

CONSEJO PERMANENTE



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10 mayo 2006

ACTA
DE LA SESIÓN ORDINARIA
CELEBRADA
EL 10 DE MAYO DE 2006

Aprobada en la sesión del 15 de julio de 2009

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DOCUMENTOS CONSIDERADOS EN LA SESIÓN
(SE PUBLICAN POR SEPARADO)

CP/CG-1662/06 rev. 1, Proyecto de resolución: Modificaciones al Estatuto y al Reglamento de la CITEL

CP/CG-1663/06 rev. 1, Proyecto de resolución: Fortalecimiento de las actividades de la CITEL para promover el desarrollo de las telecomunicaciones en la región

CP/CG-1665/06 rev. 1, Proyecto de resolución: Fortalecimiento de la Comisión Interamericana de Mujeres

CP/CG-1667/06 rev. 1 corr. 1, Proyecto de resolución: Mecanismo de Seguimiento de la Implementación de la Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer “Convención de *Belém do Pará*” (MESECVI)

CP/CG-1672/06 rev. 1, Proyecto de resolución: Homenaje al excelentísimo señor Alberto Lleras Camargo, en el centenario de su nacimiento

CP/CG-1676/06, Proyecto de resolución: Programa Interamericano sobre Educación en Valores y Prácticas Democráticas

CP/CG-1669/06 rev. 1, Proyecto de resolución: Coordinación del voluntariado en el Hemisferio para la respuesta a los desastres naturales y la lucha contra el hambre y la pobreza – Iniciativa Cascos Blancos

CP/CG-1661/06 rev. 3, Proyecto de resolución: Presentación pública de los candidatos y candidatas para integrar la Comisión Interamericana de Derechos Humanos y Corte Interamericana de Derechos Humanos

CP/CAJP-2354/06 rev. 3, Proyecto de resolución: Establecimiento del Comité previsto en la Convención Interamericana para la Eliminación de Todas las Formas de Discriminación contra las Personas con Discapacidad

CP/CAJP-2379/06 rev. 1, Proyecto de resolución: Lucha contra el racismo y toda forma de discriminación e intolerancia y consideración del Proyecto de Convención Interamericana contra el Racismo y Toda Forma de Discriminación e Intolerancia

CP/CAJP-2380/06, Proyecto de resolución: Declaración Americana sobre los Derechos de los Pueblos Indígenas

CONSEJO PERMANENTE DE LA ORGANIZACIÓN DE LOS ESTADOS AMERICANOS

ACTA DE LA SESIÓN ORDINARIA CELEBRADA EL 10 DE MAYO DE 2006

En la ciudad de Washington, a las diez y quince de la mañana del miércoles 10 de mayo de 2006, celebró sesión ordinaria el Consejo Permanente de la Organización de los Estados Americanos. Presidió la sesión el Embajador Ellsworth I. A. John, Representante Permanente de San Vicente y las Granadinas y Presidente del Consejo Permanente. Asistieron los siguientes miembros:

Embajadora Marina Valère, Representante Permanente de Trinidad y Tobago y
Vicepresidenta del Consejo Permanente
Embajador Denis G. Antoine, Representante Permanente de Grenada
Embajadora Sonia Merlyn Johnny, Representante Permanente de Santa Lucía
Embajador Joshua Sears, Representante Permanente del Commonwealth de las Bahamas
Embajador Esteban Tomic, Representante Permanente de Chile
Embajadora Lisa Shoman, Representante Permanente de Belice
Embajador Paul D. Durand, Representante Permanente del Canadá
Embajador Rodolfo Hugo Gil, Representante Permanente de la Argentina
Embajador John F. Maisto, Representante Permanente de los Estados Unidos
Embajador Bayney R. Karran, Representante Permanente de Guyana
Embajador Francisco Villagrán de León, Representante Permanente de Guatemala
Embajadora Abigaíl Castro de Pérez, Representante Permanente de El Salvador
Embajador Gordon V. Shirley, Representante Permanente de Jamaica
Embajador Aristides Royo, Representante Permanente de Panamá
Embajador Duly Brutus, Representante Permanente de Haití
Embajador Manuel María Cáceres Cardozo, Representante Permanente del Paraguay
Embajador Osmar Chohfi, Representante Permanente del Brasil
Embajador Mario Alemán, Representante Permanente del Ecuador
Embajador José Luis Velásquez Pereira, Representante Permanente de Nicaragua
Embajador Fernando de la Flor Arbulú, Representante Permanente del Perú
Embajador Alejandro García-Moreno Elizondo, Representante Permanente de México
Ministro Consejero Jorge A. Seré Sturzenegger, Representante Interino del Uruguay
Consejero Rabinder Lala, Representante Interino de Suriname
Ministra Consejera Mayerlyn Cordero Díaz, Representante Alternativa de la República Dominicana
Consejera Jasmine E. Huggins, Representante Alternativa de Saint Kitts y Nevis
Embajador Luis Guardia Mora, Representante Alternativo de Costa Rica
Ministra María Clara Isaza Merchán, Representante Alternativa de Colombia
Ministro Consejero Salvador Hernández Vela, Representante Alternativo de Venezuela
Tercera Secretaria Judith Anne Rolle, Representante Alternativa del Commonwealth de Dominica
Segundo Secretario Marco Antonio Valverde Carrasco, Representante Alternativo de Bolivia
Ministra Consejera La Celia Prince, Representante Alternativa de San Vicente y las Granadinas
Primer Secretario Ricardo Kellman, Representante Alternativo de Barbados

También estuvo presente el Secretario General Adjunto, Embajador Albert R. Ramdin, Secretario del Consejo Permanente.

APROBACIÓN DEL PROYECTO DE ORDEN DEL DÍA

El PRESIDENTE: I am pleased to call to order this regular meeting of the Permanent Council, convened to consider the items in the draft order of business, document CP/OD.1549/06.

[El proyecto de orden del día contiene los siguientes puntos:

1. Consideración de los proyectos de resolución de la Comisión General:
 - a) Proyecto de resolución: Modificaciones al Estatuto y al Reglamento de la CITELE (CP/CG-1662/06 rev.1)
 - b) Proyecto de resolución: Fortalecimiento de las actividades de la CITELE para promover el desarrollo de las telecomunicaciones en la región (CP/CG-1663/06 rev.1)
 - c) Proyecto de resolución: Fortalecimiento de la Comisión Interamericana de Mujeres (CP/CG-1665/06 rev. 1)
 - d) Proyecto de resolución: Proyecto de resolución: Mecanismo de seguimiento de la implementación de la Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer - *Convención de Belém do Pará* (MESECVI) (CP/CG-1667/06 rev. 1 corr. 1)
 - e) Proyecto de resolución: Homenaje al Excelentísimo Señor Alberto Lleras Camargo, en el Centenario de su Nacimiento (CP/CG-1672/06 rev. 1)
 - f) Proyecto de Resolución: Programa Interamericano sobre Educación en Valores y Prácticas Democráticas (CP/CG-1676/06)
 - g) Proyecto de resolución: Coordinación del Voluntariado en el Hemisferio para la Respuesta a los Desastres Naturales y la Lucha contra el Hambre y la Pobreza – Iniciativa Cascos Blancos (CP/CG-1669/06 rev. 1)
 - h) Proyecto de resolución: Presentación Pública de los Candidatos y Candidatas para Integrar la Comisión Interamericana de Derechos Humanos y Corte Interamericana de Derechos Humanos (CP/CG-1661/06 rev. 3)

2. Consideración de los proyectos de resolución de la Comisión de Asuntos Jurídicos y Políticos:
 - a) Proyecto de resolución: Establecimiento del Comité previsto en la Convención Interamericana para la Eliminación de todas las Formas de Discriminación contra las Personas con Discapacidad (CP/CAJP-2354/06 rev. 3)
 - b) Proyecto de resolución: Lucha contra el Racismo y toda Forma de Discriminación e Intolerancia y consideración del Proyecto de Convención Interamericana contra el Racismo y toda Forma de Discriminación e Intolerancia (CP/CAJP-2379/06)
 - c) Proyecto de resolución: Declaración Americana sobre los Derechos de los Pueblos Indígenas (CP/CAJP-2380/06)

3. Transmisión de informes a las Comisiones:
 - a) Informe anual del Comité Interamericano contra el Terrorismo (CICTE) a la Asamblea General (CP/doc.4110/06)
 - b) Nota de la Misión Permanente del Perú remitiendo el Proyecto de Resolución “Fortalecimiento de los Partidos Políticos para la Gobernabilidad Democrática” (CP/doc.4113/06)
 - c) Informe trimestral sobre el uso de fondos asignados de conformidad con la resolución CP/RES.831 (1342/02) entre el 1 de octubre y el 31 de diciembre de 2005 –Fondo de Paz (CP/doc.4112/06)
 - d) Información sobre fundaciones, organizaciones no gubernamentales y otras entidades privadas creadas por la Secretaría General de la Organización de los Estados Americanos, de conformidad con la resolución de la Asamblea General AG/RES. 2157 (XXXV-O/05) (CP/doc.4114/06)
4. Otros asuntos.]

I wish to inform delegations that there are two additional topics for inclusion in the draft order of business. The first issue is the presentation of the President of the Board of External Auditors to this Council. This topic was omitted in the convocation that was distributed on Friday. I suggest that this topic be included as item 1 of today’s meeting.

I also received a note from the Permanent Mission of Chile requesting the consideration of a draft resolution that refers to the recent meeting of the ministers of justice held in the Dominican Republic and to the Justice Studies Center of the Americas (JSCA). I suggest that this issue be included as item 4.c.

If there are no objections to these additions, and I see no requests for the floor, the Secretariat will issue a revised version of the draft order of business and will distribute it in the room.

The draft order of business with the modifications is now approved.

PRESENTACIÓN DEL PRESIDENTE DE LA JUNTA DE AUDITORES EXTERNOS

El PRESIDENTE: The first item on the order of business, as we have agreed, is the presentation to the Permanent Council by Mr. Howard Krongard, Chairman of the Board of External Auditors. As this is the first time that you are presenting the Board’s report to the Permanent Council in this capacity, let me extend a special welcome to you, Mr. Krongard’s first time to present the Board’s report to the Permanent Council, I extend to him a special welcome. You have the floor, sir.

El PRESIDENTE DE LA JUNTA DE AUDITORES EXTERNOS: Thank you very much, Mr. Chairman.

