

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES
COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

OEA/Ser.G
CP/CAJP/INF. 136/11 corr. 1
20 September 2011
Original: Spanish

REPORT ON THE INTER-AMERICAN PROGRAM
FOR THE DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2590 (XL-O/10)]

(Activities carried out by the Department of International Law of the
Secretariat for Legal Affairs during the period 2010-2011)

OEA/Sec/Gral.
DIL/doc.3/11 corr.1
Septiembre 6 2011
original - spanish

REPORT ON THE INTER-AMERICAN PROGRAM
FOR THE DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2590 (XL-O/10)]

Activities carried out by the
Department of International Law
of the Secretariat for Legal Affairs
in 2010-2011

REPORT ON THE INTER-AMERICAN PROGRAM
FOR THE DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2590 (XL-O/10)]

Activities carried out by the
Department of International Law
of the Secretariat for Legal Affairs
in 2010-2011

Index

PRESENTATION OF THE REPORT	III
EXECUTIVE SUMMARY	V
I. BACKGROUND.....	7
II. THIRTY-SEVENTH COURSE ON INTERNATIONAL LAW	8
III. ACTIVITIES UNDERTAKEN TO DISSEMINATE INTERNATIONAL LAW AND/OR THE INTER-AMERICAN SYSTEM IN THE FRAMEWORK OF PROJECTS AND MANDATES ON SPECIFIC TOPICS.....	10
A. <i>INDIGENOUS PEOPLES</i>	11
1. <i>Good Governance Course</i>	11
2. <i>Training Seminar on the Rights of Indigenous Peoples in the Inter-American System</i>	12
3. <i>Training Workshop on the Political Participation of Indigenous Women</i>	13
4. <i>Training Seminar on Mechanisms for the Participation of Indigenous Peoples in the Inter-American System</i>	13
5. <i>Seminar on the Legal Situation, Public Policies, Sound Practices and Affirmative Action</i>	14
B. <i>AFRO-DESCENDANTS</i>	15
1. <i>Subregional workshop for the Andean region “Participation and Incidence of Afro-descendants in the OAS”</i>	15
2. <i>Second Expert Workshop on Afro-descendants in the Americas</i>	16
C. <i>ACCESS TO INFORMATION</i>	17
1. <i>Model Law and Implementation Guidelines</i>	17
2. <i>Special meeting</i>	18
3. <i>International Seminar on the Model Law on Access to Public Information in the Region and in Mexico</i>	19
D. <i>NETWORK FOR LEGAL COOPERATION IN THE AREA OF FAMILY AND CHILDREN’S LAW</i>	20
1. <i>Second Pilot Project</i>	21
2. <i>First Technical Meeting of REMJA</i>	22
E. <i>MISCELLANEOUS TOPICS OF PRIVATE INTERNATIONAL LAW</i>	24
1. <i>United Nations Commission on International Trade Law</i>	24
2. <i>The World Bank Group</i>	24
3. <i>International Institute for the Unification of Private International Law</i>	25
4. <i>Meeting of International Experts</i>	26
5. <i>The U.S.State Department’s Advisory Committee</i>	27
IV. PRESENTATIONS BY STAFF OF THE DEPARTMENT OF INTERNATIONAL LAW IN DIFFERENT FORUMS (BY TOPIC)	28
A. <i>MISCELLANEOUS TOPICS CONCERNING THE INTER-AMERICAN SYSTEM</i>	28
1. <i>Course on the Inter-American System</i>	28
2. <i>Treaty Law</i>	28
3. <i>Inter-American Relations: Looking Ahead - Una visión hacia el futuro (Georgetown University)</i>	29

B.	MISCELLANEOUS TOPICS OF PRIVATE INTERNATIONAL LAW.....	30
1.	104 th Annual Conference of the American Society for International Law.....	30
2.	Annual Conference of the State Bar of Arizona.....	30
3.	International Congress on Comparative Law.....	31
4.	Mexican Academy of Private and Comparative International Law.....	31
5.	Event at the National Press Club on legal concepts used in contemporary finance.....	32
C.	INTERNATIONAL CRIMINAL LAW.....	32
D.	INTERNATIONAL HUMANITARIAN LAW.....	33
1.	International Conference of National Commissions on International Humanitarian Law.....	33
2.	Third Universal Meeting of National Commissions on International Humanitarian Law.....	34
E.	ACCESS TO PUBLIC INFORMATION.....	34
1.	International Seminar on the Implementation of the Law on Transparency and Access to Information.....	34
2.	National Transparency Week in Mexico.....	35
F.	INDIGENOUS PEOPLES.....	36
1.	Meeting of Experts (Vancouver, Canada).....	36
2.	Permanent Forum on Indigenous Issues.....	36
3.	Thirty-seventh Course on International Law.....	36
4.	Seventh Inter-Agency Meeting of Cooperation Agencies (Madrid, Spain).....	37
G.	AFRO-DESCENDANTS. RACISM, DISCRIMINATION AND INTOLERANCE.....	37
1.	Series of workshops on “Participation and Incidence of Afro-descendants in the OAS”.....	37
2.	Ninth Session of the Working Group of Experts on People of African Descent.....	37
3.	Forum on Participation and Incidence of Afro-descendants in the OAS.....	38
4.	Thirty-seventh Course on International Law.....	38
5.	Workshop “Increasing participation and incidence of Afro-descendants in the OAS and the Summit of the Americas Process”.....	39
H.	INTERNALLY DISPLACED PERSONS.....	39
I.	INTERNATIONAL HUMAN RIGHTS LAW.....	40
1.	First Course on International Human Rights Law.....	40
2.	Specific groups in a situation of vulnerability.....	41
3.	First International Ombudsman Conference.....	41
4.	Master's in International Protection of Human Rights (Universidad de Alcalá, Spain).....	41
V.	PUBLICATIONS AND VIRTUAL BOOKSTORE.....	42
A.	THIRTY-SEVENTH COURSE ON INTERNATIONAL LAW.....	43
B.	REPRINT OF THE OAS CHARTER.....	43
C.	PEOPLE OF AFRICAN DESCENT.....	44
D.	FORTHCOMING PUBLICATIONS.....	44
E.	VIRTUAL BOOKSTORE.....	45
VI.	DISSEMINATION VIA THE INTERNET.....	45
A.	GENERAL DESCRIPTION OF THE DEPARTMENT OF INTERNATIONAL LAW'S WEBSITE.....	45
B.	LINK ON THE INTER-AMERICAN JURIDICAL COMMITTEE.....	46
C.	DATABASE OF DIPLOMATIC ACADEMIES IN THE HEMISPHERE.....	46
D.	INFORMATION BULLETIN.....	47

VII. LEGAL PROCEDURES AND/OR DISSEMINATION OF INTER-AMERICAN INSTRUMENTS	47
VIII. THE PROGRAM IN FIGURES	48
IX. CONCLUSION	51
ANNEXES.....	54
A. AG/DEC. 12 (XXVI-O/96), "DECLARATION OF PANAMA ON THE INTER-AMERICAN CONTRIBUTION TO THE DEVELOPMENT AND CODIFICATION OF INTERNATIONAL LAW"	55
B. AG/RES. 1471 (XXVII-O/97), "INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW"	60
C. AG/RES. 2950 (XL-O/10), "INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW"	1

Presentation of the Report

The Inter-American Program for the Development of International Law was adopted by the OAS General Assembly in Lima, Peru, in 1997, in accordance with the principles and purposes established in the Organization's Charter and pursuant to the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law of 1996.

The objective of this Program is to implement actions to disseminate awareness about the inter-American treaties signed, the development of the legal system within the OAS agencies, and the teaching of inter-American international law, through publications and cooperation for development in the Hemisphere.

Since its adoption, the Department of International Law of the Secretariat for Legal Affairs has been responsible for the Program's implementation and over the past 13 years has conducted numerous activities to ensure compliance.

This document contains a report on execution of the Program over the past year (2010-2011), within the framework of resolutions AG/RES. 2503 (XXXIX-O/09) and AG/RES. 2590 (XL-O/10), as well as the Inter-American Program for the Development of International Law.

REPORT ON THE INTER-AMERICAN PROGRAM
FOR THE DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2590 (XL-O/10)]

Activities carried out by the
Department of International Law
of the Secretariat for Legal Affairs
in 2010-2011

Executive Summary

The Department of International Law of the Secretariat for Legal Affairs is pleased to present its report on the activities carried out during the past year in relation to the Inter-American Program for the Development of International Law.

As in previous years, the Department has been strengthening its now traditional Course on International Law, as well as other events designed to promote and disseminate international law and the inter-American system.

As is well known, in recent years the Department of International Law has greatly expanded its activities, by incorporating a series of projects financed with specific funds, or in response to mandates relating to activities and objectives of the Inter-American Program for the Development of International Law. This has been reflected in an increase in the Department's activities to promote and disseminate international law, especially in areas such as indigenous peoples, Afro-descendants, family and children's law, access to information, and private international law.

At the same time, staff from the Department of International Law have continued to give lectures, presentations, and classes on subjects related to international law, the inter-American system, and the work of the OAS in different forums.

The Department has also used publications and its website to further its efforts to disseminate international law. Moreover, it has used its website and e-mail to inform a broader audience of its activities through its quarterly information bulletin.

It has redoubled its efforts to disseminate the legal instruments of the inter-American system, and to process the deposit of instruments of ratification and accession and the notifications, certifications, reports, etc., regarding international treaties and other agreements.

Lastly, the Department of International Law has intensified its ties of cooperation with the entities with which it has entered into agreements to promote and disseminate international law, thereby contributing to the funding of many of the activities described in this report.

All of this has led to a series of tangible results with regard to implementation of the Program during this annual period, as can be seen in the following pages. (For a synthesis of results, see Section VIII, "The Program in figures.")

Dr. Dante Negro
Director of the Department of International Law
Secretariat for Legal Affairs
Organization of American States

REPORT ON THE INTER-AMERICAN PROGRAM
FOR THE DEVELOPMENT OF INTERNATIONAL LAW
[AG/RES. 2590 (XL-O/10)]

Activities carried out by the
Department of International Law
of the Secretariat for Legal Affairs
in 2010 - 2011

I. Background

The Inter-American Program for the Development of International Law (hereinafter the “Program”) was adopted through resolution AG/RES.1471 (XXVII-0/97) by the General Assembly which met in Lima, Peru in 1997. The Program contains a description of the different areas, activities, and objectives to be undertaken on a permanent and continuous basis by the Organization to guarantee the development, promotion, and effective application of international law formulated within the framework of the inter-American system¹.

The principal origin of the Program was the “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law” [AG/DEC. 12 (XXVI-0/96)], adopted by the General Assembly in Panama in June 1996². Since 1997, the Program has been driven by a series of General Assembly resolutions which have highlighted its priority areas.

