

**THE INTER-AMERICAN JURIDICAL COMMITTEE ON THE CODIFICATION OF
PRIVATE INTERNATIONAL LAW AND PREPARATION OF THE SEVENTH INTER-
AMERICAN SPECIALIZED CONFERENCE ON PRIVATE INTERNATIONAL LAW**

(presented by Dr. Ana Elizabeth Villalta Vizcarra)

Pursuant to resolutions [AG/RES.2060 (XXXV-O/05)] and [AG/RES.2065 (XXXV-O/05)] the Inter-American Juridical Committee was asked to continue its examination of the status of private international law in the Americas and contribute toward the preparations of the next Inter-American Specialized Conference on Private International Law (CIDIP-VII). It was also asked to submit its comments and observations about the themes in the Final Agenda for the CIDIP-VII, bearing in mind aforementioned resolutions, and to draft the following report for the appreciation of the Inter-American Juridical Committee during its 67th regular session.

1. Background

The first attempt at codification in America was made by the Congress of Panama convened by Simón Bolívar in 1824.

Later, the Lima Conferences were held in 1847, 1861, 1867 and 1878 to codify private international law, but it failed to reach any practical result, even though it did good technical and investigation work.

In 1877 a Congress of Jurists was held in Lima, Peru, to set uniform rules of private international law, this meeting culminating in the “Lima Congress (1877-1878)”, attended by specialist delegates from Argentina, Bolivia, Chile, Cuba, Ecuador and Peru. Also at this meeting a treaty on private international law was drawn up that comprised matters relating to the status and capacity of persons, marriage, succession, jurisdiction in criminal matters, juridical acts, execution of foreign judgments and legalization.

This treaty was called the “Lima Treaty” which could not be enforced because it was ratified solely by Peru.

In 1889 in Montevideo, Uruguay, a new Congress was held to sign a treaty that governed the regulations of private international law, attended by representatives from Argentina, Bolivia, Chile, Paraguay, Peru and Uruguay, this Congress culminating in the “1889-1990 Montevideo Treaties”, since at this event several treaties were signed relating to the: a) Treaty on International

Civil Law; b) Treaty on International Commercial Law; c) Treaty on International Criminal Law; d) Treaty on International Procedural Law; e) Treaty on Literary and Artistic Copyright; f) Treaty on Trademarks, and e) Treaty on Practice of Liberal Professions.

These 1889 Montevideo Treaties had repercussion in Central America, resulting in meetings of the Central American Juridical Congress in 1897 and 1901, when Conventions on civil, mercantile, criminal, procedural law, extradition and literary and artistic copyright were signed.

These treaties had a decisive influence on continental law, since they contractually regulated the institution of asylum in embassies or legations and warships and the system of domicile was adopted to settle the conflict of laws.

In 1889, the First International American Conference, held in Washington D.C., United States of America, adopted a resolution in which it urged States that had not done so to sign the “1889 Montevideo Treaties”, and recommended the signing of a general arbitration treaty of a mandatory nature.

At the Second International American Conference in Mexico in (1901-1902), a convention was signed by the representatives present, the purpose of which was to draft the codes of public and private international law for which committees were created.

At the Third International American Conference in Rio de Janeiro, Brazil in 1906, the “International Commission of American Jurists” was created to draft the codes, one for public international law and the other for private international law. The Commission met in 1912 and adopted the drafts on extradition and on foreign judgments and six sub-committees were created, the fifth entrusted with the study of private international law.

At the Fourth International American Conference in Buenos Aires, Argentina, in 1910, treaties on private international law on trade marks, invention patents and industrial drawings and models.

In 1911, Bolivia, Ecuador, Colombia, Peru and Venezuela met at the “Bolivarian Congress” and adopted five private international law agreements on: literary and artistic property, academic degrees, extradition, patents and privileges of invention, and judicial acts of aliens.

In 1912, the “American Institute of International Law” was created, which contributed considerably to ongoing development and codification of international law and in which Cuban jurist Dr. Antonio Sánchez de Bustamante prepared the Draft Code of Private International Law.