It is a pleasure and a great honor for me to be here and to have chaired the Board of External Auditors. As you can see, I had a very distinguished group of colleagues with whom I was pleased to work.

I think most of you are familiar with the responsibilities of the Board. The financial statements were audited by SB & Company, and that company audited the Regular Fund and the specific funds, as well as the associated entities. Each of the opinions of the auditors was unqualified, and there were no material weaknesses or reportable conditions. However, a number of internal control issues and recommendations came up and were passed on to the appropriate officials.

As to the financial results of the Regular Fund, the two numbers that you should focus on are in the lower-right-hand corner. The Fund balance should be \$7.6 million in 2004 and \$10.1 million at the close of 2005, an increase of \$2.6 million that resulted mainly from an increase in quota collections and a decrease in personnel and administrative costs. Quotas, as you will see, went up because the full amount of \$73.7 million was collected, as well as an additional \$2.6 in arrears, so the quotas in arrears at the end of the year decreased to \$18.6 million.

You have in front of you the slides that I am referring to, and you have also each been provided with the full copy of our report. I will go summarily through the report because I don't have time to cover it in its entirety, but there will be time for questions as well.

On the specific funds, the numbers in the left-hand column at the bottom are the important numbers, and you will see there was a decline in contributions from 2004 to 2005 by about 34 percent. That is a significant decrease in the specific funds.

You can also see, on the next slide, the patterns of income over the course of the last five years, and they have come pretty close together now as those lines have crossed twice.

On the expenditure side, the important thing to see is that Regular Fund expenditures have remained fairly constant over the last five or six years, while specific fund expenditures have increased. What that means is that administrative costs go up when specific fund expenditures go up.

There was an improvement in quota collections during 2005. However, it is still a critical issue that impacts the overall financial condition of the Organization of American States.

There are three separate and distinct issues that the Board believes are related issues, but they can be looked at separately and individually; they are not interlocking. Those three issues are the amount of the quotas; the timing of the payment of the quotas; and the treatment of arrearages in quota collections.

With respect to timing, the current rules are that if a quota is paid in full by December 31, it is considered payment on time and there are no arrears. However, from a management point of view, it is extremely difficult to manage efficiently and effectively during the course of a year when you don't know until the end of the year just how much money you are going to have.

In addition, when you have a large amount of fixed costs for compensation, salaries, maintenance of facilities, and so on that become due either weekly or monthly during the course of the year, a liquidity question arises when you do not have the money until the end of the year to pay those costs during the year. So, the timing of the collection of quota payments is a significant issue, and the Board has recommended that the OAS consider changing the quota requirements to have member states fund their quotas, in whole or in part, by an earlier date during the year.

Even if quotas were collected in a timely manner, the financial condition of the Regular Fund would still be an issue. The annual quotas simply do not cover the operating budget of the Organization; therefore, we think it is essential to take a hard look at the priorities and determine opportunities for cost savings. We also think that as much as can be done through attrition has been done. In some ways, the Organization has survived over the last couple of years through attrition, but the numerous cuts in staffing and other services are at the point where they threaten to harm the internal control environment. Therefore, it is critical to identify new ways to increase revenues.

The Board has recommended an automatic process to increase annual quotas in order to fund inflationary cost increases for salaries. We also recommend implementing a planning process that identifies strategic objectives and priorities and allocates scarce budgetary resources to achieve the Organization's key goals. Finally, we recommend that consideration be given to other sources of income, including making a decision on how to maximize the potential of the property at 16th and Euclid streets, as well as whether the rental income from the General Secretariat Building (GSB) can be increased.

As the number of specific funds increases, as I pointed out before, so do the support costs. Without a portion of the contributions to the specific funds going toward overhead, the Regular Fund, which is already in a difficult financial position, will be strained even more.

You will notice at the top of this slide that the word "overhead" has been changed to "oversight." It seems that it might just be symbolic, but we believe it's a very meaningful change, although it's just a slight change in the word. The way current amounts are sought from donors is not based on cost analysis. It's a request for a flat 2 percent, in current language, to cover overhead. We think that this sounds too much like a commission, and many donors have declined to make that payment because it sounds simply like a fixed fee or a commission not tied to the actual costs. We think that "oversight" would send a better message than "overhead."

Therefore, it is essential that the OAS to establish an enforceable, supportable, and consistent mechanism for the recovery of administrative and oversight costs on a case-by-case basis. This would require performing an overhead cost analysis that clearly identifies all administrative costs. You would then use this information to develop an enforceable and consistent mechanism for calculating, on a case-by-case basis, an appropriate amount that donors would understand would provide benefits that they would receive from funding oversight costs. If that case can be made transparently to donors, there will be a better likelihood that those contributions would include an amount for necessary oversight.

In general, the financial statements were completed this year earlier than in prior years. The Board believes that there is a benefit to linking the use of financial resources to the achievement of specific, strategic objectives and priorities, and we think that the financial reports should provide that link.

The Board was pleased with the Organization's efforts to improve efficiencies. We think that it's natural, following any significant reorganization in any kind of organization or structure, to see a certain amount of uncertainty related to roles and responsibilities, to see issues related to lines of communication or authority, and to see certain other types of temporary disorganization. Therefore, we recommend the development of updated policies and procedures and job descriptions for the new sections that have been created.

We point out that human capital is one of the most significant assets of the OAS, even though it is not recorded in the financial statements. We think that the OAS deserves to have a continuing and adequate training program to maintain and upgrade the skills of its employees. We suggest that you find cost-effective, alternative methods to train your staff, and that you require all employees performing technical work and, in particular, accounting and finance functions, to annually complete a minimum of hours of training in their key areas to preserve their expertise. Much of this training is required by professional standards.

Issues with the control environment at the Offices of the General Secretariat in the Member States were also identified, but the Board believes that the OAS is working to coordinate and reassess the role of the National Offices to ensure that they are meeting the intended goals of the OAS.

During last year, most of you know that the Fellowship, Scholarship, and Training Program significantly overspent its budget. The Board made several recommendations to improve the controls in this area. Those recommendations appear at the bottom of this slide and in full in the materials that you have.

Similarly, the Board noted that areas for improvement existed with respect to disbursements. We felt that better controls over approved vendor listings should be attainable and that the use of generic purchase orders should be eliminated, save for advance approval in exceptional circumstances.

We also had some recommendations regarding information technology, and we wanted to ensure that an appropriate contingency plan is implemented and tested.

We looked at each of the other OAS entities. Perhaps the most important finding was that the mechanisms to monitor the projects of the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI) were weak. As a result, we recommended that the Office of the Inspector General (OIG) performed an audit of FEMCIDI projects during 2006.

With respect to the Office of the Inspector General, we found that it was performing a vital and necessary job and was doing it effectively, but that it was not adequately staffed to provide the necessary internal audit and investigative support. Accordingly, we felt that OIG's request for funds to hire additional auditors should be given favorable consideration and priority. One way to achieve this might be to include a specific provision in project agreements to allocate to the Office of the Inspector General the necessary funds to perform required audits on these projects.

We found that no peer review has been performed or scheduled for OIG, and we determined that OIG should have a peer review evaluation every three years, in accordance with professional standards.

I am pleased to submit the report in its entirety, and at the appropriate time today I'd be pleased to answer any questions that you might have.

Thank you very much.

El PRESIDENTE: Thank you, Mr. Krongard, for your presentation. I now offer the floor to delegations that wish to make comments on the report. The Representative of Argentina is recognized.

El REPRESENTANTE ALTERNO DE LA ARGENTINA: Muchas gracias, señor Presidente.

Mi Delegación quisiera agradecer la presentación revisada por parte de la Junta de Auditores Externos de la Organización. Reconocemos que este organismo es particularmente importante para nuestra Organización y, en particular, respecto a la consideración del proyecto de programa-presupuesto anual, dado que muchas de estas recomendaciones pueden ser volcadas en el mismo, a efectos de aumentar la eficiencia de esta Organización.

Mi Delegación quisiera simplemente señalar que en el informe, documento JAE/doc.36/06, notamos que hay una referencia a que recientemente se ha deliberado sobre la situación del pago de cuotas y que se consideró la imposición de multas. Mi Delegación no reconoce esto como verdadero, en tanto que no hemos considerado en ningún momento este tipo de mecanismo dentro de esta Organización.

Tomamos también nota de distintas recomendaciones respecto a los organismos y entidades de la Secretaría. Nos preocupa la situación respecto al que fuera el Departamento de Becas y la situación de una ejecución por encima de dos millones de dólares en ese Departamento y otros mecanismos que otorgaron becas en forma irregular.

Muchas gracias.

El PRESIDENTE: Thank you very much, Representative of Argentina. I recognize the Ambassador of the United States.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chairman. We are still on item 1, is that correct? Very good.

Mr. Chairman, I simply wanted to commend Mr. Krongard for his presentation and his leadership of the Board of External Auditors. My delegation believes that very few boards have had to face the challenge of assessing the General Secretariat of the Organization of American States during a time of such intense change as is going on right now.

I want to assure all the representatives that the Permanent Mission of the United States welcomes the advice of the Board, and we can assure you that we will work to address the issues that the Board has proposed and that you and your colleagues have raised in the report.

My delegation, Mr. Chair, is of the view that the Secretary General and his staff are doing a superb job of revitalizing the infrastructure of the Organization of American States. We support this effort, and we will continue to do so through the help of the Board of External Auditors, such as through this report. I would be remiss if I did not mention the work of Ambassador Frank Almaguer in this endeavor.

Thank you, Mr. Chairman.

El PRESIDENTE: Thank you very much, Ambassador. I give the floor to the Interim Representative of Uruguay.

El REPRESENTANTE INTERINO DEL URUGUAY: Muchas gracias, señor Presidente.

Queremos hacer llegar por medio de usted al Presidente de la Junta de Auditores Externos nuestro agradecimiento por la presentación del informe y también nuestra preocupación por una de las recomendaciones, la imposición de multas para los países que están atrasados en el pago de cuotas.

Simplemente eso. Muchas gracias.

El PRESIDENTE: Thank you very much, Representative of Uruguay. I now give the floor to the Ambassador of Paraguay.

El REPRESENTANTE PERMANENTE DEL PARAGUAY: Muchas gracias, Presidente.