In June 2010, the General Assembly met in Lima, Peru, and through resolution AG/RES. 2590 (XL-O/10), reaffirmed the Program’s importance and reiterated its support of it. It urged the Department of International Law to continue executing the activities listed in it, in particular: courses, seminars and workshops to increase knowledge of international law, with special emphasis on the inter-American system, and dissemination of the norms and

¹ For the full text of the Program, see section “Annexes.”

² For the full text of the Declaration of Panama, see section “Annexes.”

activities of that system through publications and the Department's website³.

II. Thirty-seventh Course on International Law

The objectives of the Inter-American Program for the Development of International Law include strengthening the Course on International Law organized each year by the Inter-American Juridical Committee and the Department of International Law of the Secretariat for Legal Affairs in Rio de Janeiro, by incorporating lectures on the latest developments in the field of international law and on major political agreements reached regarding the hemispheric agenda.

In turn, operative paragraph 4 of resolution AG/RES. 2590 (XL-O/10) "Inter-American Program for the Development of International Law", urges the General Secretariat, through the Department of International Law, to continue holding the Course on International Law in Rio de Janeiro.

In compliance with these mandates, from August 2 to 20, 2010 the XXXVII Course on International Law took place in Rio de Janeiro, Brazil (seat of the Inter-American Juridical Committee). The course was organized by the Department of International Law of the Secretariat for Legal Affairs and the Inter-American Juridical Committee.

This is one of the most emblematic and traditional activities of the Organization of American States (OAS) with respect to the promotion and dissemination of international law, which is, as the OAS Charter stipulates, the standard of conduct of States in their reciprocal relations. Hence the importance of this event which, for 37 years now, has been preparing young people from all over the Americas, many of whom have gone on to hold prominent positions in their respective countries and even at the OAS and other international organizations.

³ For the resolution adopted in the last regular session of the General Assembly on the Program, see section "Annexes".

In this edition, the central topic of the course was “International Law and Contemporary Global Transformations,” covering current issues in international law, with special emphasis on the inter-American system.

The course looked at aspects such as the general theory of international law; an introduction to the OAS and the inter-American system; topics regarding democracy and the rule of law; the history and work of the Inter-American Juridical Committee; international commercial arbitration; internally displaced people; refugees; gender and race perspectives in international law; migrants; the International Criminal Court, and other current issues in international criminal law; international human rights law; dispute settlement in the inter-American system, and so on.

The course also provided an opportunity to spread knowledge about topics and processes that are closely connected with the Organization, such as, the Model Law on Access to Public Information, the Model Inter-American Law on Secured Transactions, the rights of indigenous peoples in the Americas, and the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance. (For the full Course Program, see the Annexes section of this report.)

A select group of professors from various countries in the Americas and Europe took part in the event, all of them outstanding figures in the world of international law, such as members of the Inter-American Juridical Committee; professors from different universities in the region and in Europe; authorities and experts from different international agencies; and specialists from the OAS General Secretariat.

Twenty-two students from different countries in the region, on OAS scholarships, participated. In addition to the scholarships awarded by the OAS, for the second year running the Department of International Law awarded four more to Afro-descendant students from different countries, which helped to enrich the group’s cultural diversity, within the framework of a Project for the Incorporation of the Afro-descendant Theme in the Policies and Programs of the OAS run by this Department with financial support from CIDA/Canada. Lastly, four non-scholarship students attended the

Course, bringing the total number of participants to 30. All of them are professionals working in the field of international law and international relations, with a potential multiplier effect in their respective countries or spheres of action.

The Course was rated very highly in a questionnaire filled out anonymously by the students. The questionnaire also gave the students the opportunity to make suggestions to improve the course.

The annual publication edited by the Department of International Law, which will contain the course materials and become part of the inter-American system's bibliographical collection, should be ready soon. It will also provide broader public access to the presentations made during the course.

Finally, as a means of encouraging pupils to conduct research, the Course Coordinators offer not only an "Attendance Certificate" to participants who attend and pass the course requisites (including two tests), but also an "Achievement Certificate" for students who submitted an original research paper. A group of Course students submitted their respective papers on subjects taught in the course that are linked to the inter-American system and international law in general.

See the following link for the full program of the Thirty-seventh Course on International Law:

http://www.oas.org/dil/esp/XXXVII_Curso_programa.pdf.

III. Activities undertaken to disseminate international law and/or the inter-American system in the framework of projects and mandates on specific topics

In addition to the Rio Course, the Inter-American Development Program on International Law envisages other courses, seminars, workshops, and training activities on different aspects of inter-American law, especially on the Organization's more recently developed thematic areas.

For some time now the Department of International Law has been incorporating projects on specific topics within the framework of various cooperation agreements, which afford an opportunity to conduct a variety of activities aimed at disseminating and promoting international law and the inter-American system, as the case may be. The Department has also been conducting activities within the purview of various mandates connected with those of the Inter-American Program for the Development of International Law.

We shall therefore proceed to describe the work of the Department of International Law in these areas, which, we believe, reinforce the Organization's interest in "promoting the broadest possible awareness of the inter-American legal system" as envisaged in the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law.

A. Indigenous peoples

The Department of International Law has a Program of Action on the Indigenous Peoples in the Americas, through which it has initiated a series of courses to provide training and disseminate knowledge of international law, with emphasis on the inter-American system, for indigenous leaders, government officials, and people from civil society organizations working on indigenous issues.

Under this Program of Action on Indigenous Peoples in the Americas, scholarships in each activity are awarded to participants to enable them to take part in training activities. Scholarship students must be designated by their own communities or workplaces.

In the period covered by this report the following training and dissemination activities have been carried out under the Program of Action, which has financial support from the GIZ and the Spain Fund.

1. Good Governance Course

The Department of International Law held the "Good Governance Course" in Lima, Peru, from May 5 to 12, 2010.

This activity was organized to sensitize indigenous leaders to efforts to forge good governance. The specific objective of the course was to facilitate decision making and the formulation of public policies and institutional development, and to strengthen local governance.

The Course addressed topics in international law related to democracy, particularly, the OAS Charter and its democracy-linked provisions and the Inter-American Democratic Charter, among other instruments.

Twenty participants, from different countries in South America, attended the event.

2. Training Seminar on the Rights of Indigenous Peoples in the Inter-American System

Between September 13 and 17, 2010, the Department of International Law, together with the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, through the Indigenous Intercultural University (*Universidad Intercultural Indígena – RED UII*) network, organized a Training Seminar on the Rights of Indigenous Peoples in the Inter-American System.

The objective of the seminar was to endow participants with participatory tools for promoting and disseminating international human rights law.

The seminar covered topics such as the inter-American system's human rights protection mechanisms; the UN Declaration on the Rights of Indigenous Peoples; ILO Convention 169 on Indigenous and Tribal Peoples; as well as the process and current status of the Draft Declaration on the Rights of Indigenous Peoples in the Americas.

Fifteen scholarship-holders from various Central American countries took part in the event.

3. Training Workshop on the Political Participation of Indigenous Women

The Department of International Law organized a Training Workshop on the Logical Framework for Preparing Projects and a Training Workshop on the Political Participation of Indigenous Women, from November 30 to December 8, 2010, in Quito, Ecuador.

The objective of the latter workshop was to strengthen women's leadership skills by encouraging more indigenous women to take part in the citizen capacity-building process in the Americas.

Examples of the substantive instruments on which it was based were: the Convention of Belém do Pará, the OAS Charter, and the Inter-American Democratic Charter, along with other instruments of the inter-American system.

Twenty-one scholarship holders from different countries in South America participated in the event.

4. Training Seminar on Mechanisms for the Participation of Indigenous Peoples in the Inter-American System

The Department of International Law, together with other areas of the OAS (Executive Secretariat of the IACHR, the Secretariat for External Relations and the Summit of the Americas Secretariat), organized the "Seminar on Mechanisms for the Participation of Indigenous Peoples in the Inter-American System". The seminar took place at the headquarters of the OAS General Secretariat in Washington, D.C., from June 22 to 24, 2010.

Around sixty people participated in the three-day event. The organizers funded a total of twenty-seven representatives from the following countries: Argentina, Belize, Bolivia, Brazil, Canada, Chile, Costa Rica, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, United States of America, and Uruguay. In addition, it was attended by a representative from the Indigenous Leaders Summit of the Americas (CLIA) and from the United Nations Permanent Forum on Indigenous Issues.

The seminar covered, among others, the following topics of international law, the inter-American system, and other technical and legal aspects related to indigenous issues: protection of human rights in the inter-American system; the right of indigenous communities to communal property; the role of the OAS in the Americas and the Summits Process; the Draft Inter-American Declaration and its participation mechanisms, and so on. There was also a panel that highlighted experiences within the framework of the United Nations Forum on Indigenous Issues.

The event culminated in a round table that compiled the conclusions and steps to be followed to enable indigenous peoples to participate in the OAS, as well as a Declaration by indigenous representatives in which a series of specific recommendations were formulated.

5. Seminar on the Legal Situation, Public Policies, Sound Practices and Affirmative Action

The Department of International Law held the Seminar on the Legal Situation, Public Policies, Sound Practices and Affirmative Action on January 21, 2011, in the Padilha Vidal Room at the OAS General Secretariat in Washington, D.C.

The objective of the seminar was to bring indigenous leaders in the Hemisphere up to date with regard to dissemination of public policies, sound practices and affirmative action, as well as to identify implementation challenges with regard, for instance, to "land, territories and resources"; and "free determination, autonomy and self-government", which are commonly debated topics in international law applied to indigenous issues.

Indigenous leaders from the Hemisphere and members of the permanent missions to the OAS took part in this event.

It is hoped that this activity will culminate in a final report that can be shared with a broader public and contains the presentations, debate, and conclusions from this seminar.

The following section summarizes the various presentations on indigenous issues in general.

For further information on the work of the Department of International Law regarding indigenous peoples, visit: http://www.oas.org/dil/indigenous_peoples.htm

B. Afro-descendants

The Department of International Law is in the process of implementing a “Project for the Incorporation of the Afro-descendant Theme in the Policies and Programs of the OAS” funded by CIDA/Canada. The project is initially scheduled to last three years (2008-2011).

The ultimate objective of this project is to enhance democratic governance in the Hemisphere by including this vulnerable group, while increasing sensitivity toward its basic needs and rights. So far, the results have been tangible and quite significant. However, this report only covers the activities implemented in the framework of this project which may be more directly related to the Inter-American Program for the Development of International Law, as they themselves constitute training and dissemination activities on international law issues in general and on the inter-American system in particular.

1. Subregional workshop for the Andean region “Participation and Incidence of Afro-descendants at the OAS”

The Department of International Law helped organize the Subregional Workshop for the Andean Region “Participation and Incidence of Afro-descendants in the OAS”.

The workshop took place at the Hotel Señorial in Lima, Peru on March 23 and 24, 2010, co-organized by Global Rights Partners for Justice and the Centre for the Development of Black Peruvian Women.