The Fifth International American Conference, held in Santiago, Chile, in 1923, which was strongly in favor of codification, a convention was adopted for the protection of commercial, industrial and agricultural trade marks and commercial names, and recommended the adoption of a code for private international law and convening a meeting of the International Commission of American Jurists for this purpose.

At this Conference it was also agreed on what should be understood by American International Law, to which Chilean jurist Dr. Alejandro Álvarez gave a valuable contribution. At

that time the Rio Panel of Jurists was organized and it was agreed that the system to be adopted for codification of both private and public international law would be gradual and progressive.

This meeting was held in Rio de Janeiro in 1927 and in terms of private international law adopted the draft code prepared by Prof. Antonio Sánchez de Bustamante, who took as reference the Montevideo Treaties, the drafts prepared by the Fifth and Sixth Committee and the draft code of Brazilian jurist Lafayette Rodrigues Pereira.

The Sixth International American Conference in Havana, Cuba, in 1928, adopted the draft code of private international law, prepared by Antonio Sánchez de Bustamante and for that reason was called the “Bustamante Code”, consisting of 437 articles and containing subjects relating to general rules, international civil law, international mercantile law, international criminal law and international procedural law. This code was signed by twenty countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

This Conference also adopted agreements on the protection of trademarks, a uniform law on bills of exchange, restatement of the mandatory commercial arbitration and the uniformity of legislation concerning public corporations, and added new codification methods, for which another three committees were created, one in Rio de Janeiro for work on public international law; another in Montevideo for work on private international law, and the third in Havana for comparative legislation and unification of laws.

This Conference was extremely productive and contributed considerably to the international system and international law in general.

At the Seventh International American Conference in Montevideo, Uruguay in 1933, recommendations were made to hold a conference on international commercial arbitration; to unify laws on simplifying and standardizing powers of attorney; to adopt The Hague regulations on unifying the law on exchange, and regulations made on the nationality of women, and the civil and political rights of women.

In 1938 the Eighth International American Conference was held in Lima, Peru, when a Permanent Committee of Jurists was created to prepare unification of civil and commercial laws of the Americas.

In 1939, a Congress in Montevideo, Uruguay, was called to sign the “1889 Montevideo Treaties”, when it was decided to update them based on fifty years of experience of their application. Accordingly, the “**1939-1940 Montevideo Treaties**” were signed as follows: 1939 Treaty on asylum and political refuge; 1939 Treaty on intellectual property; 1939 Convention on the practice of liberal professions; 1940 Treaty on the law of international commercial navigation; Treaty on international commercial terrestrial law; Treaty on international civil law; Treaty on international procedural law; Treaty on international criminal law; and an Additional Protocol.

In 1940 the Convention was also signed concerning the legal uniformity of powers of attorney.

In 1939, the “International Commission of American Jurists” takes the name “Inter-American Committee of Neutrality” and in 1942, at the Third Consultation Meeting of Ministers of Foreign Affairs in Rio de Janeiro under resolution XXVI its name changes again to “Inter-American Juridical Committee”, attributing one of its functions to “develop and coordinate the codification work of international law, without detriment to the competence of the existing organizations”.

In 1945 at the “Chapultepec Conferences on War and Peace”, the Inter-American Juridical Committee submitted a report on the codification of international law, whose conclusions were adopted by that Conference.

In 1948, at the Ninth International American Conference in Bogota, Colombia, the Charter of the Organization of American States (OAS) was adopted and came to be known as the “Bogota Charter”. The “Inter-American Council of Jurists” was created to act as an advisory body on juridical matters, to promote the development and codification of private and public international law and by which the “Inter-American Juridical Committee” became a Permanent Committee.

The work of the Inter-American Juridical Committee was productive in the field of codifying international law, for which it formulated a plan to codify private international law.

In 1950 “Inter-American Juridical Committee” was entrusted with the study and analysis of the possibility of reviewing as far as possible the “Bustamante Code”, the outcome of the 1928 Sixth International American Conference, in the light of the 1889-1889 and 1939-1940 “Montevideo Treaties” of the “Restatement of the Law of Conflict of Laws”, prepared by the American Law Institute, United States of America, in order to unify these three codifications and analyze the systematic and technical differences existing between them and also analyze the reservations with the “Bustamante Code” made by the States.