Quisiera agradecer la presentación del informe. Quisiera extenderles también una invitación al Presidente de la Junta de Auditores y a su equipo y decir que, dentro de la Comisión de Asuntos Administrativos y Presupuestarios, estamos listos y deseosos de tener un diálogo y un intercambio con los auditores. Así que reitero nuestra predisposición a hacerlo, lo que ya he manifestado personalmente cuando nos hemos reunido. Estamos siempre listos y deseosos de debatir este tema.

Gracias.

El PRESIDENTE: Thank you very much, Ambassador. I now give the floor to the Ambassador of Grenada.

El REPRESENTANTE PERMANENTE DE GRENADA: I thank you very much, Mr. Chairman.

The Delegation of Grenada adds its expression of appreciation to the Board of External Auditors for a very revealing report. I do appreciate particularly the very significant recommendations with specific reference to appropriate utilization of our assets in order to bring in more resources. Those assets are part of our capacity to help member states ease the burden of greater quota increases.

I thank the Board of Auditors for the recommendations, and I do hope that due attention will be given to the recommendations in this report.

I thank you.

El PRESIDENTE: Thank you very much, Ambassador of Grenada. I now give the floor to the Ambassador of Mexico.

El REPRESENTANTE PERMANENTE DE MÉXICO: Muchas gracias, señor Presidente.

Mi Delegación también quería sumarse al agradecimiento que ya han manifestado otras delegaciones por el informe presentado esta mañana, por las recomendaciones que habremos de analizar y reconocer el trabajo tan dedicado que se hizo en esta ocasión.

Gracias, señor Presidente.

El PRESIDENTE: Thank you, Ambassador. There being no further requests for the floor, I propose that the Council take note of the presentation made by the President of the Board of External Auditors and that the report be transmitted to the Committee on Administrative and Budgetary Affairs (CAAP) for its consideration. Seeing no objections, it is so agreed.

CONSIDERACIÓN DE LOS PROYECTOS DE RESOLUCIÓN DE LA COMISIÓN GENERAL

El PRESIDENTE: The second item on our order of business is consideration of the draft resolutions from the General Committee that are to be transmitted to the thirty-sixth regular session of the General Assembly for adoption, following their approval today by the Council. These draft resolutions were extensively considered and approved by the General Committee.

I wish to make an appeal to the chairs of the committees to speed up the consideration of the draft resolutions in their respective committees so that we may finalize our work in a timely manner. I have planned a meeting of the Permanent Council for May 17 to consider the draft resolutions coming from the committees. I have also scheduled a meeting of the Preparatory Committee for May 24 to receive the recommendations from the Subcommittee on Administrative and Budgetary Matters on the proposed program-budget for 2007. I look forward to the full cooperation of the committee chairs so that we can deal with these matters.

Before we discuss the resolutions one by one, I give the floor to the Ambassador of Guatemala.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS:
Gracias, señor Presidente.

Quiero referirme a su exhortación a los presidentes de comisión para que avancen en los trabajos de sus respectivas comisiones con el fin de presentar al Consejo Permanente los proyectos de resolución que están bajo consideración.

Creo que es una exhortación muy oportuna, muy pertinente. Sin embargo, es una exhortación que debe extenderse a todas las delegaciones, porque debe quedar muy claro que el éxito de que se concluya el trabajo de cada comisión no depende exclusivamente del tiempo que le dedique cada presidente. Depende de la voluntad, depende de la flexibilidad y depende del ánimo de todas las delegaciones. Así que esta exhortación debería hacerse extensiva a todas las delegaciones, a todos los Embajadores.

En el caso de la Comisión de Asuntos Jurídicos y Políticos hemos estado sesionando días completos, tres días a la semana. Hoy llegué muy temprano para trabajar con un grupo reducido de delegaciones en un proyecto de resolución específico. Menciono esto para que el señor Presidente se

dé cuenta de que no depende del presidente de cada comisión. Depende de la flexibilidad de todas las delegaciones, por lo que su llamado a los presidentes de comisión debería hacerse extensivo a todas las misiones, a todos los distinguidos Embajadores aquí presentes.

Muchas gracias.

El PRESIDENTE: Thank you very much, Ambassador, and I do appreciate your comments. What you have said is so very true, and we need to all work together to ensure that we are able to deal with the draft resolutions in a timely fashion and with dispatch.

I now offer the floor to delegations for comments on the draft resolution “Amendments to the Statutes and Regulations of CITELE,” document CP/CG-1662/06 rev. 1. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations to comment on the draft resolution “Strengthening of CITELE Activities to Promote Telecommunication Development in the Region,” document CP/CG-1663/06 rev. 1. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations for comments on the draft resolution “Strengthening of the Inter-American Commission of Women,” document CP/CG-1665/06 rev. 1. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations to comment on draft resolution “Mechanism to Follow up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women ‘Convention of Belém do Pará,’” document CP/CG-1667/06 rev. 1. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

The Ambassador of the United States has requested the floor.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chairman.

I’m trying to follow you. You are being very expeditious, and that’s very positive. We are talking about item CP/CG-1665/06 rev. 1. Is that correct, Mr. Chair?

El PRESIDENTE: No, Ambassador. That was already approved.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Well, Mr. Chair, I want to make comments on document CP/CG-1665/06 rev. 1, and I guess *fue tan rápido todo, como dicen en las películas mexicanas, que se me escapó*.

El PRESIDENTE: I crave the indulgence of the other delegations in allowing the Ambassador of the United States to make observations on the draft resolution in document CP/CG-1665/06 rev. 1. Ambassador Maisto, you have the floor.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chair. I stand corrected. I do want to speak on document CP/CG-1667/06 rev. 1. Am I in order?

El PRESIDENTE: You are in order.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chair.

Mr. Chair, this is a very important subject for my delegation. My delegation applauds the Inter-American Commission of Women (CIM) and its efforts to support programs and activities to address violence against women. Although we are not a party to the Convention of Belém do Pará, the United States views violence against women as a very important domestic issue.

Mr. Chair, during the 1990s, a grassroots coalition of domestic violence and sexual assault advocates led a nationwide campaign to push for passage of the original Violence against Women Act in my country. Congress passed the legislation in 1994 for the first time. This landmark legislation has led the way in efforts to improve our criminal justice and community-based responses to domestic violence, dating violence, sexual assault, and stalking in the United States.

The Act has been reauthorized twice: once in 2000, and again in 2006. In 2000, the Congress built on the foundation established in 1994 by reauthorizing critical grant programs created by the original Act and subsequent legislation establishing new grant programs and improving legal tools and programs addressing domestic violence, sexual assault, and stalking. These are all practical approaches to a real-world problem in the United States of America.

In January of this year, 2006, President Bush signed legislation that reauthorizes existing grant programs through fiscal year 2011. Among other things, the new Act also improves federal criminal and immigration laws, authorizes a number of new grant programs targeting violence against women, and expands funding for programs that address sexual assault and violence against Native American women.

Mr. Chair, I want to put on record that the United States will take the opportunity to provide a presentation on our activities to combat violence against women during the upcoming Executive Committee meeting of the CIM.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you, Ambassador. Just for my clarification, I gather from your intervention that you are not objecting to anything in the draft resolution; rather, you are indicating that there will be an additional resolution from the United States on the issue of violence against women. Am I correct?

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Mr. Chair, I hoped I made myself understood, but no, I wanted to make that statement, and we are fine as far as the draft resolution is concerned.

El PRESIDENTE: Thank you very much, Ambassador. There being no further requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations to comment on the draft resolution "Tribute to His Excellency Alberto Lleras Camargo on the 100th Anniversary of His Birth," document CP/CG-1672/06 rev. 1. I give the floor to the Ambassador of Panama.

El REPRESENTANTE PERMANENTE DE PANAMÁ: Muchas gracias, señor Presidente.

De manera muy breve, en nombre de la Delegación de Panamá quisiera acoger con gran beneplácito este proyecto de resolución para honrar la memoria de Alberto Lleras Camargo.

No voy a añadir prácticamente nada al proyecto de resolución porque creo que en él prácticamente está todo contemplado acerca de esta gran figura americana. Simplemente quisiera expresar tres motivos de admiración adicional que yo he tenido siempre por la figura de Alberto Lleras Camargo.

Él publicó sus memorias y alguien dijo, creo que fue Gabriel García Márquez, que de no haberse dedicado a la política, hubiera sido el mejor escritor de Colombia.

Lo admiro también porque tuvo la inmensa humildad de aceptar un puesto de alcalde de una pequeña comunidad cercana a Bogotá. Lo admiro, finalmente, porque, además, con más de setenta y pico de años, iba a la alcaldía todos los días en bicicleta.

Así que me adhiero de todo corazón a este proyecto de resolución.

Muchas gracias.

El PRESIDENTE: Thank you, Ambassador, for those comments. I give the floor to the Ambassador of Ecuador.

El REPRESENTANTE PERMANENTE DEL ECUADOR: Gracias, señor Presidente.

Mi país quiere unirse de manera muy especial a este proyecto de resolución que rinde un justo y merecido homenaje a una figura del pensamiento latinoamericano; una persona que, tanto en las cuestiones políticas e internas de Colombia como en el escenario internacional, brilló con luz propia e hizo un evangelio de la causa de la paz, la libertad y el entendimiento entre los pueblos americanos.

Gracias.

El PRESIDENTE: Thank you, Ambassador, and I give the floor to the Ambassador of the United States.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chairman.

Mr. Chairman, my delegation would also like to thank the Delegation of Colombia for presenting this draft resolution. It is a subject with which we identify. We remember the contributions of President Lleras Camargo, and, in particular, everything he has done for the ideal of representative democracy in this hemisphere. It is all there in the draft resolution, so we are quite happy to be supportive.

On a personal note, very early in my diplomatic career I had the opportunity to spend an afternoon with him, and it is one of the highlights of my professional life.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you, Ambassador. I give the floor to the Alternate Representative of Colombia.

La REPRESENTANTE ALTERNA DE COLOMBIA: Gracias, señor Presidente.

Muchas gracias a los señores Embajadores de Panamá, el Ecuador y los Estados Unidos por sus palabras en relación con este personaje de las Américas que Colombia se enorgullece en homenajear con motivo del centenario de su nacimiento.

Solamente pedí la palabra para manifestar mi agradecimiento, señor Presidente. Muchas gracias.