The objective of the event was to make the work of the OAS known to Afro-descendants in the Andean Region, in preparation for the General Assembly which took place in Lima, Peru, in June 2010. The topics discussed included the current status of the process of preparing a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance that this Organization is working on.

The Department of International Law facilitated the participation of various representatives of Afro-descendants in this forum, with funds from the afore-mentioned project.

2. Second Expert Workshop on Afro-descendants in the Americas

The Department of International Law held the Second Expert Workshop on Afro-descendants in the Americas on February 22, 2011, the first having been held on January 22, 2010. Once again, it was conducted within the framework of the “Project for the Incorporation of the Afro-descendent Theme in the Policies and Programs of the OAS”.

This time the Workshop was attended by four government experts who shared their views on topics such as legislation, good practices, affirmative action measures, and the public policies being implemented in their countries.

The following people took part as speakers: Ricardo Weeks, Secretary of the National Council of Black Ethnicity in Panama; Catherine Chalá, Coordinator of the Plurinational Plan to Eradicate Racial Discrimination from Ecuador; Zakiya Carr Johnson, the U.S. Department of State’s Principal Advisor on Racial and Ethnic Equality and Social Inclusion; and Renato Dos Santos Ferreira, Projects Manager of the Secretariat for the Promotion of Racial Equality (SEPPIR), Brazil.

The Department of International Law intends to organize other workshops in the future and to invite more countries from the region to share similar experiences, with a view to achieving comprehensive documentation at the hemispheric level of the issues covered.

Apart from the speakers, around thirty people participated in the workshop, including ambassadors of the permanent missions to the OAS, staff from those missions, representatives of Afro-descendant civil society organizations and other entities involved in this field, staff from different areas of the General Secretariat, and others.

It is expected that, as a result of this workshop, the Department of International Law will in due course compile and then publish and distribute a book containing the speakers' presentations, which will be made available to the general public.

The following section summarizes the various presentations on Afro-descendant issues.

For more information on the work of the Department of International Law regarding Afro-descendants, see:
<http://www.oas.org/dil/afrodescendants.htm>

C. Access to information

Access to information is a fundamental tool for citizen involvement in the democratic system and essential for keeping public administration responsible and transparent and improving the population's living conditions. The Inter-American Democratic Charter stresses that transparency in government activities is fundamental for democracy.

During the period covered by this report, the Department of International Law conducted various activities to promote the right to access to information, not just as activities undertaken within the framework of the Inter-American Program for the Development of International Law, but also in conjunction with General Assembly mandates on the subject.

1. Model Law and Implementation Guidelines

The Department of International Law put together a group of experts on access to information which drafted and approved a Model Inter-American Law on Access to Information and

Implementation Guidelines. The process took several months, falling partly within the period covered by this report.

In accordance with a mandate already contained in resolution AG/RES. 2514 (XXXIX-O/09), the approved texts of the documents were presented to the Committee on Juridical and Political Affairs (CAJP) on April 29, 2010.

During its fortieth regular session in June 2010 in Lima, Peru, the General Assembly adopted resolution AG/RES. 2607 (XL-O/10), part of which contains the Model Law. Resolution AG/RES. 2607 reaffirmed the mandates contained in resolution AG/RES. 2514 (XXXIX-O/09) and instructed the General Secretariat, through the Department of International Law, to support those member states that request assistance with the design, execution, and evaluation of their legislations and policies regarding access to information.

Adoption of the Model Law has already had a tangible impact on the states, whose parliaments are now discussing legislation on access to information. The Model Law will also serve as a tool for countries that already have legislation on the matter, but wish to adapt it to meet the standards of the Model Inter-American Law.

2. Special meeting

The OAS General Assembly, through resolutions AG/RES. 2548 (XXXIX-O/09) and AG/RES. 2607 (XL-O/10), asked the Permanent Council, along with the Department of International Law to hold a special meeting of the Committee on Juridical and Political Affairs (CAJP) to discuss the subject of access to public information in order to determine the efficacy of its activities to date and plan its work going forward.

This special meeting, held on December 13, 2010, covered five broad topics, in keeping with the mandates of the General Assembly. These were:

- 1) Review of the work of the OAS to date in the field of access to information, including the principles of and recommendations on access to information;

- 2) Presentation of a revised study on best practices compiled by the member states;
- 3) Presentation of the Model Inter-American Law on Access to Public Information and the guidelines for its implementation, contained in resolution AG/RES. 2607 (XL-O/10), adopted by the General Assembly in June 2010, and presentation of final comments on the subject by the member states;
- 4) Presentation for the first time of draft recommendations on data protection; and
- 5) Decision by the member states on the application of an Inter-American Program on Access to Public Information which would serve to consolidate the work already achieved and to prepare an agenda for the future work of the OAS on this matter.

The Inter-American Juridical Committee, the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights and the Secretariat for Legal Affairs, through its Department of International Law, participated in this special meeting. Numerous experts who had taken part in drafting the model law and its implementation guidelines, participated, along with civil society organizations responsible for guaranteeing access to information in the Americas, including the Carter Center and the Regional Alliance for the Freedom of Expression and Information. Experts from the member states also participated, offering their comments on the model law and their views on the proposed program, including Mexico's Federal Institute for Access to Information and Data Protection and Chile's Council for Transparency. The World Bank also took part in the special meeting, presenting its recently adopted policy on access to information applicable to all of its units.

3. International Seminar on the Model Law on Access to Public Information in the Region and in Mexico

The Department of International Law, with the co-sponsorship of Mexico's Federal Institute for Access to Information and Data Protection (IFAI) and the Secretariat of Foreign Affairs of Mexico, the Institute for Legal Research at Universidad Nacional Autónoma de México (UNAM), the Mexican Conference on Access to Public Information (COMAIP), the Institute for Access to Public Information

of the Federal District (INFODF), the Center for Research and Teaching in Economics (CIDE) and the National Security Archive of George Washington University, organized an International Seminar on the Model Law on Access to Public Information in the Region and in Mexico.

The event was held on March 10 and 11, 2011, at UNAM's Institute for Legal Research and focused on a regional discussion about the relevance of the Model Law and Guidelines for Implementation, as well as its application to national and local legislative development processes in the countries of Latin America. It also endeavored to trigger an academic and professional debate on the status of guarantees and access to information in Mexico in light of OAS standards and to involve participants in the debate on personal data protection and the need for regulations in the region.

The seminar described the origin and content of the Model Law and its Implementation Guidelines, the constitutional and legislative incorporation of the Model Law in Latin America's legal systems, and the legislative metrics of access to information and evaluation of the Model Law. This was also the first opportunity to analyze the federal and state law(s) on access to public information, in view of the text and standards of the Model Law and its Implementation Guidelines. The seminar ended by giving the participants the opportunity to discuss personal data protection in Mexico and the region.

Senior officials from the Organization of American States, IFAI, UNAM, CIDE, OAS member states, the Mexican federal government and state governments, and civil society organizations took part in the event.

The Model Law, Implementation Guidelines, Report of the Special Meeting, documents on the International Seminar on the Model Law, and additional information on access to information are available on the Department's website:

http://www.oas.org/dil/access_to_information.htm

D. Network for Legal Cooperation in the Area of Family and Children's Law

Trade liberalization, economic inter-dependence, technological progress in the area of transport and communication are leading to increased numbers of people moving across the borders of the Hemisphere. This economic globalization has inevitably led to a similar globalization for families. However, while a regulatory, procedural, and international cooperation framework exists with respect to the cross-border movement of goods and services, the needs of these new, modern cross-border families have not been afforded the same degree of attention. It is quite common nowadays for someone of one nationality to marry someone of another nationality, and/or move from one country to another, have or adopt children of a different nationality to theirs, divorce, share custody, pay/receive alimony, and have visitation rights, and so on, under the rules of different countries.

The purpose of the Network is to implement some inter-American conventions for which the Department of International Law is the depositary, thereby strengthening legal cooperation in the area of family and children's law to address these new circumstances and those families' legal needs, and to protect children's rights, particularly with respect to adoption, abduction of minors, and international trafficking of minors.

During the period covered by this report, the Department of International Law conducted several activities to promote institutionalization of the Network for Legal Cooperation in the Area of Family and Children's Law. They included, above all, the Network's Second Pilot Project and the First Technical Meeting of REMJA on the subject, as described below.

1. Second Pilot Project

Following up on the recommendations of the Seventh Meeting of Ministers of Justice and Other Ministers, Attorneys or Prosecutors General of the Americas (REMJA VII held in 2008), the Department of International Law organized the second pilot group of the Network for Legal Cooperation in the Area of Family and Children's Law, which met at the headquarters of the OAS General Secretariat in Washington, D.C. on May 4 and 5, 2010.

Given that the first pilot plan in 2009 was geared to the Spanish-speaking countries, this second project focused on the English-speaking countries, with the participation of authorities appointed by the U.S. Department of State, the Ministry of Justice of Quebec-Canada, the Department of Justice of Canada, the Department of Justice of Saskatchewan-Canada, the Office of the Prosecutor General of The Bahamas, and the Crown Counsel of Grenada. Authorities appointed by the Ministry of Justice of Brazil, the Federal Administrative Central Authority of the Office of the President of Brazil, and the Secretariat for Foreign Affairs of Mexico also participated in the pilot project.

The meeting of the pilot group concluded with a Document of Recommendations which paved the way for the Network's follow-up and future work, in particular with respect to the preparatory work and tools prepared by the pilot group in Spanish.

Thanks to the work at the pilot stage, REMJA VIII asked the member states to join this Network. It requested that the results of the pilot meetings be presented at a Technical Meeting scheduled for the second half of 2010, under Brazil's coordination and with technical backing from the Department of International Law.

2. First Technical Meeting of REMJA

At the Eighth Meeting of Ministers of Justice or Other Ministers, Attorneys or Prosecutors General of the Americas (REMJA VIII, held in 2010), the Ministers of Justice asked the Department of International Law to organize the First Technical Meeting of the Network during the second half of the year. The meeting was convened by the Permanent Council of the Organization for November 9 and 10, 2010 and held at the OAS General Secretariat in Washington, D.C.

The First Technical Meeting reviewed the progress made at the pilot meetings and was attended by authorities from 21 countries: Argentina, Bahamas, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Panama, Paraguay, Peru, Saint Lucia, United States of America, Uruguay and Venezuela, and Permanent Observers from France and Spain.

It was also attended by delegates from the Inter-American Children's Institute (IIN), the Inter-American Commission of Women (CIM), and the Hague Conference on Private International Law (HCCH), who exchanged views regarding possible opportunities for working together in the area of families and children, and in turn proposed that links be created with the Network to share tools and resources, with a view to pooling efforts and avoiding unnecessary duplication of initiatives.