In 1951, the Inter-American Juridical Committee wrote a first report on the method of codification. In a second report, the Inter-American Juridical Committee reckoned that the “Code could be reviewed for improvement at several points, in order to be closer to the uniformity of the regulations of private international law of the different American countries, especially the law applicable to civil status and personal capacity”.

The Committee also prepared a comparative study on the provisions in the Bustamante Code, Montevideo Treaties and regulations in the Restatement of the Law of Conflict of Laws, and submitted it for consideration by governments for their comments. It only received comments from the USA and Ecuador.

On this matter, the USA considered that it was not possible to harmonize the Restatement with the Montevideo Treaties and Bustamante Code and that it, stating as follows: “The Bustamante Code refers to matters that are the internal competence of the various States of the Organization and in which there are regulations on conflict of laws that are not the same or reconcilable”. It also said: “That it is unfeasible to harmonize the Restatement with the other codifying instruments and that even when the preparation of a single code is reached, its ratification

is very difficult if not impossible by the United States of America, due to the federal structure of its government”.¹

Ecuador, on the other hand, stated: “we believe that we should not for the time being insist on including in the codification work the North American Restatement and that the task should be restricted to reviewing the Bustamante Code, in the light of the “1889 and 1940 Montevideo Treaties”.²

Earlier the Inter-American Juridical Committee recommended: “a) restricting the unification work to the Bustamante Code and Montevideo Treaties”; b) suggest an efficient method to be clearly established with regard to the different juridical relations, status of the non-ratifying countries or those ratifying with reservations, and c) recommend the governments to examine the frequently mentioned Comparative Study and all or some questions contained therein”.

In 1959, a new resolution was adopted wherein the Inter-American Juridical Committee was urged to continue its review work to obtain the unification of the regulations of private international law of the American States, further reducing the reservations concerning the Code.

In 1965 at the Fifth Meeting of the Inter-American Council of Jurists, held in San Salvador, El Salvador, it recommended that in 1967 a “**Specialized Conference on Private International Law**” be convened to review certain parts of the Bustamante Code, such as general regulations, international civil law and international commercial law.

In this sense, Colombian delegate Dr. José Joaquín Caicedo Castilla prepared a new draft code of private international law that substituted the Bustamante Code, and which also contained the comments on reforms indicated by the latter. On this matter the Inter-American Juridical Committee recommended that it would be useful to inform the governments and the Specialized Conference on Private International Law about this draft.

In 1967 with the “Buenos Aires Protocol” that amends the OAS Charter, the “Inter-American Council of Jurists” was extinguished and the “Inter-American Juridical Committee” was promoted to principal organ of the Organization of American States, including in its functions “promoting the development and codification of public international law and private international law”.³

2- INTER-AMERICAN SPECIALIZED CONFERENCES ON PRIVATE INTERNATIONAL LAW

In the light of the above, under resolution [AG/RES.48 (I-0/71)] adopted on April 23rd, 1971, the General Assembly of the Organization of American States called the “**First Specialized Conference on Private International Law**” and entrusted the Permanent Council to prepare the draft agendas and regulations of the Conference, and the Inter-American Juridical Committee to “prepare the studies, reports and draft conventions required for use of the aforementioned Specialized Conference”.

¹ MONROY CABRA, Marco Gerardo. *Tratado de derecho internacional privado*, 1999.

² Idem.

³ 1967 Buenos Aires Protocol.

Accordingly, the Permanent Council of the Organization, under resolution [CP/RES.109 (120/74)] dated March 20th, 1974, chose the city of Panama to host the First Specialized Conference on Private International Law, and earlier, pursuant to resolution [CP/RES.83 (89/72)] dated December 20th, 1972, adopted the following draft agenda:

1) Multinational commercial companies, 2) commercial companies; 3) international procurement of goods; 4) bills of exchange, checks and international promissory notes; 5) international commercial arbitration; 6) international waterborne transportation with special reference to bills of lading; 7) processing letters rogatory; 8) acknowledgment and execution of foreign legal sentences; 9) taking of overseas evidence on civil and commercial matters; 10) legal system of the powers of attorney to be adopted abroad, and 11) action to be taken to develop the other themes in private international law.