El PRESIDENTE: Thank you very much, Representative of Colombia. There being no further requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations for comments on the draft resolution "Inter-American Program on Education for Democratic Values and Practices," document CP/CG-1676/06. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations to comment on the draft resolution "Coordination of Volunteers in the Hemisphere in Response to Natural Disasters and the Fight against Hunger and Poverty – White Helmets Initiative," document CP/CG-1669/06 rev. 1. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now offer the floor to delegations for comments on draft resolution "Public Presentation of Candidates for Membership on the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights," document CP/CG-1661/06 rev. 3. There being no requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

CONSIDERACIÓN DE LOS PROYECTOS DE RESOLUCIÓN DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS

El PRESIDENTE: We now move to item 3, consideration of the draft resolutions approved by the Committee on Juridical and Political Affairs (CAJP). I now give the floor to the Ambassador of Guatemala and Chair of the CAJP for the presentation of the draft resolutions.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS: Muchas gracias, señor Presidente.

Los tres proyectos de resolución que están a consideración del Consejo Permanente han sido revisados, negociados y consensuados en la Comisión de Asuntos Jurídicos y Políticos y están listos para ser adoptados. La única observación que tendría que hacer es en relación con el proyecto de resolución sobre la Declaración Americana sobre los Derechos de los Pueblos Indígenas, donde todavía está pendiente una frase, un tema específico que ha propuesto una delegación, pero que no ha sido objeto de consenso por parte de todas las delegaciones [CP/CAJP-2380/06].

No sé si la Presidencia prefiera ir revisando cada uno de los proyectos de resolución, por lo que podríamos comenzar con el primero: “Establecimiento del Comité previsto en la Convención Interamericana para la Eliminación de Todas las Formas de Discriminación contra las Personas con Discapacidad” [CP/CAJP-2354/06 rev.3].

El PRESIDENTE: Ambassador, we will take them one by one.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS: Tal y como he informado, señor Presidente, este proyecto de resolución ya ha sido discutido y aprobado en la Comisión de Asuntos Jurídicos y Políticos, por lo que está listo para ser remitido por el Consejo Permanente a la Asamblea General para su aprobación.

Muchas gracias.

El PRESIDENTE: Thank you, Ambassador. I now offer the floor to delegations for comments on the draft resolution. Ambassador of Panama, you have the floor, sir.

El REPRESENTANTE PERMANENTE DE PANAMÁ: Gracias, señor Presidente.

La Delegación de Panamá quisiera manifestar, en primer lugar, su complacencia por la aprobación de este proyecto de resolución que trata sobre el establecimiento del Comité previsto en la Convención Interamericana para la Eliminación de Todas las Formas de Discriminación contra las Personas con Discapacidad y que fuera presentado por la Delegación de la Argentina y copatrocinado por la Delegación de Panamá con otras delegaciones.

Panamá, como Estado parte de la Convención Interamericana, estima que es de la mayor importancia que la Asamblea General se pronuncie sobre la necesidad de celebrar, a la brevedad posible, la primera reunión del mencionado Comité de conformidad con lo establecido en el artículo 6 de la Convención, tarea pendiente desde el año 2003.

Nuestro país otorga una alta prioridad al tema de la inclusión y la participación plena de las personas con discapacidad. Para el Gobierno panameño es necesario fomentar el desarrollo de valores en un ambiente de igualdad, respeto y aceptación, trascendiendo todas las barreras de discriminación.

Existen diversas iniciativas que han sido emprendidas por nuestro Gobierno, particularmente por la Presidencia de la República y el Despacho de la Primera Dama, conocedores de la situación de exclusión social, económica y cultural en que han vivido las personas con discapacidad y sus familias.

Reconocemos la necesidad de gestionar políticas públicas, planes, programas y proyectos encaminados a promover la inclusión social plena de las personas con discapacidad. Por ello, estimamos relevante que el más alto órgano político de nuestra Organización, la Asamblea General, apruebe este proyecto de resolución como un elemento más que contribuya a alcanzar los objetivos antes mencionados.

Muchas gracias.

El PRESIDENTE: Thank you, Ambassador. I now give the floor to the Ambassador of Grenada.

El REPRESENTANTE PERMANENTE DE GRENADA: I thank you, Mr. Chairman.

With reference to the remarks by the distinguished Ambassador of Panama, it may be appropriate to ask the Inter-American Commission on Human Rights (IACHR) to report on the status of persons with disabilities in our hemisphere at this first meeting of the Committee provided for in the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. You see, Mr. Chairman, we have a continuing list of resolutions, and we have no understanding as to who monitors them and who presents progress reports on these subjects. We are very good at presenting the paperwork, but we need to know the status of the lives of these people. It would be very good to hear what the Commission has to say about the lives of these people.

Thank you.

El PRESIDENTE: Thank you very much, Ambassador of Grenada. There being no further requests for the floor on this issue, I propose, first, that we approve the draft resolution and that it be transmitted to the General Assembly for its adoption; and second, that consideration be given to the request made by the Ambassador of Grenada for a report from the Inter-American Commission on Human Rights (IACHR) on the status of persons with disabilities. It is so agreed.

I now give the floor to the Ambassador of Guatemala to present the second resolution.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS: Gracias, señor Presidente.

Este proyecto de resolución, titulado "Lucha contra el racismo y toda forma de discriminación e intolerancia y consideración del proyecto de Convención Interamericana contra el Racismo y Toda Forma de Discriminación e Intolerancia", fue presentado por la Misión Permanente del Brasil [CP/CAJP-2379/06]. Fue ampliamente discutido y fue aceptado por todas las delegaciones.

Después de diferentes modificaciones, se decidió elevarlo al Consejo Permanente para su consideración. Sin ninguna observación, está listo para ser elevado a la Asamblea General para su aprobación.

Muchas gracias.

El PRESIDENTE: Thank you very much, Ambassador.

In consideration is the draft resolution “Combating Racism and All Forms of Discrimination and Intolerance and Consideration of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance,” document CP/CAJP-2379/06 rev. 1. I offer the floor to delegations for comments. I give the floor to Ambassador Maisto of the United States.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chair.

My delegation would like to note that the United States has a footnote in that document, and it speaks for itself.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you very much, Ambassador. There being no further requests for the floor, I propose that the Council approve the draft resolution and that it be transmitted to the General Assembly for its adoption. It is so agreed.

I now give the floor to the Ambassador of Guatemala to present the third resolution.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS: Gracias, señor Presidente.

Este proyecto de resolución se refiere a las negociaciones en curso relativas a la Declaración Americana sobre los Derechos de los Pueblos Indígenas [CP/CAJP-2380/06]. Este proyecto de resolución también fue ampliamente discutido, primero a nivel del Grupo de Trabajo Encargado de Elaborar el Proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas y, posteriormente, a nivel de la Comisión de Asuntos Jurídicos y Políticos.

Hay un punto específico que no ha sido aceptado por todas las delegaciones, que no ha sido consensuado, y es el relativo a la calificación del carácter jurídico de la Declaración. Una delegación propone que se explicita el carácter jurídico, pero todas las demás delegaciones, todos los miembros de la Comisión de Asuntos Jurídicos y Políticos son de la opinión, son del criterio que, a estas alturas, no corresponde calificar el carácter jurídico de esta declaración; que este es un tema que se ha discutido en diferentes oportunidades y que no corresponde en este momento de las negociaciones calificarlo o definirlo.

Por lo tanto, hay una propuesta de una delegación –debo decirlo en esos términos–, que aparece entre paréntesis y que es lo que queda pendiente en la Declaración. El resto del texto ha sido consensuado. Esta frase que propone una delegación no ha sido aceptada por los demás miembros de

la Comisión, por lo que será el Consejo Permanente el que determine cual es el tratamiento que se le puede dar a este proyecto de resolución y a esa propuesta de enmienda en particular.

Muchas gracias.

El PRESIDENTE: Thank you very much, Ambassador. I give the floor to the Ambassador of Canada.

El REPRESENTANTE PERMANENTE DEL CANADÁ: Thank you, Mr. Chairman.

I'd first like to thank the Chair of the Committee on Administrative and Budgetary Affairs (CAJP) and the Chair of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples for the excellent work on this draft resolution.

However, as the draft resolution still contains bracketed language, we would like to make one final attempt to resolve that language before the draft is referred to the General Committee. Canada would like to offer some compromise language that we hope will meet with the consensus of the member states. This proposal would reflect the understanding that has emerged during the negotiations on the draft Declaration; that is, that the Declaration, once completed, will not be a binding legal document—I think that's understood by everybody—but, rather, a declaration of political and moral force. We thought that rather than state that specifically and in rather negative terms, we could turn the language into a positive formulation. Here is the language that we are proposing:

To congratulate the Working Group on having completed the review of sections I through VI of the Chair's Consolidated Text (GT/DADIN/doc.139/03), underscoring the need to arrive at a consensus declaration which will be a declaration of principles, having political and moral force for member states, and to urge it to make every effort to reach consensus on the pending texts of the draft Declaration.

We offer this text for the consideration of all delegations and hope that by casting the language in positive terms, it will find acceptance.

Thank you.

El PRESIDENTE: Thank you very much, Ambassador of Canada, for proposing alternative text. In the footnote, a number of delegations propose completely deleting the bracketed text, so I'd like the speakers that follow to give consideration to both the proposal of the Delegation of Canada and to the proposal endorsed by a number of delegations to delete completely the text in brackets.

I give the floor to the Ambassador of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhor Presidente.

A Delegação do Brasil comprovou, com muito agrado, ao longo dos últimos meses, os positivos resultados alcançados pelo Grupo de Trabalho Encarregado de Elaborar o Projeto de Declaração Americana sobre os Direitos dos Povos Indígenas, que soube tão bem interpretar o compromisso assumido pelos Chefes de Estado e de Governo na Declaração e no Plano de Ação nas

últimas Cúpulas das Américas, realizadas nas cidades de Québec, em Nuevo León e em Mar del Plata, a favor de uma pronta e bem-sucedida conclusão das negociações do texto do citado projeto de Declaração.

Como Representante do Brasil, gostaria de felicitar, neste sentido, todas as delegações e os representantes indígenas do conclave pelos esforços empreendidos durante o processo. E, muito particularmente, a Representação Permanente da Guatemala e ao Presidente do Grupo de Trabalho, Embaixador Juan León, por sua hábil e incansável atividade em busca de consenso, nem sempre fácil dada a complexidade da tarefa que certamente exige de todos redobrado esforço e perseverança.