The First Technical Meeting recommended that the member states adopt measures to facilitate legal cooperation on family issues; appoint competent authorities to participate in the Network; acknowledge the usefulness of legal cooperation instruments for promoting and protecting families' interests and prepare the Network's components. These components would include:

- a) the public component, which consists of an on-line legal database in the area of family and children's law;
- b) the private component, offering restricted access to information on the implementation of the Network and related issues;
- c) the secure communication system, which consists of a secure and encrypted method to facilitate fast, direct, and legally verifiable communications between the authorities in the area of family and children's law.

The authorities also recommended promoting cooperation, the exchange of information, and joint activities in the area of family and children's law, with the help of the Inter-American Children's Institute, the Inter-American Commission of Women and the Hague Conference on Private International Law.

They also asked the Department of International Law to:

- a) develop the Network's public and private components;
- b) provide and maintain access to the secure communication component;
- c) promote the development of the Network;
- d) disseminate new developments in that area; and
- e) establish coordination and cooperation with other networks and organizations.

Lastly, it was agreed to hold a Second Technical Meeting on a date and at a place to be decided by the Permanent Council. Brazil offered to host the Second Technical Meeting, which will be organized by the Department of International Law.

The Network is available on the Department's website: http://www.oas.org/dil/family_law.htm

E. Miscellaneous Topics of Private International Law

1. *United Nations Commission on International Trade Law*

During 2010 the Department of International Law participated in the Working Group of UNCITRAL (United Nations Commission on International Trade Law) regarding Secured Transactions. The Department specifically explained the content of the Model Registry Regulations under the Model Inter-American Law on Secured Transactions, approved by the OAS member states at a Diplomatic Conference of CIDIP-VII on the issue of Secured Transactions, which was held from October 7 to 9, 2009.

During the process, with a view to promoting the harmonization of private international law, the Department of International Law presented a proposal to UNCITRAL that this OAS instrument be used for adopting Model Universal Registry Regulations.

That proposal, which was published in the *Uniform Law Review* (Vol. XV, pp. 515-527 (2010) of the International Institute for the Unification of Private Law (UNIDROIT), was approved by the UNCITRAL Working Group which met at United Nations Headquarters on July 2010 and established the mandate to begin drafting Global Regulations in the area of Registration.

This is just one example of the huge global impact the OAS can have through tools like the Inter-American Program for the Development of International Law.

2. *The World Bank Group*

The Department of International Law participated in two important meetings of the World Bank Group's International Financial Cooperation (IFC) with a view to promoting access to credit and capital investments in developing countries. The first of them was a meeting with the Secured Transactions & Collateral Registries Practice Group made up of officials from the World Bank, the IFC, consultants, multilateral organizations, and other interested parties.

The meeting was held on October 21, 2010 to provide an overview of the legal reform projects on global practices for registering secured transactions. The Department of International Law summarized the activities undertaken to put into practice the Model Inter-American Law on Secured Transactions, approved by the OAS member states during the Sixth Inter-American Specialized Conference on Private International Law (CIDIP-VI) and the Model Registry Regulations approved by the member states at CIDIP-VII in 2009. The Department of International Law also gave a technical explanation on how the Model Law and Registry Regulations could be used by the IFC and the World Bank to help promote reforms elsewhere in the world.

The Department of International Law also took part in the Meeting of the IFC/World Bank Advisory Committee Meeting on Secured Guarantees on October 22, 2010. The Department made recommendations at the meeting for planning and developing reform projects in the Americas, particularly with respect to aligning reforms to trade laws and the Millennium Development Goals, the need for international agencies to put forward a sound reform strategy and coordinated efforts, and the need to ensure that all these reforms include the principles and concepts necessary for legal reform in this area of law.

3. International Institute for the Unification of Private Law

The Department of International Law helped with the preparation of a joint study with the International Institute for the Unification of Private Law (UNIDROIT) on the unification of financial leasing and its relationship with secured transactions, including the international instruments adopted by the OAS on the matter. Dr. Herbert Kronke, former Secretary of UNIDROIT, was appointed General Rapporteur

and prepared a broad study on the need and methodology for the reform based on the response from the member states on implementation of instruments in this field.

Aware of the need for this reform, both the OAS and UNIDROIT have made every effort to help the member states to reform their legal framework. With respect to the leasing of personal property, UNIDROIT adopted the Convention on International Financial Leasing in Ottawa in 1988 and a Model Law on Financial Leasing in 2008. In the field of financing secured with personal property, UNIDROIT adopted the Cape Town Convention and its Protocol on specific issues regarding aeronautical equipment components in 2001 and the Luxembourg Rail Protocol in 2007. Likewise, the OAS adopted the Model Inter-American Law on Secured Transactions in 2002 and its Model Registry Regulations in 2009. The United Nations Commission on International Trade Law (UNCITRAL) also adopted the Legislative Guide on Secured Transactions in 2008, and is currently considering other work in this area.

The main objective of the study in which the Department of International Law was involved and which will be published in the June 2011 edition of the *Uniform Law Review*, is to find a way for UNIDROIT and the OAS member states to reform their systems in order to create a legal mechanism for modern financial leasing to further its development in their economies.

4. Meeting of International Experts

The Department of International Law organized a meeting of government experts on secured transactions and registry reforms on October 6, 2010 at the headquarters of the OAS General Secretariat in Washington, D.C.

This meeting was held under the auspices of the Distinguished Visitors Program of the U.S. Department of State and served to present the possible effects of the reform on access to capital and the local economy, to enable the states to analyze the reform and the role of the Model Inter-American Law on Secured Guarantees and the Model Registry Regulations in updating the local legal framework with a view to achieving the desired results.

The meeting was attended by senior government officials from Costa Rica, the Dominican Republic, El Salvador, Guatemala, Panama, Paraguay, and the United States of America.

5. The U.S. State Department's Advisory Committee

The Department of International Law participated in the State Department's Advisory Committee on Private International Law (ACPIL) on October 25 and 26, 2010.

The meeting had two objectives: Firstly, the State Department officials were to present an overview of U.S. policy regarding the harmonization, codification, and reform of private international law, not only in the OAS also in the United Nations Commission on International Trade Law (UNCITRAL), headquartered in Vienna, the International Institute for the Unification of Private Law (UNIDROIT), headquartered in Rome, and the Hague Conference on Private International Law, whose headquarters are in the Kingdom of the Netherlands. Secondly, the meeting of the Advisory Committee, made up of some of the world's most renowned officials, experts, and professionals in the field of private law, sought to organize a forum to express opinions, conclusions, and recommendations on the legal instruments negotiated in these international organizations, and how the United States must prepare and fine tune its position regarding each treaty or law being prepared at the international level.

During the meeting, the Department of International Law referred to the progress made at the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), in particular with respect to the recently adopted Model Registry Regulations for Registering Secured Transactions and the draft Inter-American Convention on the Law Applicable to Some International Consumer Contracts and Transactions and Model Legislation on Government Redress for Consumers in Crossborder Transactions. The Department of International Law also presented its paper on the development of a Legal Cooperation Network in the area of Family Law and on the formulation of principles and recommendations on cross-border data protection.

All of this provided valuable input for all the participants in this Advisory Committee, as it afforded an inter-American view of the topics covered.

IV. Presentations by Staff of the Department of International Law in Different Forums (by topic)

Department of International Law staff have continued to give lectures and presentations, both at the headquarters of the Organization and during working missions to the member states, as well as in other forums. All of this is intended to disseminate international law and the topics on the hemispheric agenda as widely as possible. These activities have enormous potential to reach a broad audience (see section “The Program in Figures”).

The main activities carried out in 2010-2011 are, organized by topic, as follows:

A. Miscellaneous Topics concerning the Inter-American System

1. Course on the inter-American system

In July 2010, the Director of the Department of International Law gave a Course on the inter-American system within the framework of the Winter Course on International Law of the Universidad Federal de Minas Gerais, Brazil. The course was organized by the Center for International Law (CEDIN), a nonprofit organization for promoting international law headquartered in Belo Horizonte, Brazil.

The course covered the following topics: access to public information, persons with disabilities, Afro-descendants, and sexual orientation and gender identity, with particular emphasis on the treatment these topics have received within the inter-American system.

2. Treaty Law

The Director of the Department of International Law participated in the Seminar on Treaty Law in Nassau, Bahamas, which was organized by the Secretariat of the Caribbean Community and in

particular by the Office of the General Council, in collaboration with the European Union.

On that occasion, the Department made two presentations, one on the process of adopting treaties in the OAS framework, and another on practical experiences on this matter and follow-up and implementation mechanisms.

This event was an opportunity for the Department to continue forging ties with the community of academics, professors, and public officials working in the field of international law, to help spread the inter-American system throughout the Caribbean countries.

We should remember that the inter-American Program mentioned the need to include topics and representatives of the different legal systems in the Hemisphere, and that this kind of rapprochement facilitates progress toward achieving that goal.

3. Inter-American relations: Looking Ahead - Una visión hacia el futuro (Georgetown University)

Through the Department of International Law, in October 2010 the Organization of American States participated in Georgetown University's regular series of conferences on relations with Latin America. The Department of International Law took advantage of this opportunity to present an overview of the inter-American system with respect to conflict settlement in the Americas.

This series of courses, organized by the university's Center for Latin American Studies, is part of a program in which renowned experts in inter-American relations participate, including Ambassador John Maisto, former Permanent Representative of the United States to the OAS; Alvaro Uribe, former President of Colombia; and Michael Shifter, President of the Inter-American Dialogue, among others.

The course was designed for university students from various Latin American countries, including Argentina, Bolivia, Colombia, Dominican Republic, El Salvador, and Panama.

The lectures given by the Department of International Law emphasized the way in which the Charter of the Organization of American States and other treaties and instruments make up an integral system for settling disputes between the different countries in the Hemisphere.

For further information, please visit the inter-American relations course page on the website of Georgetown University:

<http://clas.georgetown.edu/119802.html>

B. Miscellaneous Topics of Private International Law

1. *104th Annual Conference of the American Society for International Law*

The Department of International Law participated in the 104th Annual Conference of the American Society for International Law held in Washington, D.C. from March 24 to 27, 2010. The central topic was "International Law in Transition".

Since that was the subject of the Conference, the Department's representatives addressed the question of substantive and procedural progress in the field of private international law in the Americas.

2. *Annual Conference of the State Bar of Arizona*

The Department of International Law participated in the Annual Conference of the State Bar of Arizona held in Phoenix, Arizona, from June 16 to 19, 2010. The conference focused on different efforts to improve social, cultural, and commercial ties between the border states of Mexico and the United States.

The Department of International Law offered a comparative study of the application of the Model Inter-American Law on Secured Transactions in Mexico. It maintained that the Model Law, approved by the member states of the OAS at CIDIP-VI and its Model Regulations, approved at CIDIP-VII, are fully compatible with the United States' system of secured transactions, envisaged in Article 9 of the Uniform Commercial Code and in the trade legislation of the state of Arizona. In addition, it pointed out that the

Law and the Model Regulations of the OAS have been incorporated in Mexican legislation.