The Inter-American Juridical Committee in turn, and at its session from July 26th to August 27th 1973, prepared draft conventions and other documents on the eleven points of the draft agenda adopted by the Permanent Council.

The importance of this Specialized Conference of Panama is that it was the start of the process of harmonizing the regulations about conflicts of laws in America, with the approval of six inter-American conventions, as follows: a) Inter-American convention on letters rogatory; b) Inter-American convention on conflict of laws concerning bills of exchange, promissory notes and invoices; c) Inter-American convention on conflict of laws concerning checks; d) Inter-American convention on the taking of evidence abroad; e) Inter-American convention on the legal regime of powers of attorney to be used abroad; and f) Inter-American convention on international commercial arbitration.

All those conventions were signed by the delegates of the Organization's member States on January 30th, 1975, based on the relevant draft conventions prepared by the Inter-American Juridical Committee.

This Conference asked the General Assembly of the Organization of American States (OAS) to convene, at its Fifth regular session in April 1975, the Second Specialized Conference on Private International Law, to continue studying and examining the topics that, at the discretion of the OAS member States, it considers worthy of further attention and importance.

The Conference also adopted a resolution requesting the Permanent Council of the Organization to entrust the Inter-American Juridical Committee with the study and preparation of drafts on conflict of laws concerning international checks and a uniform law on the same subject.

Pursuant to resolution [AG/RES.187 (V-O/75)], adopted by the General Assembly of the Organization of American States on May 19th, 1975, the “**Second Inter-American Specialized Conference on Private International Law (CIDIP-II)**”, was called to be held in Montevideo, Uruguay, from April 23rd to May 8th, 1979.

The General Assembly of the Organization entrusted the Permanent Council and the Inter-American Juridical Committee to prepare draft agendas, conference regulations and studies and reports on the matters under discussion. Accordingly, the Permanent Council adopted on May 24th,

1978, the draft regulations of CIDIP-II, and the Inter-American Juridical Committee, in turn, prepared the draft conventions on the topics in the agenda of the Conference, while the Legal Advisors of the Organization prepared the technical documents to facilitate the work of the Conference.

This Second Specialized Conference on Private International Law (CIDIP-II) adopted the following conventions: 1) Inter-American convention on conflict of laws concerning checks; 2) Inter-American convention on conflict of laws concerning commercial companies; 3) Inter-American convention on extraterritorial validity of foreign judgments and arbitral awards; 4) Inter-American convention on execution of preventive measures; 5) Inter-American convention on proof of and information on foreign law; 6) Inter-American convention on domicile of natural persons in private international law; 7) Inter-American convention on general rules of private international law, and 8) Additional protocol to the inter-American convention on letters rogatory.

These Conventions were based on the draft conventions prepared by the Inter-American Juridical Committee.

This Second Specialized Conference asked the General Assembly of the Organization to convene the Third Specialized Conference on Private International Law (CIDIP-III) and to consider the convenience of institutionalizing the “Inter-American Specialized Conference on Private International Law (CIDIP)”, which should meet every three years; and to suggest that the OAS General Secretariat continue to prepare technical and informative documents on the points in the agenda in order to facilitate the work of the Third Conference, as well as provide secretarial services.

The “**Third Inter-American Specialized Conference on Private International Law (CIDIP-III)**” was convened pursuant to resolution [AG/RES.505 (X-O/80)], adopted by the OAS General Assembly on November 27th, 1980.

In this resolution, the General Assembly entrusted the Inter-American Juridical Committee to prepare the reports, draft conventions and statement of reasons required for the Conference, suggested that the Permanent Council of the Organization prepare the draft agendas and regulations for CIDIP-III, and asked the General Secretariat to prepare the technical and informative documents on the points in the agenda and to provide secretarial services.

Accordingly, the Permanent Council, under resolution [CP/RES. 376 (510/82)] dated November 10th, 1982, adopted the draft agenda for the Conference and under resolution [CP/RES.379 (515/83)] dated February 2nd, 1983, adopted the Draft Rules of Procedure.