Acredito que para todos os negociadores ficou clara a oportunidade de que se mantenham realizações de reuniões fora da sede da Organização, conforme demonstraram as conclusões da Sexta Reunião, realizada na Cidade de Antigua, Guatemala, e a Sétima Reunião, realizada em Brasília.

Por este motivo, o oferecimento do Governo da Bolívia, considerado no texto do atual projeto de Resolução, de realizar uma das próximas reuniões em La Paz, é extremamente oportuno, cabendo-me felicitar aquele governo por sua generosa oferta.

Ao Governo brasileiro parece que o projeto de Resolução que presentemente nos ocupa recolhe, com precisão, o espírito e os anseios expressos pelo Grupo de Trabalho desde a última Assembléia Geral, refletindo os principais aspectos que marcaram a negociação do texto do projeto de Declaração ao longo dos últimos meses. A sua linguagem e o seu conteúdo oferecem, de maneira equilibrada, perfeita atualização do tema e colocam, de maneira precisa, a necessidade de renovação do mandato daquele Grupo de Trabalho pela Assembléia Geral. Lembro que o Brasil, desde a primeira apresentação do texto, quis juntamente com várias delegações, inclusive as da Bolívia, Chile, Guatemala, Peru e Venezuela, co-patrocinar o projeto.

Tomamos nota, entretanto, das ponderações feitas por uma das delegações em relação ao ponto resolutivo 2 do projeto de Declaração, e da convicção com que aquela delegação insistiu em se mantivesse no texto a frase “embora não juridicamente vinculante”.

Gostaríamos, neste sentido, de apelar a essa delegação para que considere a possibilidade de retirar a expressão em benefício do consenso, pois acreditamos que, seguindo a prática internacional, não seria necessário introduzir qualquer qualificação em relação ao alcance do projeto de Resolução que nos ocupa, o que parece ser a vontade de todas as demais delegações negociadoras.

Também gostaria, finalmente, de agradecer o esforço que está sendo feito pela Representação Permanente do Canadá. Seria importante, para a Delegação do Brasil, que o texto apresentado pela Representação Permanente do Canadá pudesse, em algum momento, aparecer nas nossas telas para podermos considerá-lo.

Muito obrigado, Senhor Presidente.

El PRESIDENTE: Thank you very much, Ambassador. Is it possible for the Ambassador of Canada to provide the proposed text in writing so that it can be circulated among delegations?

El REPRESENTANTE PERMANENTE DEL CANADÁ: You have it, Mr. Chair.

El PRESIDENTE: I understand from the Secretary of the Committee that it is in writing and that it will be typed and circulated shortly. I give the floor to the Alternate Representative of Colombia.

La REPRESENTANTE ALTERNA DE COLOMBIA: Muchas gracias, señor Presidente.

Mi Delegación no se va a extender en agradecimientos que ya hemos expresado a la Delegación de Guatemala por el excelente trabajo de conducción del Grupo de Trabajo que está elaborando el Proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas, así como a la vicepresidencia. También agradecemos en este momento a las delegaciones que se han pronunciado.

Específicamente sobre el punto 2 resolutivo y los corchetes que tiene, nuestra Delegación coincide con las apreciaciones de la delegación que solicitó la inclusión de esa frase. De hecho, estamos hablando de un instrumento que no es jurídicamente vinculante. Todos queremos una declaración. Sin embargo, también tenemos muy claro que esta resolución no es el momento de enfatizar este carácter o los alcances de la Declaración. Precisamente, cuando estamos tratando de dinamizar las negociaciones, como bien anotaba el Embajador del Brasil, esto podría percibirse como un desestímulo en esa dinámica que queremos impulsar.

Por esa razón, mi Delegación no podría aceptar la inclusión de esa calificación en este momento. Entendemos que es un tema que el Grupo de Trabajo tendrá que tratar precisamente cuando esté abordando de nuevo la Declaración al final de la misma, seguramente en la resolución que adopte la Declaración o en el propio texto, pero en lo que no coincidimos es en la oportunidad de incluirlo aquí. Sería un mensaje negativo y el Grupo ha venido realizando muchos esfuerzos y lo que quiere es dinamizar precisamente ese proceso de negociación.

Agradecemos de todas maneras a la Delegación del Canadá la intención de tratar de sacar adelante este punto, pero, al igual que la Delegación del Brasil, hacemos un llamado para que se retire esta frase y podamos aprobar este proyecto de resolución.

Muchas gracias.

El PRESIDENTE: Thank you very much, Representative of Colombia. I will now give the floor to the Alternate Representative of Venezuela.

El REPRESENTANTE ALTERNO DE VENEZUELA: Gracias, señor Presidente. Buenos días a todos.

En el mismo sentido en que se han expresado las Delegaciones del Brasil y Colombia, esta Delegación ve con preocupación que en un proyecto de resolución que habla de derechos de los pueblos indígenas hayamos agotado tanto tiempo en discutir, expresar ideas con respecto a la vinculación y al estatus de una futura declaración.

Aquí estamos hablando de un proyecto de resolución para renovar un mandato al Grupo de Trabajo. El proyecto de resolución, como está, es de compromiso. Hay párrafos muy complicados. Entramos en detalles, expresamos ideas en el texto del proyecto de resolución que más bien serían producto de negociación del Grupo de Trabajo en cuanto a la metodología a seguir.

En aras del consenso, esta Delegación decidió aprobar el proyecto de resolución como está. No está de acuerdo, sin embargo, en la expresión “si bien no es jurídicamente vinculante”. En su oportunidad se explicó que el precedente era negativo, disminuía el trabajo que se está haciendo y creaba un precedente grave que podría acarrear que en todas las resoluciones que se aprueben en esta Organización se ponga que no son jurídicamente vinculantes, lo cual es muy peligroso.

Propondría que la Delegación que tiene esta propuesta ponga una nota de pie de página explicando su posición, para que todos sepamos cuál es y podamos analizarla.

Gracias.

El PRESIDENTE: Thank you very much. I give the floor to the Alternate Representative of Peru.

La REPRESENTANTE ALTERNA DEL PERÚ: Gracias, señor Presidente.

Con respecto a las consideraciones que estamos efectuando sobre el punto 2 resolutivo de este proyecto de resolución, quisiera señalar que este tema ha sido extensamente discutido en el Grupo de Trabajo. No voy a ahondar en las razones por las cuales todas las delegaciones, a excepción de una, han explicado las razones por las cuales no están de acuerdo en que figure entre corchetes lo que se refiere a la naturaleza jurídica de la declaración.

Por consiguiente, mi Delegación también haría un llamado a la Delegación que propone esta inclusión a eliminar la frase que aparece entre corchetes o, si la Delegación insiste en dejar clara su posición con respecto a este tema, como ha sugerido la Delegación de Venezuela, podría ponerse una nota de pie de página. Y, como usted mismo sugirió, hay otra propuesta que hizo la Delegación de Chile de eliminar toda la parte en que se hace referencia a la Declaración, con la cual mi Delegación también estaría de acuerdo.

Gracias, señor Presidente.

El PRESIDENTE: Thank you very much. I recognize the Interim Representative of Uruguay.

El REPRESENTANTE INTERINO DEL URUGUAY: Gracias, señor Presidente.

En primer lugar, queremos felicitar a la presidencia del Grupo de Trabajo; en segundo lugar, agradecemos a la Delegación de Bolivia por su ofrecimiento para que la nueva ronda de negociaciones se celebre en su país y, por último, manifestamos nuestro apoyo a este proyecto de resolución.

Gracias.

El PRESIDENTE: Thank you very much. I now give the floor to the Ambassador of Ecuador.

El REPRESENTANTE PERMANENTE DEL ECUADOR: Gracias, señor Presidente.

La Delegación del Ecuador desea ratificar su pleno apoyo al proceso de negociaciones de la Declaración Americana sobre Derechos de los Pueblos Indígenas que experimentó importantes avances en la última reunión que hubo en Brasilia.

También deseo apoyar expresamente el texto formulado por la Presidencia en cuanto al punto 2 resolutivo. El Ecuador no considera necesario entrar a realizar calificaciones sobre la naturaleza jurídica de este documento en este momento. Por lo mismo, aunque aprecia el espíritu positivo y constructivo de la sugerencia realizada por el Representante del Canadá, considera que, aunque en ese tono positivo, hace la misma calificación que otra delegación la formula en tono negativo.

De tal manera, para facilitar el avance de los trabajos, lo más oportuno sería que, a estas alturas de la negociación, la posición de cualquier delegación se reflejara –como no podía ser de otra manera– en una nota de pie de página.

Gracias.

El PRESIDENTE: Thank you very much, Ambassador. I give the floor to the Alternate Representative of Argentina.

El REPRESENTANTE ALTERNO DE LA ARGENTINA: Gracias, señor Presidente.

Buenos días a todos. Me voy a referir al punto 2 resolutivo, que es objeto de corchetes y el cual deberíamos resolver.

Mi Delegación considera que este proyecto de resolución está orientado, como en años anteriores, a renovar el mandato del Grupo de Trabajo y a procurar que se acelere el proceso de negociaciones tendientes a la pronta conclusión de la Declaración Americana. Por lo tanto, no nos parece conveniente en este momento tener que entrar a pronunciarnos sobre el eventual alcance jurídico del Proyecto de Declaración. Si bien compartimos, naturalmente, los fundamentos dados por la Delegación de los Estados Unidos respecto al carácter no vinculante de una declaración, consideramos que, desde el punto de vista político, sería dar un mensaje negativo de tener que incluir eso en este momento.

Sabemos que las declaraciones de la Organización de los Estados Americanos no son jurídicamente vinculantes, pero si dejásemos algún tipo de frase en este sentido, mi Delegación se vería en la obligación de precisar cuál es el alcance jurídico que tiene.

Por ejemplo, para el caso de la Argentina, este tipo de declaraciones genera lo que se denomina *soft law* derecho en ciernes o derecho blando. De manera tal que nuestra Delegación preferiría no tener que pronunciarse en este momento sobre ello porque estamos seguros de que los puntos de vista podrían llegar a variar y extenderíamos inútilmente la discusión sobre la naturaleza jurídica de una declaración.

De manera tal que comparto las opiniones expresadas por mis colegas anteriormente y consultaría si la Delegación proponente de dicha fórmula pudiera considerar retirarla.

Muchas gracias.

El PRESIDENTE: Thank you very much. I now give the floor to the Ambassador of the United States.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chairman.