The purpose of the Department's presentation was to explain the new synergies these instruments create between the legal and commercial frameworks of both countries (particularly to create a cross-border credit and financing market), as well as the possible incentives they provide for closer commercial ties between Arizona and the states bordering on Mexico.

3. International Congress on Comparative Law

The Department of International Law participated in the Eighteenth International Congress of the International Academy of Comparative Law held in Washington, D.C., from July 25 to 31, 2010.

The presentation by the Department of International Law centered on the topics that the OAS and the International Institute for the Unification of Private Law (UNIDROIT) have in common, in particular on the unification of financial leasing and its relationship with secured transactions, including the Model Registry Regulations adopted by the OAS at CIDIP-VII.

4. Mexican Academy of Private and Comparative International Law

The Department of International Law participated in the 33rd Seminar of the Mexican Academy of Private and Comparative International Law held in Colima, Mexico from October 12 to 15, 2010.

This event, which was attended by some of the best-known academics and attorneys in the field of private law from Mexico and the Americas, served as an opportunity to present a preliminary draft study on personal data protection prepared by the Department of International Law; the progress made with the Network of Hemispheric Legal Cooperation in the area of Family and Children's Law which is being set up by the Department; the Model Regulations on Secured Transactions approved by the member states of the OAS at CIDIP-VII, and the progress made in

negotiating the draft Convention on Jurisdiction and Applicable Law for Consumer Contracts.

The seminar, which also led to a broad discussion on the history, process, and future of the inter-American Specialized Conferences on Private International Law (CIDIPs) as the codification entity *par excellence* of private international law in the Americas, made a series of specific procedural recommendations for CIDIPs, with respect to both implementation of the conventions and other instruments already approved by the member states, and the negotiation of the draft convention and model laws in the field of consumer protection currently being discussed at the OAS.

For further information on the Academy's seminar, visit: <http://amedip.org/bienvenida.html>.

5. Event at the National Press Club on the legal mechanisms required for contemporary finance

The Department of International Law participated in a course on the legal mechanisms required for contemporary finance, held on December 6 and 7, 2010 at the National Press Club in Washington, D.C.

This course, aimed at government officials from a number of Asian States, was intended to provide a summary of the legal framework in the OAS member states in relation to credit operations and other financing mechanisms used in the local and regional legal system.

C. International Criminal Law

The Department of International Law took part in the Program on the Execution of Court Decisions and Legal Cooperation in the Americas, of the Inter-American Legal Affairs Committee of the District of Columbia Bar Association, on April 27, 2010.

The Program, chaired by David Stewart (a professor at Georgetown University and member of the Inter-American Juridical Committee), reviewed the subject of regional juridical responses to

criminal threats in the Americas, including the increase in the trafficking of arms, drugs and people.

The event focused in particular on local progress made in this area that might serve as a model for the role the Organization must (or can) play in matters of this nature.

D. International Humanitarian Law

1. International Conference of National Commissions on International Humanitarian Law

The Department of International Law participated in the International Conference of National Commissions on International Humanitarian Law in Mexico City from June 30 to July 2. The event was organized by the International Committee of the Red Cross (ICRC) and the Department presented a paper on the application of international humanitarian law (IHL) and the role of the OAS. There, the Department spoke about the standards and principles recognized by the General Assembly on the subject of IHL, the role of international humanitarian law commissions, the political commitments made by the member states on the subject of the punishment of war crimes under penal law and regarding the implementation of arms treaties, and the cooperation established between the ICRC and the OAS General Secretariat, especially through its Department of International Law.

It should be noted that in May 1996, the General Secretariat entered into a Cooperation Agreement with the ICRC, and signed a supplemental memorandum of understanding in April 2003. Within the framework of those agreements, the Department of International Law has been conducting a series of activities with the ICRC to promote and disseminate IHL at the OAS. Those activities were also highlighted at the event.

The meeting's conclusions and recommendations document stressed the need to study the feasibility of setting up mechanisms to encourage the national commissions on international humanitarian law in Latin America and the Caribbean to participate in the activities of the OAS and to strengthen the links between them and the OAS General Secretariat, particularly with the

Department of International Law, on such matters as the dissemination of the activities and contributions of these Commissions.

2. Third Universal Meeting of National Commissions on International Humanitarian Law

In October 2010, the Department of International Law participated in and presented a paper at the Third Universal Meeting of National Commissions on International Humanitarian Law organized by the International Committee of the Red Cross in Geneva, Switzerland, on the role of the OAS and international humanitarian law.

E. Access to public information

1. International Seminar on the Implementation of the Law on Transparency and Access to Information

The Department of International Law took part in the International Seminar on the Implementation of the Law on Transparency and Access to Information in Chile, held on April 20 and 21, 2010 at the Extension Center of the Catholic University in Santiago.

The event commemorated the first year of the Council for Transparency and the anniversary of the entry into force of the Law on Transparency and Access to Public Information in Chile.

The Seminar was convened within that context to mark completion of the initial phase of promoting the right to access information, aimed primarily at strengthening the capacity for dialogue among the implementing bodies, creating an opportunity to analyze a culture of transparency, fostering public debate on personal data protection, and institutionalizing access to information in the region.

The Department of International Law presented a paper at the Seminar on the role of the OAS in the practical aspects of accessing information. The Model Law on Access to Public Information and its Implementation Guidelines were also presented as these are tools

that are available to the member states as they create and adapt their legislation.

2. National Transparency Week in Mexico

The Department of International Law participated in the Seventh National Transparency Week of the Federal Institute for Access to Information held from August 25 to 28, 2010, in Mexico City. This version of the annual event covered “transparency and its impact on public management,” with particular emphasis on the exchange of best practices in the Hemisphere in order to ensure implementation of the right to access information.

The Department of International Law took part in working groups with national and international authorities, including the President of the Supreme Court of Justice of Mexico (Guillermo Ortiz Mayagoitia), the President of the Senate (Carlos Navarrete), the Secretary of the Civil Service (Salvador Vega Casillas), and the commissioners of the Federal Institute for Access to Information and Data Protection (IFAI), and the Secretary- General of the Organization for Economic Cooperation and Development (OECD) (José Ángel Gurría Treviño). It spoke about the work of the Organization, including the Model Law and its Implementation Guidelines; about knowledge and experience with management indicators for effective accountability; transparency in reporting institutions, budgeting and transparency; legislative activity and transparency; transparency and modernization in justice administration, and so on.

National Transparency Week therefore gave the OAS the opportunity to disseminate the methodology for participation that resulted in the text of the Model Law, to explain the substantive content of the law, which incorporates international and inter-American standards on the subject, and to propose strategies for its implementation under the juridical frameworks of the countries of the region.

F. Indigenous peoples

1. *Meeting of Experts (Vancouver, Canada)*

In March 2010, the Department of International Law made a presentation on progress with the Draft American Declaration on the Rights of Indigenous Peoples and the Program of Action of the Department of International Law on Indigenous Peoples in the Americas to an auditorium of international experts on the subject, in Vancouver, Canada.

The presentation covered topics related to children and young people in connection with the recommendations made by the Permanent Forum on Indigenous Issues to the United Nations Economic and Social Council (ECOSOC) in order to guarantee protection for child and youth detainees and to offer them rehabilitation, in accordance with international standards on the subject.

2. *Permanent Forum on Indigenous Issues*

In May 2010, the Department of International Law made a presentation on the progress made with the Draft American Declaration on the Rights of Indigenous Peoples to indigenous representatives from Latin America at the eighth session of the Permanent Forum on Indigenous Issues held at the United Nations headquarters in New York.

The forum is an advisory body of ECOSOC with a mandate to examine indigenous questions related to economic and social development, culture, education, health, the environment, and human rights.

This presentation was an opportunity to inform dozens of indigenous representatives of the Americas who were unable to participate in the regional forum of the work of the OAS in this field.

3. *Thirty-seventh Course on International Law*

Within the framework of the Thirty-seventh Course on International Law held in Rio de Janeiro, Brazil from August 1 to 19,

2010, the Department of International Law offered a lecture to students attending the event, on new developments and progress with regard to the provisions of the Draft American Declaration on the Rights of Indigenous Peoples.

4. Seventh Inter-Agency Meeting of Cooperation Agencies (Madrid, Spain)

At the Seventh Inter-Agency Meeting of Cooperation Agencies held from September 7 to 10, 2010 in Madrid, Spain, in the framework of the Ninth General Assembly of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, the Department of International Law gave a presentation on its work in the area of indigenous issues to the authorities of the governments represented in that Fund.

G. Afro-descendants. Racism, Discrimination, and Intolerance

1. Series of workshops on “Participation and Incidence of Afro-descendants in the OAS”

In April 2010, the Department of International Law gave a presentation on the negotiation process of the Inter-American Convention against Racism and All Forms of Discrimination and Intolerance and on the opportunities for Afro-descendants to participate in the OAS during the workshop “Participation and Incidence of Afro-descendants in the OAS,” organized in Lima, Peru by Global Rights Partners for Justice and the Centre for the Development of Black Peruvian Women – CEDEMUNEP.

2. Ninth Session of the Working Group of Experts on People of African Descent

The Department of International Law participated in the ninth session of the Working Group of Experts on People of African Descent held in Geneva, Switzerland, from April 12 to 16, 2010. This Group was created as a follow up to the Durban process.

During this session the Working Group analyzed problems related to structural discrimination. It also constituted itself as a

forum to receive contributions for the International Year for People of African Descent (2011).

In this context, the Department gave a presentation to the Group of Experts on proposals to consider for the International Year, based on regional experience. A number of these proposals were addressed in the final report of the meeting, including the organization of regional meetings and conferences to commemorate the International Year and the involvement of regional agencies in these events.

The Department also took the opportunity to discuss its current work on this matter in light of hemispheric legal standards that serve as the framework for the Project on the Incorporation of the Afro-descendant Theme in the Policies and Programs of the OAS.

In September 2010, the Department met with the Chairwoman of the Working Group of Experts, with a view to working together and following up on plans for the International Year.

3. Forum on Participation and Incidence of Afro-descendants in the OAS

In June 2010, the Department of International Law gave a presentation on the scope and prospects of the OAS resolution on recognition of the United Nations International Year for People of African Descent, within the framework of the Forum "Participation and Incidence of Afro-descendants in the Organization of American States" held in Lima, Peru. This Forum was organized by Global Rights Partners for Justice and the Center for the Development of Black Peruvian Women.

Some 40 people took part in this Forum. The Department also took the opportunity to present a series of mechanisms to strengthen the presence of Afro-descendants in OAS and inter-American system forums.

4. Thirty-seventh Course on International Law

Within the framework of the Thirty-seventh Course on International Law, the Department of International Law organized a

class on current challenges facing the Draft Inter-American Convention on Racism and All Forms of Discrimination and Intolerance.

Its purpose was to report, in the context of the Course, on the work being done by the Organization to prepare the above-mentioned draft convention and, at the same time, to trigger discussion among the students of some of the problems and challenges posed by that process.