The agenda of said Conference was the following: 1) International waterborne transportation; 2) International land transportation of goods and passengers; 3) Personality and capacity of natural and juridical persons; 4) Adoption of minors; 5) Draft Additional Protocol to the Inter-American Convention on taking proof abroad; 6) Draft Inter-American Convention on international competency for extraterritorial validity of foreign judgments and arbitral awards.

In turn, the Inter-American Juridical Committee prepared the draft Conventions in the agenda and other documents on the same subject at its 1981, 1982, 1983 and 1984 regular sessions.

The Permanent Council of the Organization chose the city of La Paz, Bolivia, to host the CIDIP-III in 1984.

The Third Specialized Conference on Private International Law began on May 15th, 1984, attended by delegates from 18 OAS member States.

At this Conference the following Conventions were adopted: 1) Inter-American convention on conflict of law concerning the adoption of minors; 2) Inter-American convention on personality and capacity of juridical persons in private international law; 3) Inter-American convention on jurisdiction in the international sphere for the extraterritorial validity of foreign judgments and arbitral awards; 4) Additional Protocol to the Inter-American convention on the taking of evidence abroad.

This Conference also adopted various resolutions, such as, for example, the request to the OAS General Assembly to call the Fourth Inter-American Specialized Conference on Private International Law (CIDIP-IV).

Under resolution [AG/RES.771 (XV-O/85)] dated December 9th, 1985, the General Assembly of the Organization of American States agreed to hold the “**Fourth Inter-American Specialized Conference on Private International Law**”.

In this resolution, the OAS General Assembly entrusted the Inter-American Juridical Committee to prepare the draft conventions and relevant statements of motives necessary for the Conference; the Permanent Council of the Organization was entrusted to draw up the draft agenda and regulations of CIDIP IV, and the OAS General Secretariat to prepare technical and informative documents on the agenda and provide secretarial services.

Under resolution [CP/RES.496 (731/88)], the Permanent Council chose the city of Montevideo, Uruguay, to host the CIDIP-IV in 1989.

On October 23rd, 1987, pursuant to resolution [CP/RES. 486 (717/87)], the Permanent Council adopted the following draft agenda: 1) Abduction and return of minors; 2) Land transportation; 3) International contracting and 4) Support obligations (alimony).

The Fourth Specialized Conference on Private International Law was held from July 9th to 15th, 1989, in Montevideo, Uruguay, in the presence of delegates from 17 member States of the Organization.

The Fourth Conference adopted three conventions, as follows: 1) Inter-American convention on international return of children; 2) Inter-American convention on support obligations, and 3) Inter-American convention on contracts for the international carriage of goods by road.

Pursuant to resolution [AG/RES.1024 (XIX-O/89)] the General Assembly of the Organization of American States convened the “**Fifth Inter-American Specialized Conference on Private International Law (CIDIP-V)**”, entrusting the Permanent Council of the Organization to prepare the draft agenda, and the Inter-American Juridical Committee to prepare a draft inter-American convention on a “law applicable to international contracts” and a study on “preparing rules for the regulation of international businesses that so require and of international contracts”

and “general outlines relating to a draft inter-American convention for the repression of international trafficking of minors”; it also entrusted the General Secretariat to prepare the relevant documents as well as convene a meeting of experts on international contracts.

The Permanent Council of the Organization, under resolution [CP/RES.588 (911/92)], adopted the following agenda for CIDIP-V: 1) Law applicable to international contracts; 2) Civil and criminal aspects of trafficking of minors, and 3) Juridical aspects and private international law concerning technology transfer agreements, and 4) other business.

At the Fifth Inter-International American Conference two meetings of experts were held, one in **Oaxetepec, Morelos, Mexico**, from October 13th to 26th, 1993, on trafficking children, which prepared a draft inter-American convention on international trafficking of minors, and the other in **Tucson, Arizona**, from November 11th to 14th, 1993, on international contracts.

On May 20th, 1993, Mexico City was chosen to host CIDIP-V on March 14th, 1994.