First of all, the Delegation of the United States wants to offer its sincere congratulations to the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples for everything that it has done on this very important issue. In particular, my delegation would like to congratulate Guatemala and Brazil for their generous hosting of the meetings of negotiations and to thank Ambassador Juan León of Guatemala for his untiring efforts to bring us all together.

Mr. Chairman, the United States supports the draft resolution before us as it is, with the exception that has been noted. Our whole approach to this subject is positive.

There are a number of very important improvements in this document. My delegation can certainly support the proposal that the Delegation of Canada has put on the table to emphasize the positive. We think that language that talks about “a declaration of principles having political and moral force for member states” really captures the spirit of the discussions over weeks and months, and it is a positive message to send to the Hemisphere.

As I said, my delegation is certainly quite amenable to that formulation or a similar one, but for the record, Mr. Chairman, I have to explain to the Permanent Council why my delegation takes the position that it has taken.

A declaration can be either morally and politically binding, which we consider this to be, or it can have legal force; yes, a declaration can be legally binding. One example, if we have to have one, is the declaration by the United Kingdom and China regarding Hong Kong. That declaration has the force of a treaty.

All legal sources—and my delegation has done a lot of work on this—including the Office of Legal Affairs (OLA) of the United Nations, say that the intent of the parties to a declaration determines whether it is legally binding or not. The OLA says parties to a declaration must clarify their intent. Anyone can find that at the United Nations and on the UN’s website.

In the negotiation process of this declaration, my delegation consistently has opposed language that appears to be binding. Most of the language coming out of the process of the Draft American Declaration on the Rights of Indigenous Peoples, however, is language that is normally reserved for use in legally binding instruments. For example, there is constant use of verbs, such as “shall.” We are concerned. The use of that verbiage signals, in our view, language that is legally binding.

Because of the language going into this declaration, my delegation believes it is critical that the states in this negotiation clarify their mutual understanding in this draft resolution authorizing these negotiations, as well as in the text of the Declaration. Others who were not present in this negotiation or haven’t been present must understand the intention of the states with respect to the character of the Declaration; that is, legally binding or not legally binding.

No delegation has said that it considers the draft American Declaration on the Rights of Indigenous Peoples that they are negotiating to be legally binding. All are saying that it is not legally binding. Similarly, we understand that representatives of indigenous groups have also said that it is not legally binding. So, my delegation is of the view that we have to address this issue forthrightly, and my delegation commends the Delegation of Canada for coming up with a formulation that emphasizes the positive and avoids the need to confront this thorny issue. We don't want this declaration, which we consider a step forward, to have unintended consequences.

Mr. Chairman, you've heard my explanation. If the formulation "while not legally binding" cannot be accepted, my hope would be that, upon reflection and, perhaps, consultation, the formulation that puts the emphasis on the "declaration of principles having political and moral force" for member states would be acceptable and would give the true coloration, the true tenor of where we are on this very, very important declaration.

Thank you, Mr. Chairman.

EL PRESIDENTE: Thank you, Ambassador Maisto. I give the floor to the Ambassador of Guatemala.

EL PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS:
Gracias, señor Presidente.

Quiero agradecerle al distinguido Embajador de los Estados Unidos su intervención y las explicaciones que nos ha ofrecido sobre el sentido de la propuesta de su Delegación. También quiero agradecer a todas las delegaciones que han hecho un reconocimiento al trabajo de la Presidencia del Grupo de Trabajo Encargado de Elaborar el Proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas, que recae honrosamente en un distinguido guatemalteco. Finalmente, quiero agradecerle a la distinguida Delegación del Canadá la propuesta que nos ha presentado que busca facilitar, de alguna manera, un acuerdo sobre este proyecto de resolución.

Todas las delegaciones se han manifestado en relación con la propuesta de calificar el carácter jurídico de esta declaración. Todas las delegaciones han coincidido en que este no es el momento, que no corresponde a estas alturas hacer esa calificación, que no es conveniente en función del proceso de negociaciones que está en marcha. Así que es más un tema de oportunidad, de pertinencia, de cuándo corresponde hacer la calificación del carácter jurídico de esta declaración; posiblemente al final del proceso de negociaciones, cuando se concluya.

La Delegación del Canadá nos ha propuesto una fórmula que podría facilitar un acuerdo. También varias delegaciones han propuesto la eliminación de toda la frase que hace alusión a este tema. Tal y como lo mencionó el señor Presidente, esa es una de las alternativas: eliminar la frase que dice "subrayando la necesidad de lograr una declaración de consenso que pueda ser implementada por todos los Estados Miembros". Es una de las opciones que tenemos.

La otra opción es considerar la propuesta que nos ha hecho la distinguida Delegación del Canadá, a la que me permitiría formular una variante o una propuesta alternativa, que podría ser en los términos siguientes: "subrayando la necesidad de lograr una declaración de consenso que tenga fuerza política y moral para los Estados Miembros". De esta manera se lograría enfatizar el carácter positivo que se busca darle a la Declaración, el carácter positivo que se busca darle a este proyecto de

resolución y a este mensaje de los Estados Miembros a las delegaciones de pueblos indígenas. Esta es una fórmula alternativa que podría ser considerada por las delegaciones; es decir, eliminar la referencia a que se trata de una declaración de principios y dejar únicamente la frase que dice: “que tenga fuerza política y moral para los Estados Miembros”.

Me parece que tenemos esas dos alternativas. Una es suprimir la frase completamente y la otra es considerar la propuesta del Representante del Canadá, a la que me permito hacer esta ligera modificación.

Muchas gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador. I give the floor to the Ambassador of Brazil.

El REPRESENTANTE PERMANENTE DEL BRASIL: Muito obrigado, Senhor Presidente.

Nós, no momento, temos várias alternativas presentes. Eu gostaria de mencionar à Presidência que há grupos de países com pensamentos convergentes. E há três propostas sobre a mesa.

Eu queria sugerir à Presidência que nós déssemos um tempo de reflexão para que os grupos de países que pensam da mesma maneira possam reunir-se para analisar essas três alternativas. Nós continuaríamos a tratar da agenda e depois, se for o caso, no final da reunião, voltaríamos ao tema. Mas é necessário, para não nos prolonguemos aqui em plenário, que façamos uma reflexão conjunta, ou seja, os que pensam que não deve ter nenhuma qualificação se reúnem – podem reunir-se com o Canadá – com a proposta feita agora pelo Representante Permanente da Guatemala. Poderíamos, portanto, dar-nos um pequeno tempo de reflexão e voltarmos a tratar do assunto no final da sessão.

Obrigado, Senhor Presidente.

El PRESIDENTE: Thank you very much, Ambassador of Brazil, for that suggestion.

I was just discussing with the Assistant Secretary General a similar solution to the problem that we are confronted with at this moment. I would like to recommend that we accept the proposal by the Ambassador of Brazil that we move on to consider the other items on the order of business and that we come back to this item at the end of the meeting. Hopefully, by then we would have found a solution to the problem.

Seeing that there are no objections and no requests for the floor, we will proceed in that manner.

REMISIÓN DE DOCUMENTOS A COMISIONES

El PRESIDENTE: I now move on to item 4, the referral of documents to committees.

I suggest that the annual report of the Inter-American Committee against Terrorism (CICTE) [CP/doc.4110/06] and the note from the Permanent Mission of Peru submitting the draft resolution

“Strengthening Political Parties for Democratic Governance” [CP/doc.4113/06] be referred to the General Committee.

I also suggest the transmittal to the Committee on Juridical and Political Affairs (CAJP) of the note from the Permanent Mission of Chile forwarding the draft resolution “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas: Strengthening the Activities of the JSCA” [CP/doc.4119/06].

The Ambassador of Chile is recognized.

El REPRESENTANTE PERMANENTE DE CHILE: Gracias, Presidente.

Quisiera aprovechar la oportunidad para hacer algunas consideraciones, justamente sobre esa nota a la que usted hace referencia.

Sin duda, un organismo del sistema interamericano que podría citarse como productivo y exitoso es el Centro de Estudios de Justicia de las Américas. Como los señores Embajadores saben, vivimos en una época de profundas transformaciones en nuestros sistemas judiciales, especialmente la judicatura criminal. En nuestro hemisferio ha cobrado vigencia una serie de reformas e implementaciones legales para hacer realidad el funcionamiento de sistemas acusatorios eficientes en la región.

Sin ir más lejos, en el Plan de Acción derivado de la Cuarta Cumbre de las Américas, celebrada en Mar del Plata, Argentina, los líderes de la región consideraron que una manera de fortalecer la gobernabilidad democrática es consolidar una red hemisférica de intercambio en materia jurisdiccional y fortalecer el desarrollo institucional de la Secretaría General de la OEA en este tema.

Cabe recordar que nuestros Ministros de Justicia corroboraron lo dicho recientemente en Santo Domingo, República Dominicana, con ocasión de la Sexta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas (REMJA-VI).

En este contexto, el CEJA se ha transformado en un actor muy importante. Desde su creación, este organismo ha capacitado a jueces, fiscales y abogados de la región; ha llevado a cabo experiencias piloto en terreno, estudios y seminarios. Posee una red virtual de información moderna y actualizada de gran utilidad para nuestros poderes judiciales y ministerios públicos y mantiene una red de información estadística que ha beneficiado directamente la gestión judicial. El CEJA alimenta el proceso de toma de decisiones y ha contribuido en más de veinticinco países del Hemisferio, especialmente en materia de reforma y modernización de nuestros poderes judiciales.

Señor Presidente, quisiéramos resaltar en esta oportunidad un aspecto de singular importancia para el CEJA. Este organismo en la actualidad solo recibe en forma permanente una contribución del Gobierno de Chile, país donde funciona su sede. Esporádicamente ha recibido contribuciones de otros países como Brasil, México y Jamaica. Hasta la fecha, el grueso de su financiamiento ha provenido de proyectos con las agencias de financiamiento del Canadá y de los Estados Unidos, los cuales concluirán el próximo mes de septiembre.

Habida consideración de lo antes expuesto, urge un renovado compromiso por parte de los Estados Miembros de la OEA para la sustentabilidad financiera del CEJA en su desarrollo futuro.

La Delegación de Chile propone hacer operativo el reciente pronunciamiento de nuestros Ministros de Justicia en la REMJA VI, por lo que me permito solicitar por su intermedio, señor Presidente, que el proyecto de resolución titulado: “Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas: Fortalecimiento de las actividades del CEJA”, que promovemos en el marco del punto 45 del proyecto de temario de la próxima Asamblea General sea remitido a la Comisión de Asuntos Jurídicos y Políticos para su consideración.