5. *Workshop “Increasing the Participation and Incidence of Afro-descendants in the OAS and the Summits of the Americas Process”*

The workshop “Increasing the Participation and Incidence of Afro-descendants in the OAS and the Summits of the Americas Process” was held at the headquarters of the OAS General Secretariat from September 13 to 17, 2010. It was organized by Global Rights Partners for Justice with the collaboration and support of the OAS General Secretariat.

The Department of International Law gave a presentation during the event on the “Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance”. The objective of the presentation was to inform the organizations of Afro-descendants participating in that workshop regarding the current state of the negotiation process and some of the recent challenges it was facing. A presentation was also given on the mechanisms available to enable civil society organizations to participate more actively in that process.

It is worth recalling that the Department of International Law has given legal advice to the Working Group to Prepare the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance ever since it was established in 2005, in addition to actively disseminating the topic. (See: <http://www.oas.org/dil/esp/discriminacion.htm>)

H. Internally displaced persons

The Department of International Law was invited to participate in the Sixth Annual Course on the Law of Internal Displacement held in San Remo, Italy, from June 7 to 12, 2010. The objective of this course was to increase awareness of the issue of internal displacement, and the law applicable to people in this kind of situation.

The Course was organized by the International Institute of Humanitarian Law, in collaboration with the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons and the Brookings-Bern Project on Internal Displacement, along with other entities that lent their support.

Civil servants and other strategic players, whose work is connected with internal displacement in different parts of the world, participated in the course.

The classes were taught by Dr. Walter Kaelin, who was then the Representative of the U.N. Secretary-General on the Human Rights of Internally Displaced Persons, and by other experts on the subject.

Within the framework of this course, the Department of International Law gave a presentation on the work of the OAS in this field, analyzing the content and function of the different resolutions of the OAS General Assembly on internally displaced persons. The Department's presentation mentioned other initiatives being carried out within the Organization in relation to protection and assistance for internally displaced persons.

The presence of the Department at this forum increased awareness of the work of the OAS and of the importance this Organization attaches to internally displaced persons.

I. International human rights law

1. *First Course on International Human Rights Law*

In April 2010, the Director of the Department of International Law taught the First Course on International Human Rights Law in Panama City. The course was organized by CEO-Fundación Arcadia, the Panama Bar Association, and Panama's Ombudsman.

The course covered subjects such as human rights and the situation of certain specific groups in the Americas (persons with disabilities and Afro-descendants); and on human rights and specific issues (sexual orientation and access to public information).

2. Specific groups in a situation of vulnerability

In June 2010, the Department of International Law gave a presentation in the Fourth Workshop on Incidence of LGBTI (Lesbian, gay, bisexual, transgender, and intersex) in the OAS System and Participation by the Coalition in the OAS General Assembly in Lima, Peru.

The event was organized by Global Rights Partners for Justice, the International Gay and Lesbian Human Rights Commission (IGLHRC) and the Latin American Space for Sexualities and Rights (MULABI).

The Department's presentation covered new prospects for the advancement of LGBTI rights and the Organization's civil society participation mechanisms.

3. First International Ombudsman Conference

In July 2010, the Department of International Law gave a presentation on the Strengthening of the National Human Rights Systems of the OAS Member States and support for the work of People's Defenders and Human Rights Ombudsmen at the First International Ombudsman Conference held in Belo Horizonte, Brazil, by the Brazilian Association of Ombudsmen – Minas Gerais Section.

4. Master's in International Protection of Human Rights (Universidad de Alcalá, Spain)

For the second year running, the Department of International Law took part in the Master's program in International Protection of Human Rights organized by Universidad de Alcalá, Spain, and taught by the university's well-known internationalist Professor Carlos Jiménez Piernas, among others. The classes taught by the Department were delivered from November 8 to 12, 2010.

This year the Department taught five classes as part of a course called “Human Rights and Vulnerable Groups: Political Processes within the Framework of the Organization of American States”. The course covered the following topics, among others:

- a) the OAS and the inter-American system;
- b) the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance;
- c) the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities and the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities;
- d) the role of the OAS regarding refugees, internally displaced and stateless persons; and lastly,
- e) human rights, sexual orientation and gender equity issues, on the one hand, and international standards on the protection of Afro-descendants in the inter-American system, on the other.

The Master’s program in question is designed to train civil servants, lawyers, and other professionals in the area of human rights, with special emphasis on international forensic practice. The course participants include students from Latin America, Europe and other regions. Many of them are civil servants in their respective countries, from Ombudsman or human rights entities, while others come from civil society organizations. For further information on the Master’s degree, visit: <http://dip.uah.es>.

Through this course, the Department of International Law has been able to disseminate the work done by the Organization’s political organs in relation to human rights and certain vulnerable groups.

V. Publications and Virtual Bookstore

The Inter-American Program for the Development of International Law includes, among other components, promoting the publication of texts such as the revised OAS Charter and others of interest, such as annual publications on topics related to

international law that have been produced for several years now and from part of the inter-American heritage of juridical texts.

Many of these publications are also distributed annually to all the permanent missions to the Organization.

During the period covered by this report, the Department of International Law edited, published, and distributed the following editions:

A. Thirty-sixth Course on International Law

The Department of International Law produced a publication on the Thirty-sixth Course on International Law which compiles the course lessons (see Section II of this report).

The book has 15 chapters, published in the original language in which the classes were taught. The contributing authors include a judge from the International Court of Justice, academics from some of the most prestigious universities in the Americas and Europe who work in this field, members of the Inter-American Juridical Committee, and specialists from international organizations, etc.

The topics covered in this book include: peacekeeping, international human rights tribunals, the international legal system on climate change, international humanitarian law, the Pact of Bogota, general theory of international law (e.g., the relationship between universalism and regionalism), the work of the Inter-American Juridical Committee, the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, and migrant workers, among others.

It should be noted that the book is part of an annual series published by the Department, containing a compilation of all the classes taught during the Course, from the outset to the present day.

B. Reprint of the OAS Charter

The Department of International Law ordered a reprint of 500 copies of the OAS Charter in a bilingual, Spanish/English, edition. It

is a pocket edition designed to contribute to the dissemination of the Organization's founding document. It is to be distributed both within the Organization and during different training activities for which participants need to be familiar with the Charter.

C. Afro-descendants

During the reception held on February 22, 2011, at the Art Museum of the Americas, the Department of International Law officially presented the publication "Experts' Workshop on Afro-descendants in the Americas."

The publication, which derives from an event held last year, is a compendium of the presentations given by participants. It covers subjects such as affirmative action, fighting racial discrimination in the workplace, the burden of proof in acts of discrimination, and hate speech, all topics illustrative of the technical and legal issues affecting Afro-descendants.

The idea is to make this book available to civil society organizations of Afro-descendants, the organs of the OAS and of the inter-American system working in this field, as well as to the general public.

In addition, in order to reach all corners of the Americas, a version has been produced in electronic format that can be downloaded from the Department of International Law's website.

D. Forthcoming publications

Listed below are some of the publications soon to be released by the Department of International Law:

- a) Seminars and Workshops on International Law (*Jornadas de Derecho Internacional*) 2008/2010 / (joint edition)
- b) Reprint of the OAS Charter, pocket edition (French/Portuguese)
- c) Standards on the Protection of Afro-descendants in the Inter-American System (*Estándares de protección de*

Afrodescendientes en el Sistema Interamericano). A brief introduction

- d) Second Expert Workshop on Afro-descendants in the Americas. Legislation, Public Policies, Affirmative Action and Best Practices

E. Virtual Bookstore

Our catalogue contains around 30 titles of publications produced in previous years. This information is available on our website:

<http://www.oas.org/dil/publications.htm>

Copies are ordered on a regular basis by universities and education institutes, researchers, students, and other interested parties.

VI. Dissemination via the Internet

- A. General description of the Department of International Law's website

The Department of International Law publishes a webpage through a dedicated webmaster which is periodically updated: www.oas.org/dil. This website is extremely useful for the promotion and dissemination of international law.

The website contains information on the work of the political organs of the OAS in the area of international law, for instance on issues such as international humanitarian law, indigenous peoples, Afro-descendants, refugees and internally displaced persons, the International Criminal Court, racism, discrimination and intolerance, the Inter-American Specialized Conference on Private International Law (CIDIP), family law network, and so on.

For each of these topics there are links providing information on the relevant instruments (General Assembly resolutions, background information on each topic, and all kinds of pertinent tools), as well as activities undertaken in each of those areas (special sessions, courses, and their respective programs and agendas, etc.).

At the same time, the webpage is an important source for accessing documentary resources on the OAS, such as material dealing with treaties, General Assembly resolutions, model laws, and various instruments of the inter-American system.

It also contains information on activities for promoting and disseminating international law carried out by the Department of International Law through specific projects and programs, and information on courses, seminars, workshops, and scholarships.

To grasp the scope of this website and see whom it reaches, visit the section of this report entitled “The Program in Figures”, which details the number of visits to and downloads from the website.

B. Link on the Inter-American Juridical Committee

The Department’s website also contains a specific link dedicated to the Inter-American Juridical Committee, describing its work and providing information on its composition, members, current agenda, working documents, annual reports, etc.

http://www.oas.org/cji/eng/inter_american_judicial_committee.htm

All of this pertains to the Department’s work as the Committee’s Technical Secretariat, and to the mandates contained in the Inter-American Program for the Development of International Law, which require resolutions and other documents approved by the Organization’s different organs to be made available.

C. Database of diplomatic academies in the Hemisphere

AG/RES. 2174 (XXXVI-O/06) “Inter-American Program for the Development of International Law” asked the Department of International Law to create a database on its website on diplomatic academies in the Hemisphere.

In response to this mandate, the Department’s website contains a link which is periodically updated, to data on diplomatic academies in the Hemisphere (authorities, contact information, etc.). It is permanently open to suggestions and updates from the respective permanent missions. For further information, please visit:

http://www.oas.org/dil/diplomatic_academies_data_base.htm.

D. Information bulletin

Lastly, to further disseminate its activities, the Department of International Law has produced a quarterly information bulletin. It is available on the website and is also circulated by e-mail.

The bulletin is sent out to all the permanent missions, to the National Offices of the OAS General Secretariat, to all staff of the General Secretariat, and to the Department of International Law's list of some 850 contacts.

To access the latest bulletin, please visit:

<http://www.oas.org/dil/Newsletter/Feb2011/index.html>.

VII. Legal Procedures and/or Dissemination of Inter-American Instruments

As regards inter-American treaties, the Inter-American Program for the Development of International Law envisages consultation via the Internet of the full text of treaties to which the OAS is depositary, updated status of signatures, ratifications and/or accessions, reservations, objections, declarations, and entry into effect thereof, as well as similar information on cooperation agreements entered into by the OAS, and so on.