The conventions adopted at the Fifth Specialized Conference were as follows: 1) Inter-American convention on a law applicable to international contracts, and 2) Inter-American convention on international traffick of minors.

This Conference suggested that the General Assembly of the Organization convene the Sixth Inter-American Specialized Conference on Private International Law and suggested that its agenda should include the following topics: 1) Power of attorney and commercial representation; 2) Conflict of laws concerning non-contractual liability; 3) Uniform mercantile documentation for free trade; 4) International bankruptcies; 5) Problem of private international law of international loan contracts of a private nature; 6) Civil liability for the transportation agreement: Aspects of private international law, and 7) International protection of the minor in the sphere of private international law: Patria Potestas Guardianship and Visiting Rights.

Under resolution [AG/RES.1339 (XXIX-O/96)] of the OAS General Assembly, the **Sixth Inter-American Specialized Conference on Private International Law (CIDIP-VI)** was held in Washington, D. C. from February 4th to 8th, 2002, the preparatory documents being the introduction and report of the Inter-American Juridical Committee “CIDIP-VII and beyond” (CJI/doc.74/01 rev.1); CIDIP-VI/doc.10/02 document; the report by the Secretariat for Legal Affairs of the General Secretariat of OAS called “The history of the CIDIP process” (CIDIP-VI/doc.11/02); as well as the product of the meetings of the expert delegations to CIDIP-VI.

Pursuant to resolution [AG/RES.1472 (XXVII-O/97)] the OAS General Assembly instructed the Permanent Council to continue its study on the topics of CIDIP-VI.

Under resolution [CP/RES. 744 (1185/99)] the Permanent Council adopted the draft agenda, later ratified by the General Assembly, as follows:

- “i. Uniform mercantile documentation for international transportation, with particular reference to the 1989 “Inter-American convention on hiring international road haulage”, and the possible inclusion of an Additional Protocol on bills of lading.

- ii. International loan contracts of a private nature and, in particular, uniformity and harmonization of the international commercial and financial guaranty systems.
- iii. Conflict of laws concerning non-contractual liability with emphasis on the subject of competency of jurisdiction and the laws applicable to international civil liability for transborder pollution....”

CIDIP-VI adopted the following international instruments:

- Model inter-American law on secured transactions;
- The inter-American negotiable uniform through bill of lading for international carriage of good by road, and
- The inter-American non-negotiable uniform through bill of lading for international carriage of good by road.

In relation to point III of the adopted agenda, the Conference did not reach an agreement on any instrument and instead adopted a resolution requesting further studies by the Inter-American Juridical Committee on the topic of non-contractual liability in cases of transborder pollution, including the examination of documents and precedents, the drafting of a report and, if adopted, preparation of a draft international instrument to be submitted to a group of experts and afterwards to be examined at the 2003 General Assembly.

The Inter-American Juridical Committee appointed as rapporteurs for this report Drs. Carlos Manuel Vázquez and Ana Elizabeth Villalta Vizcarra, who submitted their reports at the 61st, 62nd and 63rd regular sessions of the IAJC, including their final report at the 63rd regular session.⁴

The Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII).

The OAS General Assembly, pursuant to resolution [AG/RES.1923 (XXXIII-O/03)] under the name of “Preparations for the Seventh Inter-American Specialized Conference on Private International Law” adopted on June 10th, 2003, resolved, among other things: to convene the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII) and instruct the Permanent Council, with the assistance of the General Secretariat, to conduct preliminary consultations concerning the dates and possible venues for CIDIP-VII, and to establish mechanisms to facilitate member State consultations on the proposed draft agenda and draft rules of procedure for CIDIP-VII; and asked the Inter-American Juridical Committee to continue providing its comments and observations concerning the draft agenda for CIDIP-VII.

