IN MIND that the privacy and protection of personal data whose disclosure could harm legitimate rights of its legal bearer is one of the exceptions to access to public information;

1. Ecuador, Nicaragua, and Venezuela wish to place on record that they have serious reservations regarding the legitimacy of, and the methodology employed by, the Office of the Special Rapporteur for Freedom of Expression.

TAKING NOTE that the General Secretariat has accepted the invitation of the Ibero-American Data Protection Network (RIPD) to participate in said network as a permanent observer; 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; of resolution CJI/RES. 186 (LXXX-O/12), "Proposed Statement of Principles for Privacy and Personal Data Protection in the Americas," presented by the Inter-American Juridical Committee; and of the meeting of the CAJP held on November 13, 2012, with the participation of the Inter-American Juridical Committee, the member states, and the General Secretariat, to analyze the studies received on personal data protection and consider the possibility of a regional framework in this area,

RESOLVES:

1. To reaffirm the importance of access to public 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, through the Department of International Law, to support, with the assistance of civil society and other social actors, 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 Permanent Council, through the Committee on Juridical and Political Affairs (CAJP), to include on its agenda in the last quarter of 2013 the consideration of the Preliminary Draft Inter-American Program on Access to Public Information (CP/CAJP-3135/13) submitted by the Department of International Law pursuant to resolution AG/RES. 2727 (XLII-O/12).

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 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 that in turn includes, with the support of the Department of International Law, information regarding national legislations, experiences, and best practices on the issue of access to public information in the region.

7. To invite member states, when applicable, and the General Secretariat, through the latter's Department of International Law, to support the efforts of the Ibero-American Data Protection Network (RIPD) and to participate actively in meetings of the International Conference of Data Protection and Privacy Commissioners.

8. To instruct the Inter-American Juridical Committee to prepare proposals for the CAJP on the different ways in which the protection of personal data can be regulated, including a model law on personal data protection, taking into account international standards in that area.

9. 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.

10. 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.

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. 2812 (XLIII-O/13)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF
THE REPUBLIC OF GUATEMALA

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the forty-third regular session of the General Assembly of the Organization of American States was held in La Antigua Guatemala, Guatemala from June 4 to 6, 2013;

That during this regular session of the General Assembly, the delegations expressed their profound gratitude to His Excellency Luis Fernando Carrera Castro, Minister of Foreign Affairs of the Republic of Guatemala, for the skill with which he steered the discussions, which led to the adoption of important declarations and resolutions on high-priority issues on the hemispheric agenda; and

UNDERSCORING the warm welcome extended by the people and Government of Guatemala,

RESOLVES:

1. To express its gratitude to His Excellency Otto Fernando Pérez Molina, President of the Republic of Guatemala, and particularly to the citizens of the city of La Antigua Guatemala, for their warm and generous hospitality and the contribution that they have made to the success of the forty-third regular session of the General Assembly of the Organization of American States (OAS).

2. To recognize and commend His Excellency Luis Fernando Carrera Castro, Minister of Foreign Affairs of the Republic of Guatemala, on his able leadership as President of the forty-third regular session of the General Assembly.

3. To express its appreciation and gratitude to Ambassador José Rodrigo Viemann de León, Permanent Representative of Guatemala to the OAS, the members of the Permanent Mission of Guatemala to the OAS, and the officials from the Guatemalan Ministry of Foreign Affairs, whose efficiency, dedication, and professionalism contributed to the success of the forty-third regular session of the General Assembly.

AG/RES. 2813 (XLIII-O/13)

PLACE AND DATE OF THE FORTY-FOURTH
REGULAR SESSION OF THE GENERAL ASSEMBLY

(Adopted at the fourth plenary session, held on June 6, 2013)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT Articles 43 and 44 of the Rules of Procedure of the General Assembly relating to the holding of regular sessions of the General Assembly and the 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 Paraguay has offered to host the forty-fourth regular session of the General Assembly, which is to be held in 2014, 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 determine that the forty-fourth regular session of the General Assembly will be held in Asunción, Republic of Paraguay, from June 3 to 5, 2014.
2. To thank the Government of the Republic of Paraguay for its generous offer to host the forty-fourth regular session of the General Assembly.

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 978-0-8270-6053-1

OEA/Ser.P/XLIII-O.2

PROCEEDINGS

VOLUME I

AG/DEC. 71 - 73 (XLIII-O/13)

AG/RES. 2765 - 2813 (XLIII-O/13)

AG