Pursuant to this mandate, all the information required in the previous paragraph is available on our website where a simple search by chronological and alphabetical order takes you to treaties, agreements, and other instruments.

In addition, and in keeping with its functions, during 2010 the Department carried out the following procedures:

- a) five processes for depositing instruments of ratification and accession
- b) 17 processes for notifying states of emergency; and
- c) eight notification processes related to the Inter-American convention against Corruption.

Certifications were also prepared and full and updated information provided on those treaties in which the Organization of American States participates as official depositary.

In the area of bilateral agreements, a total of 177 cooperation agreements were entered into by the General Secretariat.

All of this information can be consulted via the following link to our website:

http://www.oas.org/dil/treaties_and_agreements.htm.

VIII. The Program in Figures

The Department of International Law has started to measure, quantify, and ascertain the impact of some of its activities. We will be improving the quality and accuracy of the figures shown below in the future, but they give some idea of the Program's impact so far. The figures should in no way detract from the unmeasurable implicit value of a Program with the characteristics of this one, many of whose activities have an intangible value – like any activity with a strong educational and training component – that cannot be quantified by mere figures or numbers.

Educational and Training Events Organized by the Department

	Topic	Number of events and/or activities	Estimated number of people trained or participants
1.	Indigenous peoples	6	220
2.	Afro-descendants	2	180
3.	Access to information	3	600
4.	Network of legal cooperation in the area of family and children's law	2	21
5.	Private International Law	6	350
6.	TOTAL	19	1,371

Scholarships Awarded by the Department in connection with Projects Financed with Specific Funds

	Topic	Number of scholarship-holders
1.	Indigenous peoples	58
2.	Afro-descendants	9
3.	TOTAL	67

Presentations made by Staff of the Department of International Law

	Topic	Number of talks, presentations, etc.	Estimated number of people trained or participants
1.	Inter-American system	3	300
2.	Private International Law	5	1,410
3.	International Criminal Court	1	25
4.	International Humanitarian Law	2	112
5.	Access to public information	2	1,800
6.	Indigenous peoples	4	300
7.	Afro-descendants. RDI	5	320

8.	Internally displaced persons	1	30
9.	International human rights law	4	90
10.	TOTAL	26	4,387

Publications

	Topic	Number of books printed	Copies distributed
1.	Thirty-seventh Course on International Law	150	70
2.	First Expert Workshop on Afro-Descendants in the Americas	200 (plus electronic version)	120 (the electronic version was mass e-mailed)
3.	OAS Charter (English/Spanish)	500	248
4.	TOTAL	850	438

Virtual Library

The Department's virtual library already has around 30 different publications available to the general public that can be consulted through the following catalogue:

<http://www.oas.org/dil/publications.htm>.

Internet Dissemination (Partial Data Provided by DOITS⁴)

	Month	Visits	Downloads
1.	Feb	46,383	80,045
2.	March	59,317	137,334
3.	April	62,767	94,188
4.	May	66,115	108,992
5.	June	53,585	102,976

⁴ The data are partial in that they only cover the period through October, but they do serve to show extensive use of the website.

6.	July	51,505	176,736
7.	Aug	59,989	194,624
8.	Sept	66,991	289,013
9.	Oct	71,532	338,176
10.	TOTAL (Feb-Oct)	538,184	1,522,084

Information Bulletins

Quantity. During the period covered by this report three information bulletins by the Department of International Law have been distributed, with information about its activities to promote and disseminate international law and the inter-American system.

Distribution and scope. The bulletin is sent out to a list of around 850 people and organizations interested in the subject, without counting the OAS's own distribution system, which sends out an electronic version of the bulletin (General Secretariat, permanent missions, National Offices, etc.).

IX. Conclusion

The Inter-American Program for the Development of International Law, which the member states have consistently supported since it was adopted by the General Assembly in 1997, has been in effect for more than thirteen years.

The Program is attached to this report and basically includes five essential components:

- a) Legal information on treaties
- b) Development of law within the OAS organs
- c) Teaching of inter-American international law
- d) Publications
- e) Cooperation for development, dissemination, and teaching of international law in the Hemisphere

Throughout this report we have endeavored to highlight the efforts made by the Department of International Law in the different

areas of the Program, through each of the activities described in detail in this report.

We have explained how, through new technologies and dissemination methods such as the Internet, we are providing full information on the texts of the treaties, on their legal status, and on the cooperation agreements entered into by the OAS, among others.

Our training activities, and in general the teaching of international law, through courses, workshops, seminars, conferences and talks, is also described in points II to IV of this report. Many of these activities also served to promote the development of law within the OAS organs.

While we have continued with our traditional publications, the Program has led to the addition of entirely novel works in the sense that they provide a compendium of hemispheric standards on the protection of vulnerable groups for whom there was previously little or no bibliography.

Finally, we should not forget to mention that the Department of International Law has continued to encourage cooperation with a variety of entities and organizations in order to strengthen the Program's activities. This is extremely important since these relations result in a major source of financing, which allows us to execute many of the activities we have reviewed without draining the Organization's budget. For fear of committing accidental omissions, we shall refrain here from attempting to provide an exhaustive list of all the strategic partners who help us, in numerous ways, to successfully advance the Inter-American Program for the Development of International Law. Instead, we would like to acknowledge each and every one of them (international organizations and entities of various kinds, international financial institutions, cooperation agencies from different countries, permanent observer missions, and civil society organizations, among others).

On that note we end this report, requesting states kindly to consider the possibility of continuing their resolute support for the Program, as they have done since its inception. That will allow us to

keep improving the activities we engage in under the Program, to reach out to a wider public, and to disseminate and promote, to the best of our ability, international law, the inter-American system, and the juridical agenda of the Organization of American States.

ANNEXES

The followed documents are appended to this report:

- A. AG/DEC. 12 (XXVI-O/96), “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law”;
- B. AG/RES. 1471 (XXVII-O/97), “Inter-American Program for the Development of International Law”; and
- C. AG/RES. 2590 (XL-O/10) “Inter-American Program for the Development of International Law”

- A. AG/DEC. 12 (XXVI-O/96), "Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law"

AG/DEC. 12 (XXVI-O/96)

DECLARATION OF PANAMA ON THE INTER-AMERICAN
CONTRIBUTION
TO THE DEVELOPMENT AND CODIFICATION OF
INTERNATIONAL LAW

(Adopted at the sixth plenary session,
held on June 5, 1996)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Charter of the Organization of American States establishes that international law is the standard of conduct of states in their reciprocal relations;

That international order consists essentially of respect for the personality, sovereignty, and independence of states, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

That the Organization of American States is the principal and irreplaceable forum in which states, on an equal footing, adopt legal provisions in both public and private international law to govern their relations at the hemispheric level;

That this has allowed the development of a rich regional legal heritage, which has been a valuable contribution by the Organization of American States to the consolidation of a peaceful, just, and equitable international order;

That full respect for the rule of law, nationally and internationally, is vital to the exercise of representative democracy, which is an essential purpose of the Inter-American system, and in this sense additional legal instruments should be developed to further strengthen democracy in the Hemisphere;

That the contribution of the inter-American legal system to the establishment of important principles of general international law has been recognized by the world community, notably the development of inter-American rules concerning human rights protection, the application of the principle of nonintervention, the establishment of procedures for peaceful settlement of disputes, the development of principles concerning the right to asylum and of rules on the law of the sea, the strengthening of judicial cooperation, the development and codification of private international law, and the creation of institutions to finance and promote economic and social development;

That, more recently, there have been noteworthy legal contributions concerning hemispheric solidarity and inter-American cooperation for the protection of minors, the prevention of violence against women, efforts against corruption, the war on terrorism, and the waging of a common battle against drugs;

That the formulation and development of inter-American international law in the framework of the Organization encourages cooperation and mutual understanding among different national legal systems as well as between the civil and common law systems represented in the Hemisphere;

That inter-American legal development is a priority undertaking that should be intensified in light of the decision by the heads of state and government meeting in Miami in 1994 in support of peace, democracy, development, economic integration, and social justice;

That this will require a search for innovative legal solutions to meet the new challenges and demands arising from the commonality of interests, the increasing circulation of people, increased trade, the existence of common threats to our societies, concerns relating to indigenous populations, and the environment;

That the Secretary General of the Organization of American States has presented an important document entitled "The Law in a New Inter-American Order," which assesses the inter-American system's contribution to the governance of international relations, analyzes legal issues in our region, and recommends steps to

achieve greater efficiency in the legal area, and which the Permanent Council of the Organization and the Inter-American Juridical Committee have received with interest;

That we are living in the United Nations Decade of International Law (1990-1999), an era in which the need for the progressive development and codification of international law has been underscored; and

That it is necessary for the member states to reaffirm their full support for the progressive development and codification of international law, for dissemination of information thereon in the framework of the Organization of American States, and for measures allowing greater inter-American legal cooperation,

DECLARES:

1. Its renewed and most staunch commitment to continue promoting the progressive development and codification of inter-American international law in the framework of the Organization of American States as a suitable way to strengthen relations of peace and solidarity among the states of the Americas, with full respect for their sovereignty and the principle of nonintervention.

2. Its firm belief that the inter-American legal heritage should be preserved and enriched on the basis of the Charter of the Organization of American States and in light of new challenges and goals in our region, so that it will reflect the ongoing cooperation between the two legal systems operating in the Hemisphere.

3. Its profound conviction that international law is the standard of conduct for states in their reciprocal relations, and that the Organization of American States is the forum best suited for the development, negotiation, and adoption of inter-American legal norms.

4. Its recognition of the work undertaken by the various bodies of the Organization on the proposal and preparation of inter-American legal provisions, emphasizing the need for ongoing

cooperation and coordination among the Permanent Council, the Inter-American Juridical Committee, and the General Secretariat.

5. Its appreciation to the Secretary General for presenting the document "The Law in a New Inter-American Order," which should be studied by the competent bodies of the Organization.

6. Its resolve to support initiatives aimed at legally reinforcing the institutions of the member states and their cooperative efforts in their struggle against the various scourges afflicting our peoples.

7. Its conviction that, with a view to the growing integration of our countries, it is necessary to intensify the development of private international law and the harmonization of national laws so that they will not hinder the free movement of persons and goods but facilitate regional trade.

8. Its commitment to the legal development of the purposes and principles set forth in the Charter of the Organization of American States.

9. Its determination to move forward with the adoption of legal instruments to promote inter-American cooperation in preserving and protecting the environment.

10. Its certainty that the challenges of today require not only the development of international law through international treaties but also the adaptation by each state of national law to international agreements in force.

11. Its conviction that ties of coordination and cooperation between the Organization of American States and other international organizations, the United Nations in particular, must be strengthened in the area of the progressive development and codification of international law.

12. Its intent that the Organization of American States, through courses, seminars, studies, and publications on international law and judicial cooperation, continue to perform an

important task in providing training and information jurists, diplomats, scholars, and officials across the region.