On this matter, in document CJI/doc.89/02 of the Inter-American Juridical Committee called “Sixth Inter-American Specialized Conference on Private International Law (CIDIP-VI)” submitted by Drs. Carlos Manuel Vázquez and João Grandino Rodas, three topics that had been

⁴ VILLALTA VIZCARRA, Ana Elizabeth. *Applicable Law and competence of international jurisdiction concerning non-contractual civil liability* (CJI/doc.130/03, July 29, 2003).
VÁZQUEZ, Carlos Manuel. *Jurisdiction and choice of law for non-contractual obligations – Part II: specific types of non-contractual liability potentially suitable for treatment in an inter-American private international law instrument* (CJI/doc.133/03), August 4, 2003).

mentioned in the IACJ report were discussed, referring to the topics of CIDIP-VII as follows: electronic mail, transnational insolvency, and migration and free movement of persons.

Under resolution [AG/RES.2033 (XXXIV-O/04)] called “Inter-American Specialized Conferences on Private International Law”, adopted on June 8th, 2004, the OAS General Assembly resolved, among other issues: “1. To urge the member States that have not already done so to submit proposals and comments on the possible CIDIP-VII agenda; 2. To request the Permanent Council, in conjunction with the General Secretariat, to study the topics proposed by the member States and their feasibility and inclusion in the CIDIP-VII agenda; 3. To entrust the Permanent Council to continue its inquiries about a possible date and venue for the Seventh Specialized Conference on Private International Law; to ask the Inter-American Juridical Committee to contribute with preparatory work for the CIDIP-VII once the Permanent Council approves its agenda...”

The following Member States presented the topics:

- Peru
- El Salvador
- Brazil
- Mexico
- Canada
- Uruguay
- United States
- Chile

Pursuant to the OAS General Assembly resolutions [AG/RES.1923 (XXXIII-O/03)] and [AG/RES.2033 (XXXIV-O/04)], the Inter-American Juridical Committee was instructed to continue presenting its comments and observations with regard to the proposed CIDIP-VII agenda and contribute with the preparatory work for the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), once the Permanent Council adopted its agenda.

During the 35th regular session of the OAS General Assembly from June 5th to 7th, 2005, in Fort Lauderdale, Florida, USA, resolution [AG/RES.2065 (XXXV-O/05)] on the “**Seventh Inter-American Specialized Conference on Private International Law**”, it resolved:

- ‘1. To take note of the report of the Permanent Council concerning the Seventh Inter-American Specialized Conference on Private International Law, which set the following agenda:
 - a. Consumer protection: Applicable Law, Jurisdiction and Monetary Redress (Conventions and Model laws);
 - b. Secured transactions: Electronic Registries for Implementation of the Model the Inter-American Law on secured transactions.
2. To instruct the Permanent Council to establish a methodology for the preparatory work necessary to draft the inter-American instruments to be considered by the Seventh Inter-American Specialized Conference on Private International Law.

3. To instruct the Permanent Council to set the date and place for the Seventh Inter-American Specialized Conference on Private International Law.
4. To request the Inter-American Juridical Committee to present its comments and observations concerning the topics of the final agenda of the CIDIP-VII.
5. To instruct the Permanent Council that when, through its Committee on Juridical and Political Affairs, it considers future topics for upcoming Inter-American Specialized Conferences on Private International Law, it include, among others, the topic of an Inter-American Convention on International Jurisdiction.
6. To entrust the Permanent Council to follow up on this resolution, which will be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at 36th regular session.

In this codification work the Organization of American States (OAS) and the Inter-American Juridical Committee (IAJC) have contributed greatly to adopting regulations on disputes and uniform regulations that hope to bring the civil law closer to the common law systems and unify private international law.

Since 1975 the inter-American institutional framework of private international law was the **Inter-American Specialized Conferences on Private International Law**, which are convened by the Organization of American States (OAS) every four to six years and are known as **CIDIP** (*Conferencias Especializadas Interamericanas sobre Derecho Internacional Privado*), which to date has produced 26 international instruments, such as, for example, conventions, protocols, uniform instruments and model laws that have contributed substantially to the codification and unification of the private international law regulations in America.

The Organization of American States (OAS) in conjunction with the Inter-American Juridical Committee (IAJC) convened six Inter-American Specialized Conferences on Private International Law, known as CIDIP, held in Panama (1975), Montevideo (1979), La Paz (1984), Montevideo (1989), Mexico (1994) and Washington D.C. (2002), and is currently making all necessary preparations to convene the Seventh Specialized Conference on Private International Law.

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