Muchas gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador of Chile, for that explanation regarding the note. I suggest that we transmit to the Committee on Juridical and Political Affairs (CAJP) the note that you have forwarded to me.

I further propose that the quarterly report on the use of funds allocated under resolution CP/RES. 831 (1342/02) [CP/doc.4112/06] and the document created by the General Secretariat regarding information on foundations, nongovernment organizations (NGOs), and other private entities in accordance with resolution AG/RES. 2157 (XXXV-O/05) [CP/doc.4114/06] be referred to the Committee on Administrative and Budgetary Affairs (CAAP).

Finally, I suggest that we refer the note from the Permanent Mission of the United States of America on the draft resolution “Social Charter of the Americas: Renewal for the Hemispheric Commitment to Fight Extreme Poverty in the Region” [CP/doc.4118/06] to the Joint Working Group of the Permanent Council and CEPCIDI on the Draft Social Charter of the Americas.

If there are no objections to these proposals, it is so agreed.

ANUNCIO DEL REPRESENTANTE DE PANAMÁ

El PRESIDENTE: We now move to item 5, “Other business.” I give the floor to the Ambassador of Panama.

El REPRESENTANTE PERMANENTE DE PANAMÁ: Muchas gracias, señor Presidente.

Lo voy a hacer en este instante y lo haré la próxima semana, si usted convoca una sesión del Consejo Permanente, que seguramente la tendremos.

Es nada más para recordarles a las distintas delegaciones y no solamente a los queridos colegas, sino también a todos los funcionarios que trabajan en las distintas delegaciones, que nos acompañen el día viernes 19 en el acto de presentación que hará el Canciller y Primer Vicepresidente de Panamá, Samuel Lewis Navarro, sobre la ampliación del Canal. Es nada más para recordarles y ojalá que nos acompañen.

Gracias.

El PRESIDENTE: Thank you very much, Ambassador.

PALABRAS DEL REPRESENTANTE DE SURINAME SOBRE EL
RECIENTE DESASTRE NATURAL OCURRIDO EN ESE PAÍS

El PRESIDENTE: I give the floor to the Interim Representative of Suriname.

El REPRESENTANTE INTERINO DE SURINAME: Thank you, Chairman.

I have the sad duty to inform this Council, on behalf of the Government of Suriname, of the natural disaster that hit Suriname last week due to extremely heavy rainfall in the southeastern part of the country. This situation has caused several of our Maroon and indigenous people, who live on the shores and banks of the Upper Suriname, Tapanahoni, Lawa, Marowijne, and Sipaliwini rivers, and on the islands, to flee to higher ground.

As a result of this national tragedy, His Excellency President Ronald Runaldo Venetiaan last Monday declared a sizable part of the country as a disaster area and made a plea to all national, regional, and international institutions to join efforts and resources to help ease the suffering of the deprived communities.

The number of persons living in the affected areas, Mr. Chairman, is estimated between 35,000 and 40,000 people. This disaster has so far destroyed at least one hundred and twenty Maroon villages and eight indigenous villages in the Kabalebo area. More than twenty-four schools have been closed, and approximately four thousand students are being deprived of essential education and, in most circumstances, of primary necessities, such as drinking water, food, and basic healthcare. Electricity and telecommunication services have been badly damaged and, in some instances, destroyed.

Our crisis team comprises several cabinet ministers, the dean of the district commissioners, the Coordinator of the National Coordination Center for Disaster Control (NCCR), and the Suriname Red Cross, all under the leadership of the Minister of Regional Development, who is also the Minister of Health ad interim and is in charge of facilitating the distribution of medical aid, food safety, and clothing for victims. A variety of nongovernmental organizations (NGOs) that operate in the interior and the missionary societies of Suriname are also directly involved with wide-ranging relief efforts.

Based on the weather forecast, authorities expect the situation to worsen in the sense that the water level in the previously mentioned rivers will continue to rise, and areas that have not yet been affected will also be flooded.

Thank you very much for your attention.

El PRESIDENTE: Thank you very much, Interim Representative of Suriname, for the information that you have provided to us on the natural disaster that occurred in your country. On behalf of the members of the Permanent Council, I offer our best wishes and the hope that we would be able to assist in expediting the situation in your country in any way possible.

I give the floor to the Ambassador of the United States, who has indicated that he has a specific comment on this issue.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Thank you, Mr. Chairman.

My delegation would like to speak to the subject at hand: the declaration of a disaster due to flooding in the interior of Suriname. I wish to express to the Government and people of Suriname not only the concern and solidarity of my government, but also to announce that the U.S. Embassy in Suriname has immediately swung into action. We are making available immediately funds from our disaster relief account. The initial expenditure is \$50,000 to organizations, such as the Suriname Red Cross, for the local purchase of emergency relief supplies, food, tarpaulins, and water purifiers.

This is the classic way that we approach these disasters. We have an initial effort, we work with local authorities to try to evaluate what the needs are, and then we make our plans to follow up.

At future meetings of the Permanent Council, my delegation will be prepared to report on additional assistance that we are providing to Suriname during this very, very, difficult period.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you very much, Ambassador of the United States. I now give the floor to the Ambassador of Saint Lucia.

La REPRESENTANTE PERMANENTE DE SANTA LUCÍA: Thank you, Mr. Chair.

Saint Lucia also wishes to thank the Representative of Suriname for the information on the impact of floods in his country. Increasingly, Mr. Chair, we see that, like time and tide, natural disasters wait for no man, and we have to continuously work on preparations and risk reduction.

The Government of Saint Lucia wishes to reiterate its support for the Government and people of Suriname during this critical time and its desire to help in whatever way it can. It will, of course, continue to assist Suriname through the subregional program.

Thank you.

El PRESIDENTE: I now give the floor to the Ambassador of Guyana.

El REPRESENTANTE PERMANENTE DE GUYANA: Thank you, Mr. Chairman.

My delegation also wishes to thank the Representative of Suriname for the information that has been relayed to us.

As victims of flooding in two successive years, the Government and people of Guyana find it very easy to sympathize and empathize with the people of Suriname on this disaster affecting our neighbor to the east. We offer them our condolences, Mr. Chairman.

I have no information at present about any assistance that is being offered by my government, but I have no doubt that the appeal that has been made by the Surinamese authorities is going to be evaluated with great sympathy in Georgetown.

Thank you very much.

El PRESIDENTE: Thank you very much, Ambassador. I give the floor to the Ambassador of Grenada.

El REPRESENTANTE PERMANENTE DE GRENADA: Thank you, Mr. Chairman.

Needless to say, Mr. Chairman, Grenada understands the plight of the people of Suriname. We wish to extend our solidarity. Be assured that my government will be informed. Regional cooperation and participation will be taken under consideration by Grenada.

Thank you very much.

El PRESIDENTE: I now give the floor to the Ambassador of Jamaica.

El REPRESENTANTE PERMANENTE DE JAMAICA: Thank you, Chairman.

I would like to join colleagues in thanking the distinguished Representative of Suriname for the information provided on the devastating flooding that occurred in the interior of that country and that has affected many of the indigenous peoples in those areas.

As the other Caribbean Community (CARICOM) contributors to this discussion have indicated, there is undoubtedly a great degree of solidarity and support for the people of Suriname. The people of Jamaica stand shoulder to shoulder with them in this regard. I will be investigating the specific actions that are to be taken and will report back at another forum.

I would like to use the opportunity to underline, Chairman, that although the issue of disasters in the region tends to come to a head when we hear of hurricanes, the reality is that flooding is now one of the most devastating forms of disaster levied on our people. As the Ambassador of Guyana said, his country has experienced those effects over the past two years. I know that it's the same in my own country, and this suggests that the Working Group on Sustainable Development of the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) has to focus even more intensively on this threat.

Thank you, Chairman.

El PRESIDENTE: The Representative of Suriname has the floor.

El REPRESENTANTE INTERINO DE SURINAME: Thank you, Chairman.

On behalf of the Government and people of the Republic of Suriname, my delegation wishes to thank the Government and people of the United States of America for their quick action and attention and for the offer made to the people living in the interior of Suriname.

I also wish to thank, Mr. Chairman, the ambassadors of Saint Lucia, Jamaica, Guyana, and Grenada for their generous words, their concern, their sympathy, and their solidarity, and we thank the other delegations for their concern for us on this dangerous matter.

Thank you, Chairman.

El PRESIDENTE: Thank you very much.

SOLICITUD DE LA REPRESENTANTE DE TRINIDAD Y TOBAGO

El PRESIDENTE: I now give the floor to the Ambassador of Trinidad and Tobago, who had indicated before that her delegation had an issue to bring before the Permanent Council under "Other business."

La REPRESENTANTE PERMANENTE DE TRINIDAD Y TOBAGO: Thank you, Mr. Chair.

Like my colleagues who have preceded me, I wish to extend condolences to the people of Suriname on the devastating effects of the recent floods.

Mr. Chair, I take the floor to specifically request that the Inspector General's report on fellowships, which we understand will be made available to the Committee on Administrative and Budgetary Affairs (CAAP) on May 15, be made available in writing to all delegations before that date.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you very much, Ambassador of Trinidad and Tobago. I hereby convey to the Secretariat the request from the Delegation of Trinidad and Tobago, on behalf of the member states of the Caribbean Community (CARICOM), that the report of the Inspector General be submitted in writing and be circulated to all delegations before May 15.

CONTRIBUCIÓN DE LOS ESTADOS UNIDOS PARA LA RESOLUCIÓN DEL DIFERENDO ENTRE BELICE Y GUATEMALA

El PRESIDENTE: I now give the floor to the Ambassador of the United States for two additional items under "Other business."

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Mr. Chair, my delegation is very, very pleased to announce today a contribution of \$200,000 to support the project of the Organization of American States for the "Permanent Relocation of the Santa Rosa Community" from Belize into Guatemalan territory as part of a long-term resolution of border disputes between the two countries. My delegation anticipates that this contribution, in conjunction with existing and future determinations from other donor states, will permit the OAS to implement the project successfully with the governments of Belize and Guatemala in the coming year.