13. Its interest in promoting the broadest possible awareness of the inter-American legal system and, to that end, in studying innovative and cost-effective ways of disseminating this information so that the system will be fully understood and effectively applied in national legal systems.

14. Its approval of the reorganization of the Secretariat for Legal Affairs of the General Secretariat, which is being assigned responsibility for all General Secretariat activities related to the progressive development and codification of international law, its dissemination, and legal and judicial cooperation among the states.

15. Its decision to request the Inter-American Juridical Committee to review its work approach and its agenda with a view to playing a more active role in the legal issues entrusted to it by the Organization, with access to the resources it needs to carry out its responsibilities.

16. Its decision that the Permanent Council, through its Committee on Juridical and Political Affairs, promote procedures for more effective cooperation and coordination among the various bodies of the Organization on legal matters.

17. That this declaration shall be called the "Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law."

B. AG/RES. 1471 (XXVII-O/97), "Inter-American Program for the Development of International Law"

AG/RES. 1471 (XXVII-O/97)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT
OF INTERNATIONAL LAW

(Resolution adopted at the seventh plenary session,
held on June 5, 1997)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Charter of the Organization of American States, Article 3 of which declares that "international law is the standard of conduct of States in their reciprocal relations";

The Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], in which the General Assembly declares "its renewed and most staunch commitment to continue promoting the progressive development and codification of inter-American international law in the framework of the Organization of American States as a suitable way to strengthen relations of peace and solidarity among the states of the Americas, with full respect for their sovereignty and the principle of nonintervention," as well as "its interest in promoting the broadest possible awareness of the inter-American legal system," and its decision "that the Permanent Council, through its Committee on Juridical and Political Affairs, promote procedures for more effective cooperation and coordination among the various bodies of the Organization on legal matters";

The working document entitled "The Law in a New Inter-American Order," presented by the Secretary General and considered both by the Permanent Council and by the Inter-American Juridical Committee; and

The document "Legal Cooperation: A Tool for Enhancing the Inter-American Legal System," presented by the Secretary General to the Permanent Council at its meeting on April 30, 1997;

BEARING IN MIND the work in which the General Secretariat of the Organization of American States has been engaged in this area; and

CONSIDERING:

That the Permanent Council, at its meeting on July 11, 1996, transmitted to the Committee on Juridical and Political Affairs for study the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law;

That the multilateral treaties adopted within the framework of the Organization of American States constitute a valuable legal heritage that must be preserved and given wide dissemination;

That dissemination of this subject matter among the political bodies of the OAS facilitates the study, discussion, negotiation, and development of new legal instruments within the framework of the inter-American system;

That it is important to disseminate legal studies of the inter-American system; and

That cooperation to promote the development, dissemination, and teaching of international law in the inter-American context is an indispensable undertaking,

RESOLVES:

1. To adopt the Inter-American Program for the Development of International Law:

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

The member states of the Organization of American States, within the framework of the purposes and principles set forth in the Charter of the Organization and bearing in mind the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], have decided to adopt the Inter-American Program for the Development of International Law, implementation of which requires the following actions:

Treaties in the Inter-American Context

- a. To encourage the development of an Inter-American System of Legal Information, which will be accessible via the Internet and provide ready access to the complete texts of inter-American treaties of which the OAS is the depository and data on the current status of signatures, ratifications and/or accessions, reservations, objections, declarations, and the date of their entry into force, and to background information and preparatory documentation thereon, as well as to similar information on cooperation agreements concluded by the OAS and on inter-American treaties of which the General Secretariat is not the depository.
- b. To instruct the General Secretariat to coordinate, through the Secretariat for Legal Affairs, the work under way in other areas of the General Secretariat, in other bodies of the Organization, and in the various agencies and entities of the inter-American system, with a view to strengthening the Inter-American System of Legal Information, in consultation with the Committee on Juridical and Political Affairs of the Permanent Council.

Legal Development within the Organs of the OAS

- c. To systematize the resolutions and declarations of the different organs of the OAS and the action plans and other studies and documents approved within the framework of the Organization with a view to facilitating the study, discussion, negotiation, and development of new agreements within the framework of the inter-American system.
- d. To request the General Secretariat to ensure close coordination among the various areas and offices and other bodies of the OAS so as to move forward with the activities described in the preceding paragraph.

Teaching of Inter-American International Law

- e. To strengthen the Course on International Law conducted each year in Rio de Janeiro by the Inter-American Juridical Committee and the Secretariat for Legal Affairs by including sessions on the latest developments in international law and the major political agreements relating to the new hemispheric agenda.
- f. To organize, in cooperation with institutions in the various member states, courses at the subregional and national levels on the various aspects of inter-American law, in particular, on the latest legal developments within the Organization, so as to provide the opportunity to diplomatic agents, teachers of international law, academics, judges, members of the armed forces, and other senior public and institutional officials to be aware of legal and political developments within the OAS and to discuss them.
- g. To provide its staunchest support to the activities described in the preceding paragraph, in particular by encouraging the participation of senior OAS officials

and international jurists and specialists and by offering scholarships and/or apprenticeships in legal practice and research to outstanding participants.

- h. To hold meetings of professors of public and private international law from the member states to share ideas and proposals for action. At these meetings, consideration could be given to preparing a handbook or other teaching materials, organizing workshops or refresher courses, and developing future links with appropriate academic institutions with a view to achieving the systematic incorporation of inter-American law into the curricula of the various faculties of law.
- i. To hold periodic Workshops on International Law with the participation of high-level jurists and specialists in international law and of legal advisers from the foreign ministries of member states in order to further the study and development of legal issues in the inter-American system.
- j. To take into account the need to include topics and representatives from the various legal systems in the Hemisphere in all the activities mentioned above.

Publications

- k. To encourage the publication of such texts as the amended Charter of the OAS and inter-American treaties adopted during the past decade.
- l. To promote regular publication of the Inter-American Juridical Bulletin so as to cover the major activities of the OAS in the legal area, including, in particular, information on new treaties adopted within the inter-American system, and the corresponding signatures, ratifications and/or accessions, reservations, and declarations, *inter alia*.

- m. To resume the publication of the Inter-American Juridical Yearbook in order to reintroduce a forum for the dissemination of expert doctrine on various aspects and topics relating to current inter-American law and new developments in the framework of the new hemispheric agenda.
- n. To prepare a systematic and updated work on the institutional framework and legal aspects of the inter-American system to mark the 50th anniversary of the OAS.

Cooperation in the Development, Dissemination, and Teaching of International Law in the Hemisphere

- o. To promote agreements with various entities for the teaching and dissemination of inter-American law, including universities, institutes of international studies, and diplomatic academies, to encourage greater awareness of the legal heritage of the inter-American system and of the latest political developments within the framework of the Organization.
- p. To promote cooperation with international organizations such as the United Nations, in particular the Sixth Committee of its General Assembly and the International Law Commission, as well as The Hague Academy of International Law, and The Hague Conference on Private International Law, as a means of further publicizing inter-American international law.
- q. To promote the conclusion of cooperation agreements with various international financial agencies such as the Inter-American Development Bank and the World Bank, and with foundations and other public and private entities that are in a position to provide financial assistance for the dissemination, development, and teaching of international law.

2. To instruct the Permanent Council to monitor this Program of Action, which will be carried out within allocated resources approved in the program-budget and other resources, and to request it to submit a report on the implementation of this resolution to the General Assembly at its twenty-eighth regular session.

C. AG/RES. 2950 (XL-O/10), "Inter-American Program for the Development of International Law"

AG/RES. 2590 (XL-O/10)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT
OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 8, 2010)

THE GENERAL ASSEMBLY,

Having seen the Annual Report of the Permanent Council to the General Assembly, in particular as it pertains to the implementation of resolution AG/RES. 2503 (XXXIX-O/09), "Inter-American Program for the Development of International Law" (AG/doc.5111/10 add. 1);

CONSIDERING that in 1996 the General Assembly adopted the Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law [AG/DEC. 12 (XXVI-O/96)], and that in 1997, by resolution AG/RES. 1471 (XXVII-O/97), it adopted the Inter-American Program for the Development of International Law;

CONSIDERING ALSO that the General Assembly has reaffirmed its support for said Program through resolutions AG/RES. 1557 (XXVIII-O/98), AG/RES. 1617 (XXIX-O/99), AG/RES. 1705 (XXX-O/00), AG/RES. 1766 (XXXI-O/01), AG/RES. 1845 (XXXII-O/02), AG/RES. 1921 (XXXIII-O/03), AG/RES. 2032 (XXXIV-O/04), AG/RES. 2070 (XXXV-O/05), AG/RES. 2174 (XXXVI-O/06), AG/RES. 2264 (XXXVII-O/07), and AG/RES. 2405 (XXXVIII-O/08), and AG/RES. 2503 (XXXIX-O/09);

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” (CP/CAJP-2814/10);

Of the XXXVI Course on International Law, held in Rio de Janeiro, Brazil, from August 3 to 21, 2009, and of the Workshops on International Law, held in San José, Costa Rica, from February 2 to 5, 2010; and

Of the training courses for staff of the permanent missions of the member states and of the General Secretariat, organized by the Department of International Law and held at OAS headquarters (the Fourth Course on International Humanitarian Law and the Second Course on International Refugee Law);

RECALLING that since the adoption of the Inter-American Program for the Development of International Law by the twenty-seventh regular session of the General Assembly in 1997 important progress has been made in the area, and recognizing the need to update the Program,

RESOLVES:

1. To reaffirm the importance of, and its support for, the Inter-American Program for the Development of International Law and to request the Department of International Law to continue carrying out the activities listed in the Program.

2. To thank the Department of International Law for presenting the “Report on the Inter-American Program for the Development of International Law” (CP/CAJP-2814/10).

3. To instruct the Permanent Council to conduct before the forty-first regular session of the General Assembly a review of the Inter-American Program for the Development of International Law with a view to updating the activities contemplated therein.

4. To urge the General Secretariat to continue, through the Department of International Law, conducting the Course on International Law in Rio de Janeiro and the Workshops on

International Law, as well as other activities designed to increase awareness of international law, with special emphasis on the inter-American system, and to continue disseminating legal information on the system and the status of signatures and ratifications of inter-American treaties deposited with the General Secretariat, through publications, electronic media, and the Internet, in all the official languages of the Organization of American States.

5. To urge the General Secretariat to continue holding workshops, through the Department of International Law and in the framework of the Committee on Juridical and Political Affairs, on topics of interest in the field of international law and the study and development of inter-American law, directed at the staff of the permanent missions of the member states, General Secretariat personnel, academic sectors, and the general public.

6. To request the General Secretariat to continue, through the Department of International Law, doing its utmost to disseminate information on the legal norms of the inter-American system in diplomatic academies, other training centers for civil servants, and other law schools in the Hemisphere, in the context of the mandates of the Inter-American Program for the Development of International Law.

7. To request the Permanent Council to report to the General Assembly at its forty-first 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.