My delegation commends both governments for the progress that has been made in recent months in the resolution of the maritime dispute between the two countries, as well as the relocation of Nueva Judá. We wish both countries success in their continuing efforts, working with the OAS team there, to find a long-term solution to the border dispute that ensures the protection of vulnerable

minorities and offers a final path towards normalized relations, as well as stronger ties between the Central American Group (GRUCA) and the Caribbean Community (CARICOM), in the coming months.

This is also a U.S. contribution as envisaged in the activities portion of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, that was adopted by the General Assembly in Fort Lauderdale last year.

Finally, Mr. Chair, my delegation would like to encourage all potential donors to contribute the additional funds that are needed for this very worthwhile relocation project, under any name, which will permit the Organization of American States, in true relevant multilateral fashion, to achieve a benchmark for peace in our hemisphere.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you very much, Ambassador. I now give the floor to the Ambassador of Belize.

La REPRESENTANTE PERMANENTE DE BELICE: Thank you, Mr. Chairman.

It is my pleasure and my honor to respond to the generous offer made by the United States to contribute this very significant sum of money to the issues that surround the Belize/Guatemala territorial differendum. In particular, I refer to Santa Rosa.

Mr. Chairman, as you know, sometimes it is our wont to not focus on issues unless there is some clear and present crisis that occupies us; thus, sometimes, the successes that the Organization of American States and member states are able to work out quietly don't receive as much notice.

Today I join, I suspect, with my colleague from Guatemala in welcoming this initiative, which allows us to continue along the quiet path that we have been on so far, sometimes far from the limelight, and sometimes deliberately so, to work towards a peaceful, just, and equitable solution to the Belize/Guatemala territorial differendum. As you know, Mr. Chairman, it is not easy when issues on our borders demand our attention, because they speak to the interaction between our peoples, which can sometimes lead to situations of difficulty.

I am very pleased to say that this generous donation, in conjunction with funds that we have already received from other donors, notably Mexico, will allow us to carry forward our hard work on the Belize/Guatemala territorial differendum, in particular our move to better the lives of Belizeans and Guatemalans in the border areas.

It is my belief, Mr. Chairman, that Belize and Guatemala are in a position to offer the joint lessons that we have learned in quiet diplomacy, in the value of hard work, and in putting each other's populations first.

We thank the United States for this generous gift. We say to you, sir, that we have always appreciated the partnership and the spirit in which you have accompanied us in this difficult issue. We reiterate our thanks, not only to the United States, but also to Mexico, The Bahamas, and, indeed, all the donors to the Belize/Guatemala Subfund of the Fund for Peace: Peaceful Settlement of

Territorial Disputes. We want to assure all of the delegations here of the importance of your accompaniment, your solidarity, your good wishes, your goodwill, and every effort that you have made to allow us to move towards a final, just, and peaceful resolution of the territorial differendum between two neighboring states.

Thank you, Mr. Chairman.

El PRESIDENTE: Thank you very much, Ambassador. I now give the floor to the Ambassador of Guatemala.

El REPRESENTANTE PERMANENTE DE GUATEMALA: Gracias, señor Presidente.

Deseo unirne a las expresiones de mi distinguida colega la Embajadora de Belice y agradecerle al distinguido Embajador de los Estados Unidos el anuncio que ha hecho de una contribución de su país al Fondo de Paz de la OEA. Esta es, sin duda, una contribución importante que servirá para apoyar el trabajo de la OEA que tanto Belice como Guatemala le han solicitado, para que facilite la negociación de un histórico diferendo territorial.

Esa negociación, por cierto, avanza y en el marco de la misma se han llevado a cabo reuniones del más alto nivel entre los Gobiernos de Belice y Guatemala. Es oportuno reconocer el excelente trabajo del Representante Especial del Secretario General, el Embajador Raúl Lago, quien ha trabajado de cerca con ambos países para facilitar esta negociación.

Nos sentimos muy, muy reconocidos con los Estados Unidos, de la misma manera que con México, que hizo un anuncio previo de una contribución a este Fondo de Paz. Únicamente agregaría, señor Presidente, que nos interesa que el Secretario General mantenga la administración de este Fondo de Paz. Nos interesa que la Secretaría General le dé la ubicación y la importancia que requiere. Hemos pensado, como una posibilidad, que continúe bajo la administración del Secretario General Adjunto, como estuvo antes, pero lo importante es que tenga la prioridad y la ubicación correcta para que sirva como un apoyo a las negociaciones entre Guatemala y Belice.

Muchas gracias.

El PRESIDENTE: Thank you very much. I now give the floor to the Ambassador of Mexico.

El REPRESENTANTE PERMANENTE DE MÉXICO: Gracias, señor Presidente.

México quiere manifestar su beneplácito por la contribución ofrecida hoy por el Gobierno de los Estados Unidos. Sin duda alguna, esta generosa aportación contribuirá a apoyar el proceso de fortalecimiento de la confianza entre Belice y Guatemala, países vecinos de México con los que nos une una profunda amistad.

Gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador of Mexico. On behalf of the Permanent Council, let me express appreciation to the United States for its contribution to resolving the Belize/Guatemala territorial differendum.

DEVOLUCIÓN DEL GOBIERNO DE LOS ESTADOS UNIDOS
AL GOBIERNO DE NICARAGUA
DE DINERO RECUPERADO DELEX PRESIDENTE ALEMÁN

El PRESIDENTE: I now give the floor to the Ambassador of the United States on the third issue that he brought to my attention.

El REPRESENTANTE PERMANENTE DE LOS ESTADOS UNIDOS: Mr. Chairman, thank you.

Before I delve into the third issue, with regard to the issue we've just discussed, I was remiss in not underlining sufficiently the absolutely essential role of the Organization of American States and the mission there in Belize and Guatemala in working patiently and quietly with both countries and local communities to resolve this issue. I was also remiss in not underlining the role of Ambassador Raúl Lago, who has done such a tremendous job.

Mr. Chairman, some day, when the history of what this organization does very well is written, this will be a chapter. There are lots of other chapters, too. Unfortunately, this stuff doesn't get into the media; other things get into the media, but this is the real work of this organization.

Mr. Chairman, let me move on to another subject having to do with Central America. Mr. Chairman, at the Special Summit of the Americas in Monterrey in 2004, part of the declaration referred to corruption. I don't have the text in front of me, but it read pretty much as follows: "We will deny safe haven to corrupt officials, to those who corrupt them, and to their assets."

Mr. Chairman, my delegation has something to report to the Permanent Council with regard to carrying out this particular dictum of our leaders in Monterrey. On May 9, in a public ceremony in Managua, the Government of the United States handed over to the Government of President Enrique Bolaños of Nicaragua a check for \$621,000 from funds recovered from the sale of a helicopter stolen by the former President of Nicaragua, President Alemán, in the final days of his presidency. These assets really belong to the people of Nicaragua, and their return is the result of the determined actions of Nicaraguan, Guatemalan, and U.S. investigators and a court case in the state of Oklahoma that found that the former President had violated U.S. money laundering laws by depositing funds stolen in Nicaragua in a U.S. bank.

We think that the recovery of money thus stolen represents a triumph for democratic principles and a defeat for corruption. It is a warning to corrupt officials and to those who corrupt them that their corruption will be uncovered and that the money will be returned to its rightful owner. My government particularly applauds the decision of the Government of Nicaragua to use these seized assets to fund the Anticorruption Investigatory Branch of the Nicaraguan National Police.

Thank you, Mr. Chair.

El PRESIDENTE: Thank you very much, Ambassador. I now give the floor to the Ambassador of Nicaragua.

El REPRESENTANTE PERMANENTE DE NICARAGUA: Muchas gracias, señor Presidente.

Simplemente quisiera agradecer al Gobierno de los Estados Unidos, también al Gobierno de Guatemala, por esta operación conjunta de solidaridad americana que ha permitido al pueblo nicaragüense recuperar parte de los dineros robados al erario público, robados a la lucha contra la pobreza en Nicaragua. Definitivamente esto demuestra que cuando hay voluntad política es posible negarles a todos los corruptos un santuario.

También es importante el mensaje, como dijo el Embajador Maisto, que se está enviando por este hecho, en el sentido de que los corruptos deben saber que no hay santuario donde puedan ir a guardar sus depredaciones.

Esto va a ayudar y es una piedra fundamental en el sistema interamericano para que podamos ir saneando nuestras administraciones públicas y aplicando a nuestros Gobiernos a las cosas que realmente nos competen, como es la lucha contra la pobreza y que la corrupción desvía definitivamente los fondos necesarios para la lucha contra la pobreza y provoca una concentración aún mayor del ingreso y de la riqueza en pocas manos, que es otra de las plagas que azota a nuestro hemisferio.

Nuevamente quiero reiterar las gracias, en nombre del Gobierno del ingeniero Enrique Bolaños Geyer, al Gobierno de los Estados Unidos de América, al Gobierno de Guatemala y también a los otros gobiernos, como el Gobierno de Panamá y el Gobierno de la República Dominicana, que también están colaborando con nosotros en este largo proceso de recuperar los dineros robados al erario público y a los pobres de Nicaragua.

Muchísimas gracias, señor Presidente.

El PRESIDENTE: Thank you very much, Ambassador. On behalf of the Permanent Council, let me express appreciation to the delegations of the United States and Nicaragua for the information just provided to us on this very important subject.

CONSIDERACIÓN DE LOS PROYECTOS DE RESOLUCIÓN DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS (CONTINUACIÓN)

El PRESIDENTE: Seeing that there are no further requests for the floor, I'd like to return to item 3.c, on which we had deferred consideration. I give the floor to the Ambassador of Guatemala to see whether we have come up with a solution to the problem that we were confronting.

El PRESIDENTE DE LA COMISIÓN DE ASUNTOS JURÍDICOS Y POLÍTICOS: Gracias, señor Presidente.

Entiendo que sí. Entiendo que se reunieron varias delegaciones para buscar una fórmula. Ha salido alguien a buscarlos para ver si nos pueden ofrecer esa fórmula mágica que nos permita considerar este proyecto de resolución. Pero no tengo todavía un texto.

El PRESIDENTE: Thank you very much. I therefore recommend that we defer final consideration of this item until next week's Permanent Council meeting, which would give additional time to delegations to consult and reach consensus on the language for this draft resolution. I see nods from a number of delegations, and it is so agreed.

Seeing that there are no further requests for the floor, this meeting is adjourned. I would like to remind member states that at 2:30 p.m., we have a meeting of the General Committee. We have a number of issues to deal with, so it is very important that we try to be here at 2:30 so that we can begin that meeting on time.

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